REPORT OF THE 5th SESSION OF THE MEETING OF THE PARTIES (MOP5) TO THE AFRICAN-EURASIAN MIGRATORY WATERBIRD AGREEMENT (AEWA), 14 – 18 MAY 2012, LA ROCHELLE, FRANCE

Agenda item 1. Opening of the Meeting

1. The **Master of Ceremonies** introduced welcoming statements by the Deputy Mayor of La Rochelle, the Prefect of Charente-Maritime, the Executive Director of the United Nations Environment Programme (UNEP), the Executive Secretary of the Convention on Migratory Species (CMS), the Acting Executive Secretary of AEWA and the Environment Ambassador of the French Republic.

2. The **Deputy Mayor of La Rochelle** (Ms Sabrina Laconi), speaking on behalf of the Mayor, Mr Maxime Bono, welcomed participants to the small Atlantic seaboard town of 80,000 citizens. La Rochelle aimed to be an innovator in the fields of environment and nature protection and the conservation of flora and fauna was high on the local agenda.

3. The **Prefect of the Department of Charente-Maritime** (Ms Béatrice Abollivier) highlighted the strategic position of Charente-Maritime on the East Atlantic Flyway, observing that coastal marshes made up one-fifth of the Department's territory. She recalled that the headquarters of the French League for the Protection of Birds (LPO) and the Conservatoire du Littoral (French coastal protection agency) were located in Charente-Maritime and underlined the close cooperation with the Departmental Hunting Federation. Given the Department's increasing human population in coastal areas of high conservation value for waterbirds, the theme of MOP5 was of particular relevance.

4. Addressing the meeting via a pre-recorded video message, the **Executive Director of UNEP** (Mr Achim Steiner), expressed his thanks to the French authorities for hosting MOP5. He recalled the long-standing cooperation between UNEP and AEWA and noted that AEWA had been the first Multilateral Environmental Agreement (MEA) to use the new online reporting format developed in collaboration with the UNEP World Conservation Monitoring Centre (UNEP/WCMC). He stressed the importance, just a few weeks ahead of the Rio+20 Summit, of making the linkages between the conservation of migratory species and sustainable development as clear as possible. In particular, it was important to show the role that multilateral instruments such as AEWA could play in a global environmental governance and cooperation framework. The focus on Africa at MOP5 would serve to underline the linkages between the benefits of biodiversity conservation, species conservation and human wellbeing – a narrative that formed a bridge to Rio+20.

5. The **Executive Secretary of the Convention on Migratory Species (CMS)** (Ms Elisabeth Maruma Mrema), thanked the authorities and people of France for hosting the MOP. She noted that AEWA was an instrument that continued to serve as the main example for international flyway conservation. The Agreement had come a long way, though the need to protect migratory waterbirds was as pressing as ever, resulting in a packed agenda for the MOP. Among key items would be the Online Reporting System, new Conservation Guidelines and Species Action Plans, reports on issues affecting migratory waterbird species and progressing waterbird conservation along the Central Asian Flyway. **Ms Mrema** particularly highlighted the work undertaken by the African Group of countries during the two days preceding the MOP to finalize a draft Action Plan for implementation of AEWA in Africa through the Agreement's 'African Initiative' (AI).

Thanks were due to the Governments of France, Germany and Switzerland, as well as to the European Union, for their invaluable support for the AI.

6. A second key area for attention was the need to strengthen the knowledge-based approach of AEWA by supporting the International Waterbird Census (IWC). A robust, internationally coordinated scheme with predictable long-term funding was needed; hopefully the Parties would reach a consensus on this.

7. **Ms Mrema** highlighted examples of synergies between AEWA and CMS and updated the MOP on the recruitment of a new Executive Secretary for AEWA. She stressed her commitment to ensuring a thorough and transparent process for recruitment of the new AEWA Executive Secretary and expressed her regret over delays to date, which had been linked to the reclassification of the position at a higher grade within the UN system.

8. Finally, **Ms Mrema** reminded Parties that all new tasks given to the AEWA Secretariat would need to be adequately resourced if they were to be implemented effectively.

9. Extending his welcome to all participants, the **Acting Executive Secretary of AEWA** (Mr Marco Barbieri), thanked the French hosts for their outstanding support for thr organisation of the meeting, acknowledging in particular, the role of the Ministry of Ecology, Sustainable Development, Transport and Housing, the Municipality of La Rochelle and the LPO. He also thanked the Government of Germany for making a substantial contribution to MOP5. He extended a special welcome to four new Contracting Parties: Chad, Ethiopia, Montenegro and Zimbabwe, as well as to two future Parties, Gabon and Mauritania, both of which had completed all necessary formalities and would become Parties in just a few weeks' time.

10. **Mr Barbieri** observed that MOP5 was taking place at a crucial time for the future of AEWA, including the first real change in management since the Agreement was founded. At a personal level, he warmly invited all those interested in the position of Executive Secretary to apply. MOP5 also offered a chance for reflection; there were now 66 Contracting Parties and the Agreement covered 255 waterbird species. AEWA had accumulated a wealth of knowledge and policy guidance over the years, including Single Species Action Plans (SSAPs), Conservation Guidelines and Conservation Status Reports. However, the decline of species populations was ongoing; of populations for which trends were known, 38% were declining. The focus therefore needed to shift more strongly to national implementation; the African Initiative was one response to this challenge. By working together over the last 17 years, AEWA stakeholders had stepped up the conservation of migratory waterbirds with very limited resources, but were now confronted by a growing workload at a time of economic difficulties and cuts to national budgets. The Secretariat continued to be ready and willing to support AEWA implementation within the boundaries of its mandate and resources.

11. MOP5 was formally opened by the **Environment Ambassador of the French Republic** (Mr Jean-Pierre Thébault), who reflected on AEWA's role in contributing to fulfilling the ambitious 10-year Action Plan agreed upon by COP10 of the Convention on Biological Diversity (CBD) in Nagoya in 2011, including the Aichi Targets. He was delighted that the MOP was taking place in La Rochelle, which was an iconic location for migratory waterbird conservation. He underlined the importance attached by the Government of France to the work already undertaken on the AEWA African Initiative; it was scarcely possible to over-emphasize the importance of Africa for biodiversity conservation and the draft Action Plan provided an opportunity to show solidarity with the African continent. At Rio+20, Africa would gain even greater recognition of its role as a pillar of global biodiversity. In closing, the Ambassador paid tribute to NGOs, which had played a critical role in migratory waterbird conservation efforts to date.

<u>Signing ceremony – Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia (Raptor MoU)</u>

12. The **representative of the Interim Coordination Unit for the Raptor MoU** (Mr Nick Williams) invited **Ambassador Thébault** to sign the MoU on behalf of the Government of France. The signature was warmly welcomed by applause from participants.

13. **Mr Williams** invited the **Director General of the Division of Nature Protection and Landscape Development of the Slovak Ministry of Environment** (Mr Rastislav Rybanič) to sign the MoU on behalf of the Government of the Slovak Republic. The signature was warmly welcomed by applause from participants. **Mr Rybanič** thanked the UNEP/AEWA Secretariat for enabling the ceremony to take place and looked forward to the strengthening of conservation measures in his country for migratory species such as Red-footed Falcon *Falco vespertinus*.

Signing ceremony – revised Memorandum of Cooperation (MoC) between CMS and the Ramsar Convention.

14. The revised MoC was signed by the **Deputy Executive Secretary of CMS** (Mr Bert Lenten) and the **Deputy Secretary General of the Ramsar Convention** (Mr Nick Davidson).

15. **Mr Davidson** noted that a natural next step would be the development of a joint work plan between Ramsar and AEWA. **Mr Lenten** concurred, recalling that the two instruments had already enjoyed long-term cooperation over several decades.

AEWA Waterbird Conservation Award Presentation Ceremony (Agenda item 8)

16. The **AEWA Technical Officer** (Mr Sergey Dereliev) reminded participants that the AEWA Waterbird Conservation Award had been established by the Standing Committee in 2005 to recognise individuals and organisations having made outstanding contributions to the conservation and sustainable use of migratory waterbirds in the African-Eurasian region. The 2012 Awards consisted of a painting by the noted Belgian artist Yves Fagniart, complemented by a monetary sum of USD 5,000.

17. The 2012 Awards, presented by the **Chair of the Standing Committee** (Mr Øystein Størkersen, Norway), to applause from participants, were made to:

Individual category

18. The late **Dr Brooks Childress** in recognition of his outstanding research and conservation work for Rift Valley Lake waterbirds, especially Lesser Flamingos *Phoenicopterus minor* at Lake Bogoria and Lake Natron, including in his capacity as Chair of the IUCN/SSC/WI International Specialist Group on Flamingos.

19. **Mr Størkersen** asked participants to stand for a moment of remembrance and invited Brooks' wife, **Ms Sandra Childress**, to accept the Award. Thanking AEWA for the honour bestowed on her late husband, Mrs Childress said that Brooks had felt privileged to devote his later life to flamingo conservation, through which he had developed a deep appreciation for both the birds themselves and the people from all walks of life who contributed to their conservation. He would have been thrilled to receive the Award.

Institutional category

20. **International Wader Study Group** (IWSG) in recognition of IWSG's major contribution to the implementation of AEWA, including its development of a strategic approach to flyway conservation in the 1990s and its ongoing research, data synthesis and educational activities.

21. The Award was accepted on behalf of IWSG by **Mr Gregor Scheiffarth**, who recalled that the Group had worked for more than 40 years to gather information on populations and movements in support of habitat conservation. Effective conservation could only be achieved through high quality information that was accessible to all stakeholders. The AEWA Award would encourage IWSG members to continue to work enthusiastically towards a common goal.

Keynote presentation

22. **Mr Bart Ebbinge**, Chair of the IUCN/SSC/WI Goose Specialist Group (GSG), made a keynote presentation entitled: '*How to manage increasing goose populations*?' He briefly introduced the GSG and the history of its meetings from Poland in 1995 to Russia in 2011. He then discussed aspects of goose

migration, hunting, population dynamics, research methods and conflicts with agriculture, followed by case studies focusing on Dark-bellied Brent Goose *Branta bernicla bernicla*, Greater White-fronted Goose *Anser albifrons*, and Pink-footed Goose *Anser brachyrhynchus.* He concluded that more flexible hunting regulations would be useful, but stressed that management should always be in an international context and that international agreement and monitoring of harvest rates would be required. Parties had not invested sufficiently in research on long-term population dynamics; this shortcoming needed to be corrected.

Commencement of MOP5 business agenda

23. The **Acting Executive Secretary of AEWA** (Mr Marco Barbieri) invited the **Chair of the AEWA Standing Committee** (Mr Øystein Størkersen, Norway) to assume the role of Chair in a temporary capacity, in line with the provisions of the Rules of Procedure, until the Chair of MOP5 was elected.

24. **Mr Størkersen** welcomed participants and thanked France as host country, as well as the Technical Committee and Secretariat for efficient preparation of the meeting. He recalled that the CMS COP10 had taken place in Norway in November 2011 and that several decisions of that meeting would be picked up during MOP5. Reflecting on the task ahead, he felt it was easy to get lost in bureaucracy and the meeting would certainly delve into important administrative matters. However, most participants wanted to see effective conservation on the ground. The African Initiative was possibly the most important item on the agenda. While a lot had been achieved in Europe, much was still lacking in Africa when it came to conservation and proper management of key sites. Other issues of particular interest included the Online Reporting System, the recruitment process for the AEWA Executive Secretary – which the AEWA Standing Committee was following closely – the Central Asian Flyway, the future of the IWC, and proposed revisions to AEWA Appendix III.

Agenda item 2. Adoption of the Rules of Procedure

25. The **Acting Executive Secretary of AEWA** (Mr Marco Barbieri) referred to document AEWA/MOP 5.2 *Rules of Procedure* confirming that these were exactly the same Rules of Procedure as adopted at MOP4, with the exception of two amendments:

- Rule 40, paragraph 1: amendment so that this paragraph would be fully aligned with the provisions of Article VI paragraph 2 of the Agreement text. The amended version of Rule 40, paragraph 1 would read: "*The Parties shall make every effort to reach agreement on all matters of substance by consensus. If all efforts to reach consensus have been exhausted and no agreement reached, the decision shall, as a last resort, be taken by a two-thirds majority of the Parties present and voting, unless otherwise provided by the Agreement such as in the case of:*

  the adoption of the budget for the next financial period and any changes to the scale of assessment, which require unanimity (article V);"

- Rule 40, paragraph 2: deletion of the sentence "*If on matters other than elections a vote is equally divided, a second vote shall be taken. If this vote is also equally divided, the proposal shall be regarded as rejected*."

26. The reasons for both amendments were set out in document AEWA/MOP 5.2.

27. In response to a question raised by the **representative of the European Union and its Members States**, **Mr Barbieri** confirmed that it had not been usual practice for AEWA to adopt amendments to the Rules of Procedure through MOP Resolutions, but rather for any such decision to be clearly recorded in the Report of the Meeting.

28. **Uganda**, seconded by **Senegal**, moved that the tabled amendments be adopted.

29. At the invitation of the **Chair of the Standing Committee**, the MOP adopted the amendments by consensus.

Agenda item 3. Election of Officers

30. The **Chair of the Standing Committee** recalled that, in accordance with Rule 21 of the Rules of Procedure, a Chair and one or more Vice-Chairs should be elected. It was established practice for a representative of the host country to Chair Meetings of the Parties, but this would require a formal proposal.

31. **Switzerland**, seconded by **Chad**, proposed that France should be elected as to Chair MOP5.

32. At the invitation of the **Chair of the Standing Committee**, France was elected by acclamation as Chair of MOP5.

33. **Benin,** on behalf of the **Africa Group** and supported by **Ghana**, **Madagascar**, **Mali**, and **Mauritania**, nominated **Kenya** as Vice-Chair of MOP5.

34. The **Chair of the Standing Committee** congratulated France and Kenya and invited **the representative of France** (Mr Paul Delduc) to the podium to assume his responsibilities.

35. **Mr Delduc** thanked Parties for having honoured France by electing it as Chair of MOP5, alongside the Vice-Chair, Kenya; France would do its utmost to ensure the success of the meeting.

Agenda item 4. Adoption of the Agenda and Work Programme

36. The **Chair** introduced documents AEWA/MOP 5.3 Rev.1 *Provisional Agenda* and AEWA/MOP 5.4 *Provisional Annotated Agenda* and invited comments. There being none, both the Agenda and Annotated Agenda were adopted by consensus.

37. In order to facilitate planning, the **Chair** invited any participant wishing to raise items under Any Other Business (Agenda item 33), to make that fact known as soon as possible, though it would naturally also be possible to raise such matters when Agenda item 33 was reached.

Agenda item 5. Establishment of Credentials Committee and Sessional Committees

38. The **Chair** invited nominations for membership of the Credentials Committee.

39. **The representative of the European Union and its Member States,** speaking on behalf of the **European and Central Asian regions**, nominated **Ukraine** and the **United Kingdom**.

40. **Benin,** on behalf of the **Africa Group**, nominated **Togo** and **Kenya**.

41. These nominations were endorsed by consensus and the Credentials Committee was duly constituted.

42. The **Chair** noted that it was proposed there should be two Sessional Working Groups; one dealing with Financial and Administrative matters, the other dealing with Scientific and Technical matters. He invited proposals for additional Working Groups as necessary; no such proposals were forthcoming.

43. **The representative of the European Union and its Members States** nominated **Norway** to Chair the Working Group on Financial and Administrative matters.

44. **Benin,** on behalf of the **Africa Group**, nominated **Algeria** as Vice-Chair of the Working Group on Financial and Administrative matters, with **Uganda** as Alternate Vice-Chair.

45. **Benin,** on behalf of the **Africa Group** nominated **South Africa** as Chair and **Senegal** (African focal point for Scientific and Technical matters) as Vice-Chair of the Working Group on Scientific and Technical matters.

46. The nominations were endorsed by acclamation and the Chairs and Vice-Chairs of the Working Groups duly elected.

Agenda item 6. Admission of Observers

47. The **Chair** introduced document AEWA/MOP 5.5 *Admission of Observers* and read out the list of Observers registered from non-Party Range States, intergovernmental organisations, international non-governmental organisations and national non-governmental organisations.

48. He invited the meeting to decide on the admission of the countries and organisations named.

49. The meeting decided by consensus to admit as Observers all those countries and organisations listed in document AEWA/MOP 5.5, subject to the inclusion of Saudi Arabia, which had been inadvertently excluded from the list of non-Party Range State Observers.

Agenda item 7. Opening Statements

50. The **Chair** noted that written opening statements from Contracting Parties, IGOs and NGOs would appear in the proceedings of the meeting. States that had become Contracting Parties since MOP4, or non-Party Range States, which were in the process of accession to AEWA, and that wished to take the floor, were invited to make brief oral statements.

51. Statements were made by the following States that had become Contracting Parties since MOP4:

- **Chad**
- **Ethiopia**
- **Zimbabwe**

52. **Gabon** and **Mauritania**, which had recently completed accession formalities also made short statements.

53. The following non-Party Range States expressed their intention of acceding to the Agreement as soon as possible and provided details of the current status of the legal and administrative processes required:

- **Côte d'Ivoire** – currently completing the final stages of accession;
- **Iceland –** the Icelandic Parliament had approved joining AEWA, the process should be complete by the end of 2012;
- **Poland** – the accession procedure had been initiated and should be completed in 2013;
- **Russian Federation** – following formation of the new Government of the Russian Federation, the necessary preliminary consultations, prior to initiating the process of joining AEWA, would be held.

54. **Benin, on behalf of the African Group,** and supported by **Togo** called on all participants to support the draft Plan of Action for Africa (PoAA).

55. The **Chair** was most encouraged to see that many new Parties had either joined the Agreement, or were in the process of joining, at a time when there were many other concerns in the world. This showed conviction that AEWA could make a difference.

Agenda item 8. AEWA Waterbird Conservation Award Presentation Ceremony

56. This Agenda item was incorporated into the Opening of MOP5 (see paragraphs 16–21).

Agenda item 9. Reports

a. Standing Committee

57. The **Chair of the Standing Committee** (Mr Øystein Størkersen, Norway) presented document AEWA/MOP 5.6 *Report of the Standing Committee*.

58. The **Chair of the MOP** congratulated the Chair and members of the Standing Committee (StC) for their work.

59. **Denmark,** speaking on behalf of **the European Union and its Member States**, congratulated the StC for its work during the triennium, including leadership of preparations for MOP5. Thanks were also due to Germany as the host of the Secretariat. A well-functioning StC was vital for an effective Agreement; it was a means for the Secretariat and Technical Committee (TC) to link to the Parties and to manage the Agreement's business between sessions of the MOP. The EU and its Member States would actively seek candidates for the new StC.

b. Technical Committee

60. The **Chair of the TC** (Ms Jelena Kralj) presented document AEWA/MOP 5.7 *Report of the Technical Committee*. MOP4 had given the TC a long list of tasks and the TC had subsequently developed a work plan for 2009-2012 and working groups had been established. The AEWA Technical Committee Workspace, launched in January 2009, had greatly facilitated operation of the working groups.

61. **Ms Kralj** briefly summarised progress on the issues and tasks dealt with by the TC and its working groups in the framework of the 2009-2012 work plan. All work had been completed with the exception of two topics: (a) guidance on hunting and 'look alike' species, and (b) the adequacy of site networks for the protection of migratory waterbirds in relation to climate change impacts. A number of tasks had resulted in the preparation of MOP5 documents and draft resolutions, which would be considered by the relevant MOP5 Working Group. Thanks were due to the Governments of Croatia and Kenya for hosting TC meetings as well as to all TC members and the Secretariat.

62. The **Chair** complimented the TC on the remarkable quality of its work.

63. **Denmark**, speaking on behalf of **the European Union and its Member States,** thanked the Chair and members of the TC for their work and expressed satisfaction that the TC had achieved most of the many tasks that MOP4 had set for it. AEWA would continue to need sound technical documentation and scientific guidance and the EU would continue to support the TC's work during the coming years.

64. The **AEWA Technical Officer** (Mr Sergey Dereliev) noted that that the **Chair of the TC** would be stepping down after MOP5. On behalf of the Secretariat, he thanked Ms Kralj for her work.

c. Depositary

65. **The Netherlands** introduced document AEWA/MOP 5.8 *Report of the Depositary*. There were currently 65 Parties, including Ethiopia, Chad and Montenegro, which had become Parties during the last triennium. None of these new Parties had entered reservations. On 1 June 2012 the Agreement would enter into force for Zimbabwe, making it the 66th Contracting Party. On the opening day of MOP5, participants had received encouraging news from Gabon and Mauritania concerning their imminent adhesion, as well as updates from Côte d'Ivoire, Iceland, Poland, and the Russian Federation with regard to the status of their national preparations. Ratifications were still pending for Greece and Morocco.

d. Secretariat

66. The **Acting Executive Secretary of AEWA** (Mr Marco Barbieri) made a presentation introducing document AEWA/MOP 5.9 *Report of the Secretariat*, summarising activities under the following headings:

- General management;
- Recruitment of new Parties;
- Promotional workshops and meetings;
- Strategic Cooperation with other organisations;
- Information management;
- Websites;
- Print publications;
- Electronic publications;
- Other activities (including *inter alia* World Migratory Bird Day, the Online Reporting System);
- Implementation and compliance (including, *inter alia*, International Implementation Tasks, Wings Over Wetlands, WetCap, Single Species Action Plans, International Review Process); and
- Policy-related developments (including Central Asian Flyway and CMS Future Shape process).

67. The **AEWA Information Officer** (Mr Florian Keil) made a presentation introducing document AEWA/MOP 5.10 *AEWA Information and Communication Technology (ICT) Overview*.

68. The **Chair** invited comments on the two presentations made by the Secretariat.

69. In reply to a question from **Egypt**, **Mr Barbieri** reported that it had unfortunately not been possible for the donor concerned to extend its funding for the project on Strengthening waterbird and wetland conservation capacities in North Africa (WetCap), so that project was now closed.

70. **Denmark**, speaking on behalf of **the European Union and its Member States**, considered that the Secretariat had achieved impressive results and thanked the staff for their professional and personal commitment and for the valuable networking carried out. The European Union and its Member States also appreciated the support provided to the Secretariat by a small group of donor countries. The European Union would actively participate in the MOP5 discussions on budget, keeping in mind the need for an effective Secretariat.

71. **Madagascar** was grateful for funding that had been provided to support the implementation of species action plans and noted that a National Action Plan for the Madagascar Pond Heron *Ardeola idae* had been developed to complement the Single Species Action Plan for this species.

72. **Senegal** called for the website portal for Africa to be accessible in French as well as in English. The WOW project had enabled designation of a transboundary protected area by Senegal and Gambia, but support was now needed for implementation of site management.

Agenda item 10. Outcomes of the CMS COP10 and Other Developments of Relevance to AEWA

73. The **Executive Secretary of CMS** (Ms Elisabeth Maruma Mrema) commented on the fact that there were more and more focal points with responsibility for both CMS and AEWA. This showed increasing synergies at national level and meant that many MOP5 participants had also attended CMS COP10 in Norway in November 2011.

74. She highlighted examples of COP10 decisions that were especially relevant for MOP5, many of which were already the subject of active follow-up, including those dealing with:

- Conservation of migratory African-Eurasian landbirds;
- Flyways;
- Migratory birds and power grids;
- Minimising the risk of poisoning of migratory birds;
- Invasive alien species;
- Climate change; and
- The CMS Future Shape process.

75. With regard to CMS - AEWA synergies, **Ms Mrema** noted that in close cooperation with AEWA, the CMS Secretariat had begun organising a meeting of Central-Asian Flyway (CAF) Range States, to be held back-to-back with the Raptors MoU meeting in December 2012. The possible extension of the AEWA Agreement Area to include CAF would be among issues for consideration. Other areas of cooperation included the new CMS Family website, and the annual World Migratory Bird Day (WMBD). With regard to the latter, CMS had taken on additional responsibilities for WMBD in 2012, to allow AEWA to focus on preparations for MOP5.

76. The **Chair** invited comments on Ms Mrema's presentation.

77. **Germany,** speaking on behalf of **the European Union and its Member States** expressed appreciation of the strong cooperation between CMS and AEWA, especially with regard to the Future Shape process and development of the CMS Strategic Plan. It would be helpful if AEWA's ongoing involvement in this work could be made explicit by means of a mandate to the Standing Committee to work on follow-up of the Future Shape process and to enhance synergies. The European Union and its Member States would present a proposal for such a mandate under Agenda item 26, dealing with Draft Resolution 5.17.

78. At the invitation of the **Chair**, the meeting indicated its consent for such a proposal to be made.

Agenda item 11. Implementation of the AEWA Strategic Plan

79. The **AEWA Technical Officer** (Mr Sergey Dereliev) made a presentation introducing document AEWA/MOP 5.11 *Implementation of the AEWA Strategic Plan 2009 – 2017*. He recalled that the AEWA Strategic Plan 2009–2017 had been approved by MOP4 in 2008 and that the Standing Committee (StC) had been tasked to monitor implementation and to report to the MOP. Progress towards achieving the overall goal of the Strategic Plan (SP) had been assessed as very insufficient, based on 12 indicators (eight Agreement-wide indicators and four national indicators). The SP had five Objectives with 26 Targets. Overall progress towards achieving the Objectives was assessed as average to insufficient, with most progress recorded under Objective 2 (sustainable use of waterbirds) and least progress under Objective 1 (measures to improve or maintain the conservation status of waterbird species and their populations).

80. **Mr Dereliev** briefly outlined the SP Targets and Indicators that had been reached/achieved.

81. He noted that the Standing Committee had made a number of recommendations for improving implementation, including a shortlist of 12 Targets needing particular attention and strengthening – four of these under Objective 1.

82. Among other recommendations set out in document AEWA/MOP 5.11, it was proposed that ahead of MOP6, the Technical Committee and Secretariat should work on the remaining Targets and Indicators that had not yet been assessed.

83. The **Chair** invited the MOP5 Working Group on Scientific and Technical matters to take up the report's recommendations with a view to their possible incorporation into draft resolutions.

84. **Senegal** reported that many of the recommendations had been taken into account during development of the Plan of Action for Africa.

Agenda item 12. National Reports and Online Reporting Process

85. The **AEWA Technical Officer** (Mr Sergey Dereliev) made a presentation introducing document AEWA/MOP 5.12 *Synthesis of Information Provided by AEWA Parties through National Reports on Implementation of the Agreement for the Period 2009-2011*. He recalled that national reporting was required under Article V.1(c) of the Agreement. The deadline for submission of National Reports prior to MOP5 had been set at 14 January 2012. The format had been approved by MOP4 and reports were compiled and submitted through the CMS Family Online Reporting System. Only 30% of the reports received had arrived

by the deadline, which had therefore been extended by six weeks. Analysis had been carried out by UNEP/WCMC to whom grateful thanks were due for undertaking this work within a very short timeframe.

86. There had been good progress with report submission: 69% for MOP5 versus 24% for MOP2. The gaps were mainly in the African region and the reasons for this had been discussed actively over the past two days.

87. **Mr Dereliev** summarised the progress made on each Strategic Plan Goal/Target and the corresponding indicators, as follows:

- Legal protection (SP Target 1.1) – **limited progress**
- Species status (SP Goal: To maintain or to restore migratory waterbird species and their populations at a favourable conservation status throughout their flyways) – **not achieved/no progress**
- Population trends (SP Goal: To maintain or to restore migratory waterbird species and their populations at a favourable conservation status throughout their flyways) – **limited progress**
- Red list status (SP Goal: To maintain or to restore migratory waterbird species and their populations at a favourable conservation status throughout their flyways) – **not achieved/no progress**
- Single Species Action Plans (SP Target 1.4) – **limited progress**
- Non-native species (SP Target 1.5) – **limited progress**
- Site networks (SP Target 1.2) – **good progress**
- Harvest data collection (SP Target 2.2) – **good progress**
- Lead shot phase out (SP Target 2.1) – **good progress**
- Illegal taking of waterbirds – **good progress**
- Environmental Impact Assessment/Strategic Environmental Assessment (SP Target 1.3) – **good progress**
- Waterbird monitoring (SP Target 3.2) – **significant progress**
- Waterbird research (SP Targets 3.1 & 3.5) – **not assessed/limited progress**
- International Waterbirds Census (SP Target 3.1) – **limited progress**
- Awareness raising (SP Target 4.3) – **Target reached**
- Increasing number of Parties (SP Target 5.1) – **limited progress**
- Small Grants Fund (SP Target 5.4) – **good progress**
- National Coordination Mechanisms – (SP Target 5.7) – **significant progress**

88. On the basis of these findings, UNEP/WCMC had recommended that:

- Parties should focus on implementation of the SP Goal and targets;
- Financial, logistical and technical support for implementation should be provided to Parties;
- Cooperation between Parties should be enhanced; and
- A number of enhancements should be made to the Online Reporting System (ORS) and reporting format.

89. The **Chair** opened the floor to comments.

90. **Mali** noted that it had not been possible to submit a National Report as a consequence of the very difficult circumstances experienced in his country recently.

91. **Senegal** suggested that it would be useful to constitute a small group to provide feedback to the Secretariat and UNEP/WCMC on the experience of Parties in use of the ORS.

92. **Mr Dereliev** noted that the Secretariat was planning to distribute a short survey to all Parties to provide structured feedback so that the reporting format could be improved in the future.

93. The **Ramsar Convention Secretariat** confirmed that it was already examining the possibility of using the flexible online platform for use in national reporting to Ramsar COP12 in 2015. If that were to happen,

the potential for cross-searching and moving towards simplified, more harmonised reporting could be realised.

94. The **AEWA Information Officer** (Mr Florian Keil) made a presentation introducing document AEWA/MOP 5.13 *Report on National Reporting and Online Reporting System* (ORS). He noted that development of the ORS had only been possible through a UNEP Department of Environmental Law and Conventions (DELC) project funded by the Government of Norway. The system was very flexible, meaning that it could be used easily by other Multilateral Environment Agreements (MEAs). However, still missing were:

- Basic funding for hosting the ORS (long-term maintenance by UNEP/WCMC);
- A web-based analytical tool; and
- Use of the ORS by other MEAs, beginning with the CMS Family.

95. In addition, there was a need to make improvements to the format, and to maximise the use of the information submitted, as well as to invest in training to ensure that Parties were in a position to use the ORS effectively. He also briefly outlined the UNEP Initiative on Information and Knowledge Management (IKM) for MEAs, including InforMEA.

96. **Mr Keil** continued by introducing Draft Resolution 5.1 *National Reporting and Online Reporting System*.

97. The **Chair** opened the floor to comments.

98. **Switzerland** congratulated the Secretariat and UNEP/WCMC on the development of the ORS, but noted two major problems that had been encountered, namely the considerable size of the report file, which made it difficult to circulate widely; and secondly, the difficulty of extracting sections to translate into national languages for website posting. With respect to Draft Resolution 5.1, Switzerland tabled specific amendments to two operative paragraphs.

99. Following further discussion, with contributions from **Denmark**, **Mali**, **Senegal** and **Tunisia**, which highlighted a number of difficulties experienced in using the ORS, the **Chair** requested the Scientific and Technical Working Group to take up the issues raised, including possible amendments to the Draft Resolution. A way forward might be to establish an ORS 'user group' or similar forum.

Agenda item 13. International Reviews

100. The representative of **Wetlands International** (Mr Szabolcs Nagy) made a presentation introducing document AEWA/MOP 5.14 *Report on the Conservation Status of Migratory Waterbirds in the Agreement Area - 5th Edition (CSR5)*. A number of improvements had been made to both analysis and presentation, the latter focusing on an easier-to-read 'fact sheet' format. With regard to quality of population estimates, only 5% of population size estimates were based on a full census or statistically adequate sampling. Trends were still unknown for 37% of AEWA populations and poor for a further 45%. The quality of population size estimates and trends varied geographically, being worst for Central Asia and the West Asia/East Africa flyway. A total of 40% more populations with known trends were declining rather than increasing. The Central Asia and West Asia/East Africa flyways also had the highest proportion of declining species. In terms of threats and their impacts, climate change, biological resource use and natural system modifications affected the most AEWA species.

101. **Mr Nagy** summarised the findings in relation to AEWA's Strategic Plan indicators – only two indicators showed good progress. The report's recommendations related to actions for improved monitoring, facilitation of knowledge exchange on climate change adaptation and impact mitigation, reducing impacts of biological resource use, reducing negative impacts of water management activities, taking AEWA requirements into account in external aid policies, supporting water management, agricultural and aquacultural developments, recruitment of additional Parties from Africa and Asia, and the development of more favourable conditions for flyway-level projects.

102. The **Chair** opened the floor to comments.

103. **Algeria** considered that the work carried out to locate Slender-billed Curlew *Numenius tenuirostris* in his country had not yet been sufficient.

104. **Mr Nagy** made a second presentation introducing document AEWA/MOP 5.15 *Report on the Site Network for Waterbirds in the Agreement Area*.

105. He recalled the legal basis and relevance of this work, and outlined the methodology used. He noted that the work had only been possible due to the development of the Critical Site Network (CSN) Tool under the Wings Over Wetlands (WOW) project. Critical Sites had been identified for 68% of AEWA populations in the breeding season and 80% in the non-breeding season, but for only 61% in both seasons, showing that 40% of populations needed conservation measures that were not only site based. Only half of these Critical Sites had >50% of their area designated as protected areas and only 37% were wholly designated. A higher proportion of designated sites were located in EU Member States than elsewhere. Conservation measures were only reported from 14% of all Critical Sites, but data deficiency had probably influenced this finding. Existing protected area networks for many populations were inadequate if compared with the coverage required for the CSN to be fully designated. Among the report's recommendations were those relating to: designation of Critical Sites; development of habitat conservation strategies in Africa and Southwest Asia; implementation of gap-filling surveys in poorly known areas; development and implementation of action plans to fill gaps in site designation and management; the building of site management capacity and understanding of the special requirements of migratory waterbirds; development of a plan of action for Central Asia; assisting the development of a coherent flyway network; consideration of reporting on designation and management as part of the national reporting process; keeping the CSN Tool up-to-date; and implementation of monitoring schemes.

106. The **Chair** opened the floor to comments.

107. **Egypt** stressed the importance of national capacity on the ground.

108. **France** was struck by the apparent gaps in the EU's Natura 2000 network.

109. In response to questions from **Algeria** and **Tunisia**, the **AEWA Technical Officer** (Mr Sergey Dereliev) confirmed that both documents presented by Wetlands International were available on AEWA's website. The site network report was preliminary and would only be finalised by the Technical Committee in the run-up to MOP6. This would present the opportunity for correcting any errors or omissions, through full consultation with Parties, which had yet to be carried out.

110. **Mr Dereliev** outlined Draft Resolution 5.2 *Addressing gaps in knowledge of and conservation action for Waterbird Populations and sites important for them*. He noted that there was considerable scope for the Scientific and Technical Working Group to develop the draft further and that it might become one of the key decisions of MOP5.

111. The **Chair** opened the floor to comments on the Draft Resolution.

112. **Switzerland** suggested that the emphasis in operative paragraph 9 should be on 'interoperability' rather than on harmonisation.

113. **Norway** concurred with the Technical Officer's comment that this was one of the more important Ddraft resolutions before the MOP, which marked the beginning of a new phase of the Agreement, with significant implications for the future.

114. **Senegal** felt that the preamble was too lengthy and raised points concerning several operative paragraphs.

115. The **representative of the European Union and its Member States** indicated that the European Union would be making comments on the Draft Resolution during the Scientific and Technical Working Group.

116. Responding to interventions by **Algeria**, **Mali** and the **Ramsar Convention Secretariat, Mr Nagy** clarified that the criteria for development of the CSN were based on the existing Ramsar criteria relating to globally threatened species, the 1% population threshold, and the 20,000 waterbirds threshold.

Agenda item 14. Implementation Review Process

117. The **AEWA Technical Officer** (Mr Sergey Dereliev) presented document AEWA/MOP 5.16 *Implementation Review Process (IRP) - Report to MOP5*. He recalled that the IRP had been established by MOP4 through Resolution 4.6. He outlined the IRP procedure subsequently developed by the Standing Committee (StC), in consultation with the Technical Committee (TC). Three cases had been brought to the attention of the StC during the last triennium:

- Syrian Arab Republic – illegal hunting of the critically endangered Sociable Lapwing *Vanellus gregarius*: an IRP case had been opened by the StC in 2009; an IRP mission took place in February 2010; an official report and recommendations had been transmitted to the Syrian Government in August 2010; no official report on the implementation of recommendations had yet been received.
- Montenegro – drainage of the Salina of the Ulcinj for tourism development: an IRP case had been opened by the StC in 2012; the UNEP/AEWA Secretariat was currently preparing a response to information provided by the Government of Montenegro and undertaking consultations for a possible joint mission with the CMS, Ramsar and Bern Convention Secretariats.
- Bulgaria – windfarm project adjacent to Lake Durankulak posing a risk to the globally threatened Red-breasted Goose *Branta ruficollis*: in March 2012 the StC had decided to open an IRP case and a letter had been sent to the Bulgarian Government offering an IRP mission; an official response was awaited.

118. The **Chair** acknowledged the quality of the work carried out by the StC, TC and Secretariat. He invited comments from the floor.

119. **Montenegro** noted that AEWA had entered into force in Montenegro in November 2011. At the beginning of 2012 the issue of Ulcinj salina had arisen and was being dealt with in the best possible way. Though the area constituted a significant nesting and wintering place for waterbirds, according to Montenegro's spatial plan to 2020 it had been classified as urban construction land for the development of tourist infrastructure. However, following a new Governmental Decision taken in April 2012, the area had been reclassified as a designated protected area, in the category 'Monument of Nature', under the jurisdiction of the Municipality of Ulcinj. When developing the Urban Plan of the Municipality of Ulcinj, the Ministry of Tourism and Sustainable Development would take particular account of the obligations of Montenegro according to international agreements concerning the protection of biodiversity in the area of Ulcinj Salina, from which it followed that the area should not be considered as urban building land.

120. **Bulgaria** confirmed that a region of Bulgaria of major importance for migratory waterbirds was also the country's most suitable region for the development of windfarms. There were currently two new windfarm developments proposed for the area. Environmental Impact Assessments for proposed development projects, including windfarms, were dealt with by the Regional Inspectorate for Environment and Water, with any appeals against the decision of the Regional Inspectorate considered by the Ministry of Environment and Water. The Ministry had recently written to the UNEP/AEWA Secretariat requesting clarifications relating to the IRP, including the timing of a possible IRP mission.

121. At the proposal of the **Chair**, the meeting thanked the StC, TC and the Secretariat for their work on the IRP since MOP4 and requested them to continue working on current and future cases.

Agenda item 15. Report on the Implementation and Revision of the AEWA International Implementation Tasks 2009-2016

122. The **AEWA Technical Officer** (Mr Sergey Dereliev) briefly introduced document AEWA/MOP 5.17 Corr. 1 *Report on the Implementation of the International Implementation Tasks (IIT) 2009-2016* and draft

resolution AEWA/MOP5 DR3 Corr. 1 *AEWA International Implementation Tasks for [2012–2015] [2012–2016]*. He recalled that the IITs for 2009-2016 had been approved at MOP4 through Resolution 4.10. Special emphasis had been placed on support for implementation of the WOW/African-Eurasian Flyway GEF project. Implementation of the IITs for 2009-2016 had been fully dependent on voluntary contributions from Contracting Parties. Since 2009, €1.44 million had accrued from such contributions and had been partly allocated to IIT implementation. Of 31 tasks listed, 13 had been fully or partly implemented. Full implementation of IITs for the 2009-2012 intersessional period would have required voluntary contributions totalling nearly €12 million. The Draft Resolution set out proposals for IITs in the coming intersessional period.

123. The **Chair** noted that these documents would be considered in detail by the MOP5 Working Group on Scientific and Technical matters, but invited comments of a general nature from the floor.

124. **Norway** drew attention to the huge gap between funding needs and what was actually available. Since the Agreement had limited resources, it could be helpful for the TC to look into prioritisation or ranking of IITs with regard to the budget.

125. The **Chair** noted that priorities identified from a scientific viewpoint might not always be in line with political or diplomatic priorities.

126. **Mr Dereliev** believed that the TC could perform such a prioritisation, though it would be the view of a limited group and would in any case be difficult to undertake at the present meeting. The MOP might mandate the TC to prepare such advice at its next meeting, to be held in August 2012.

127. The **Chair** considered that the suggestion of Norway had been for the TC to provide its advice during MOP5, rather than at a later date.

128. **Switzerland** noted that the TC had regularly discussed prioritisation, but that the task had proved difficult as those Parties ready to provide financial support did not necessarily select the projects prioritized by the TC. It would be useful for there to be regular reminders from the Secretariat of those priority projects for which funding was required, particularly those for which relatively modest funding could make a real difference.

129. The **Chair** requested the TC to indicate a few activities of utmost priority. The MOP could then decide that the Secretariat should contact potential donors with regard to support for these activities. In any case, the MOP5 Working Group on Financial and Administrative matters (WG2) would consider this issue in more detail.

Agenda item 16. Report on the Implementation of the Wings Over Wetlands (WOW) UNEP-GEF African-Eurasian Flyways Project and Post-WOW prospects

130. **Mr Gerard Boere** made a brief presentation introducing the achievements of the WOW Project, which had turned a vision into reality by integrating the flyway approach into thinking and practice, from the Arctic to southern Africa. This included recognising that changes in one part of a flyway could have impacts thousands of kilometres away. WOW had undertaken 11 demonstration projects and developed various tools, including, in particular, the Flyway Training Kit (FTK) and the Critical Site Network (CSN) Tool. An evaluation conducted for GEF concluded that the project had reached almost all of its original goals and targets, though the evaluators had also been critical about the time spent trying to overcome problems in securing sufficient co-funding. Nevertheless, the project had been ranked among the top 20 GEF projects.

131. In terms of follow-up to WOW, a Memorandum of Cooperation had been signed by AEWA, the Ramsar Convention, Wetlands International, and BirdLife International. Other key WOW-related initiatives included the AEWA African Initiative; West African Conservation of Migratory Birds project of Wetlands International and BirdLife International; and important new work by the Wadden Sea countries.

132. In closing, **Mr Boere** thanked the hundreds of people participating in WOW over the last five years. It had been a great pleasure to be involved and though WOW was now formally closed, its philosophy was very much alive.

133. The **AEWA Information Officer** (Mr Florian Keil) presented Draft Resolution AEWA/MOP5 DR4 *Implementation of the Wings Over Wetlands (WOW) UNEP-GEF African-Eurasian Flyways Project and post-WOW prospects*.

134. The representative of **the European Union and its Member States** thanked Gerard Boere and the team responsible for the remarkable success of the WOW project. The European Union had a few amendments to propose to the Draft Resolution and would raise these in the relevant Working Group, notably the need to make a clear linkage with the AEWA African Initiative.

135. **Wetlands International Africa** stressed that the results of WOW had been felt at a global level and had been particularly important for wetland and waterbird conservation in Africa. Efforts had been made to support Africa through capacity building, notably via the FTK, but the latter was only the visible tip of an iceberg.

136. **Mauritania** thanked WOW for supporting the training of 20 eco-guides. There was a need to expand such training to other areas of the country and discussions in this regard were being held with Wetlands International Africa.

Agenda item 17. Report on the Implementation and Revision of the Communication Strategy

137. The **AEWA Information Officer** (Mr Florian Keil) presented document AEWA/MOP 5.18 *Report on the Implementation and Revision of the Communication Strategy (CS)* and the associated Draft Resolution AEWA/MOP5 DR5 *Implementation and Revision of the Communication Strategy*. He drew particular attention to a new publication, made available to all MOP5 participants, which introduced AEWA in an attractive, straightforward manner. Thanks were due to the Government of Germany for its financial support of this publication.

138. **Mr Keil** outlined the key messages of the CS and the annexed Communication Action Plan (CAP), which had been adopted at MOP3, through Resolution 3.10. Unfortunately, only limited activities had been implemented, owing to a lack of resources, given that implementation of the CS and CAP was entirely dependent on voluntary contributions. Only 10% of the resources required had been secured. The Draft Resolution before MOP5 foresaw revision of the CS, primarily to align it with the AEWA Strategic Plan and Plan of Action for Africa, to integrate newly developed tools, and to make it more realistic.

139. Noting that this item would be taken up by the MOP5 Working Group on Scientific & Technical matters (WG1), the **Chair** invited general comments from participants.

140. **Norway** recommended that the national Communication, Education and Public Awareness (CEPA) contacts should not be the national focal points for AEWA, but should be appropriate communications professionals. There was also a need to prioritise key issues to avoid overstretching the capacity of the Secretariat.

141. **Sudan** felt that there was a need for prioritisation not only of activities, but also on the basis of sites.

142. **Senegal, on behalf of the Africa Group,** tabled a number of specific amendments to the Draft Resolution.

143. The **Chair** asked that consideration of these, and any other detailed proposals for amendments, be deferred to WG1.

Agenda item 18. World Migratory Bird Day (WMBD)

144. The **AEWA Information Officer** (Mr Florian Keil) introduced document AEWA/MOP 5.19 *Report on World Migratory Bird Day (WMBD) 2006-2012*. His presentation was preceded and followed by short WMBD promotional videos. He outlined the development of WMBD since 2006 and summarised the role of the UNEP/AEWA Secretariat, which included development and shipping of campaign materials, registering WMBD events from around the world, liaising with event organisers, the preparation and distribution of press releases and other media work, including use of social networking media. The major challenge was setting the path for the future of the event and the input of Parties in this regard would be most welcome. The Secretariat's suggestions included:

- Incorporation of WMBD into the AEWA Communications Strategy (foreseen in DR5);
- The possibility of a country volunteering to host WMBD;
- Increasing fundraising efforts;
- Establishing even closer links with related events; and
- Establishing WMBD as an official 'UN Day'.

145. Following discussion, with contributions by **Libya**, **Mali**, **Senegal** and **Tunisia**, the **Chair** concluded that there was general enthusiasm for the event, but that it would be impossible to select a date for WMBD on which large numbers of migratory birds would be present everywhere along all African-Eurasian flyways. However an even more intensive communications effort for the event was needed.

Agenda item 19. Proposals for Amendments to the Agreement and/or its Annexes, and Guidance for Interpretation of Criteria Used in Table 1 of the AEWA Action Plan

146. The **AEWA Technical Officer** (Mr Sergey Dereliev) made a presentation introducing document AEWA/MOP 5.20 *Proposals to the 5th Session of the Meeting of the Parties for Amendments to Annex 3 (Action Plan and Table 1) of AEWA*, document AEWA/MOP 5.20 Addendum Rev. 1 *Comments from the Parties to the Proposals for Amendments to Annex 3 (Action Plan and Table 1) of AEWA* and Draft Resolution AEWA/MOP DR6 Rev. 1 *Adoption of amendments to the AEWA Action Plan*. A set of proposals had been submitted by the Government of Kenya on the basis of the work conducted intersessionally by the TC. Comments on these proposals had been received from the European Union within the statutory deadline prior to MOP5.

147. The **Chair** invited general comments.

148. The representative of **the European Union and its Member States** confirmed that the European Union supported the Draft Resolution in general but would table proposed amendments during WG1.

149. **Mr David Stroud** (TC member for North and South-Western Europe) made a brief presentation introducing document AEWA/MOP 5.21 *Proposal for Guidance on Interpretation of the Term "Extreme Fluctuations in Population Size or Trend" Used in the Context of Table 1 of the AEWA Action Plan* and the corresponding part of Draft Resolution AEWA/MOP DR7 *Adoption of Amendments and New Guidance for interpretation of terms used in the context of Table 1 of the AEWA Action Plan*. He noted that this entailed a small but important change for determining species or population conservation status in the AEWA Action Plan. An existing international definition of "extreme fluctuations" was in use for the IUCN Red List, but this definition was not appropriate for three species listed on AEWA Appendix 1, namely Spotted Crake *Porzana porzana*, and certain populations of both Marbled Teal *Marmaronetta angustirostris* and Sandwich Tern *Sterna sandvicensis*, all of which were subject to significant population fluctuations. The TC had therefore proposed changing the criterion from "extreme fluctuations" to "large fluctuations" to be accompanied by a new definition of the latter term, as set out in the Draft Resolution.

150. The representative of **Wetlands International** (Mr Szabolcs Nagy) introduced document AEWA/MOP 5.22 *Proposal for Amendment of the Definition and the Guidance on Interpretation of the Term "Significant Long-Term Decline" Used in the Context of Table 1 of the AEWA Action Plan as Approved by Resolution*

3.3, together with the associated Draft Resolution AEWA/MOP DR7 *Adoption of Amendments and New Guidance for interpretation of terms used in the context of Table 1 of the AEWA Action Plan*. He summarised the underlying scientific reasons for the proposed amendments, which had been developed by the TC and were presented in Appendix 1 to DR7. The Draft Resolution also set out a revised definition of "significant long-term decline" and guidance for its application.

151. Noting that this item would be taken up in detail by WG1, the **Chair** invited general comments from the floor.

152. The **United Kingdom**, speaking on behalf of **the European Union and its Member States**, was grateful for the presentations made and felt that the new definitions were useful. However, as a number of different definitions had been developed over time, by AEWA and others, it would be useful for such definitions to be compiled in a single document or in one location on the AEWA website.

153. The **Chair** asked the Secretariat to integrate this helpful suggestion into DR7.

Agenda item 20. Adoption of the New Arabic Translation of the Agreement Text

154. The **Acting Executive Secretary of AEWA** (Mr Marco Barbieri) referred to document AEWA/MOP 5.23 *New Arabic Version of the Agreement Text*. He recalled that while there was an existing authentic Arabic version of the AEWA Agreement text, the Secretariat had received advice over a period of years from Arabic-speaking Parties concerning the quality of the Arabic text. It had therefore been decided to revise the Agreement text in Arabic to remove any possible discrepancies between language versions, and a new translation had been commissioned within the framework of the WetCap project. The new translation, which was annexed to document 5.23 had been circulated to the relevant Parties in October 2011. No comments had been received and the StC had therefore approved document 5.23 for forwarding to MOP5.

155. The **Chair** invited interventions from Arabic-speaking Contracting Parties.

156. **Libya**, taking the floor **on behalf of the Arabic-speaking Parties present at MOP5**, thanked the Secretariat for the efforts made and stressed the significance of having an Arabic version of the Agreement text. Having carefully reviewed the new translation, it had been concluded that important further adjustments were still required. This might prove difficult to finalise before the closure of MOP5, especially in relation to the Agreement Annexes. The Arabic-speaking Parties therefore requested the MOP, through the Chair, to mandate the StC to approve the finalised Arabic text at its next meeting, or by correspondence, as appropriate. Mr Mohammad Sulayem, Saudi Arabia, had been nominated to coordinate this process, on behalf of the Parties concerned, with the StC and Secretariat.

157. At the invitation of the **Chair**, the MOP indicated its consent for the StC to be entrusted with finalizing the authentic text of the Agreement in Arabic. The final deadline for all text revisions to be received by the Secretariat would be 31 December 2012.

Agenda item 21. International Single Species Action Plans and Management Plans

158. The **AEWA Technical Officer** (Mr Sergey Dereliev) made a presentation introducing document AEWA/MOP 5.24 *Summary of current Single Species Action Plan and Species Management Plan production and coordination*. There were currently 21 Species Plans adopted or in the pipeline: 15 Single Species Action Plants (SSAPs) adopted by the MOP at its 2nd, 3rd and 4th sessions; four new SSAPs submitted to MOP5; one Species Management Plan (SMP) submitted to MOP5 and one SSAP (Shoebill *Balaeniceps rex*) for which funding from Switzerland had been secured but which would not be developed until after MOP5. An international coordination mechanism for these plans had been established by the TC; to date, AEWA International Species Working Groups (ISWGs), with Terms of Reference approved by the TC, had been convened for seven AEWA SSAPs:

- Lesser White-fronted Goose (*Anser erythropus*)

- Sociable Lapwing (*Vanellus gregarius*)
- Northern Bald Ibis (*Geronticus eremita*)
- Madagascar Pond Heron (*Aredeola idea*)
- Lesser Flamingo (*Phoenicopterus minor*)
- White-winged Flufftail (*Sarothrura ayresi*)
- Black-tailed Godwit (*Limosa limosa*)

159. Coordinating organisations had been identified for each of these ISWGs and a Memorandum of Cooperation concluded with each coordinating organisation. An ISWG for the Red-breasted Goose *Branta ruficollis* had been convened and a coordinator recruited. A coordinator for the White-headed Duck *Oxyura leucocephala* had been recruited, but an ISWG had yet to be convened. Challenges experienced in the operation of the coordination mechanisms were usually associated with insufficient funding, reliance on out-posted, part-time coordinators and the need for additional guidance from the Secretariat.

160. **Mr Dereliev** also introduced the associated Draft Resolution AEWA/MOP5 DR8 *Adoption and implementation of International Single Species Action Plans and Species Management Plans*.

161. In response to a question from **Mauritania**, the **Secretariat** confirmed that the subspecies of Eurasian Spoonbill *Platalea leucorodia* endemic to Mauritania was already covered by the relevant SSAP. He invited the representative of Mauritania to liaise with Eurosite to discuss this further.

162. **Denmark,** speaking on behalf of **the European Union and its Member States** supported the SSAPs and SMP tabled and congratulated the expert compilers. Implementation was now the main challenge for both Parties and non-Party Range States. The SMP for Pink-footed Goose *Anser brachyrhynchus* was a new type of plan that would require close monitoring of adaptive management. The European Union would transmit to the Secretariat a few editorial corrections to two SSAPs as well as some minor comments on DR8.

163. **Mr Pete Robertson (United Kingdom)** made a presentation on the United Kingdom's Ruddy Duck *Oxyura jamaicensis* Control Programme. He recalled that the non-native Ruddy Duck, which had established a feral population in several European countries, most likely stemming from introduction to the United Kingdom in the 1940s, posed a threat to the European native White-headed Duck *O. leucocephala* as a result of hybridization. The United Kingdom had commenced control trials in 1999 in response to which the Government of the United Kingdom announced in March 2003 that eradication of the Ruddy Duck from the United Kingdom was its preferred outcome. Further control trials continued, aiming to improve control efficiency and to model the costs of eradication, with a view to developing a proposal for EU LIFE funding. The Ruddy Duck Eradication Programme led by the United Kingdom Food and Environment Research Agency (FERA) commenced in 2005. LIFE funding covered 50% of the costs for eight control officers for five years. By 2011 less than 1% of the United Kingdom Ruddy Duck population (as estimated in 2000) remained, although there were still significant populations in Belgium, France and the Netherlands. Control work in the United Kingdom would continue, but international coordination would be required to achieve eradication of the species from Europe.

Agenda item 22. Plan of Action for the Implementation of the African Initiative

164. The **AEWA Coordinator for the African Initiative** (Ms Evelyn Parh Moloko) made a presentation introducing document AEWA/MOP 5.32 *Report on the implementation of the African Initiative for the period 2009-2012*. She recalled that the African Imitative (AI) had been born in Madagascar during MOP4 in response to negative trends in migratory waterbird population in Africa and the need to enhance AEWA implementation in the African region.

165. She outlined the process that had been followed during the last triennium and the key outputs of the Initiative to date. These included:

- Recruitment of personnel (AI Coordinator and part-time Programme Assistant based at the AEWA Secretariat);
- Preparation of the draft *AEWA Plan of Action for Africa*;
- Implementation of the AEWA Small Grants Fund in Africa;
- Initiating and promoting synergies with existing and new partners (e.g. collaboration with the African Crane Conservation Programme, with support from the Swiss Government, was enabling development of an SSAP for Grey-crowned Crane *Balearica regulorum*);
- Provision of advisory services to African Range States;
- Promotion of AEWA implementation in Africa (e.g. SSAP development and implementation, organisation of African regional meetings, and capacity building, including preparation of a French version of the WOW Flyway Training Kit);
- Development of CEPA outputs for the Initiative (e.g. AI web-page development, AI brochure, species stickers);
- Promotion of AEWA accession among non-Party Range States in Africa; and
- Fundraising.

166. In conclusion, Ms Parh Moloko underlined that the AI and associated activities needed to be continued, and a coordination mechanism needed to be defined and duly provided for. The pre-MOP5 workshop had finalised the draft Plan of Action for Africa (PoAA) now before the MOP, which proposed a coordination mechanism based within the UNEP/AEWA Secretariat, combined with sub-regional coordination on the ground.

167. **Benin, on behalf of the African Group**, commended all partners involved in the AI for the excellent work carried out. The AI had been the compass that had guided the stakeholders towards the draft PoAA.

168. **South Africa** observed that the purpose of the AI was to coordinate and improve AEWA implementation in Africa, and that the existing gaps in implementation in Africa had far-reaching impacts in other parts of the Agreement Area. All AEWA Parties were therefore urged to share ownership of the AI and to demonstrate full support for its implementation. With regard to capacity building, which was crucial for effective implementation, the usual tendency was to think mainly in terms of workshops and training kits. In reality, there was a need to identify the specific skills needed and to address these in a focused manner, with appropriate follow-up to ensure that acquired skills were being implemented. CEPA products also needed to be appropriately customised. Community radio, television and story-telling methods might be more appropriate than websites, stickers and flyers. This needed to be considered when preparing communication strategies for the African region.

169. **Togo** expressed satisfaction that the MOP4 decision to establish the AI had not stayed on the shelf. The seed had sprouted and a young plant was growing. It was hoped that it would continue to flourish and that Africa could fully benefit from the results. Togo was delighted that the pre-MOP workshop had been able to consider the draft PoAA, thanks to the determination and contributions of a number of partners who were strongly encouraged to continue supporting the AI.

170. **Mali** thanked the Government of France for its unfailing support to Africa during the development of the AI. Implementation would require the full political will of all Parties. Some states were facing severe environmental challenges, including climate change. The AI would help to rally Parties and other stakeholders to the cause.

171. The **Chair** appreciated the gratitude expressed to the Government of France, but noted that many other Parties and partners had also contributed to the AI.

172. **Tunisia** called on relevant MEAs and NGOs to maximise cooperation and to avoid duplication.

173. The **Chair** observed that the UNEP/AEWA Secretariat was already working closely with other MEAs, including CMS and the Ramsar Convention.

174. **Ms Parh Moloko** and Mr **Tim Dodman** (consultant to the UNEP/AEWA Secretariat) introduced document AEWA/MOP 5.31 *Draft Plan of Action for Africa 2012-2017*.

175. **Ms Parh Moloko** described the process for preparing the PoAA and summarised its current status. Following MOP4, the first draft had been posted on the AEWA TC workspace in July 2011 and a revised second draft had been discussed by the TC at its meeting in September 2011. At the TC's recommendation, a questionnaire-based survey of African Parties and other stakeholders had been conducted by the Secretariat. An independent consultant (Mr Tim Dodman) had been appointed to further develop the draft and to assist with preparation of the pre-MOP5 workshop, for which funding had been secured from the European Union. The pre-MOP workshop, which benefited from the input of facilitators from the African region and independent experts working in the region, had finalised the draft PoAA which was now available to all MOP participants in both English and French.

176. **Mr Dodman** summarised the structure of the pre-MOP5 workshop and introduced the content of the final draft PoAA, as approved by the participants, all of whom hoped that the Plan would be duly adopted by MOP5. The PoAA contained the following sections:

- Introduction;
- Methodology;
- Activities and expected results;
- Budget estimate; and
- Implementation.

177. **Mr Dodman** outlined the proposed Targets and Activities under each of the following Objectives:

- Objective 1: To undertake conservation measures so as to improve or maintain the conservation status of waterbird species and their populations
- Objective 2: To ensure that any use of waterbirds in the Agreement Area is sustainable
- Objective 3: To increase knowledge about species and their populations, flyways and threats to them as a basis for conservation action
- Objective 4: To improve CEPA about migratory waterbird species, their flyways, their role in alleviating poverty, threats to them and the need for measures to conserve them and their habitats
- Objective 5: To improve the capacity of the Range States for international cooperation and capacity towards the conservation of waterbird species and their flyways.

178. The total budget for the five Objectives, as well as for coordination and UNEP overheads, was € 9.5 million to 2017. The 'highest priority' activities totalled € 3.4 million, while 'high priority' activities amounted to approximately € 5 million.

179. The new elements resulting from the pre-MOP workshop included a substantial revision of 'sustainable use' actions, greater emphasis on livelihoods and tourism, revised prioritisation, clearer identification of partners and an increased budget.

180. The **Chair** opened the floor to comments.

181. **Denmark,** speaking on behalf of **the European Union and its Member States**, noted that the European Union and its Member States had carefully examined the draft PoAA, as revised by the pre-MOP workshop, and reiterated their full support for the African initiative. The European Union considered the effective and concrete implementation of the PoAA as a top priority for the future development of AEWA. The European Union and its Member States wished to congratulate the African Contracting Parties for their commitment and positive contributions to the finalisation of an impressive Plan of Action, and also appreciated the role played by the Secretariat and its consultant. The constructive efforts during the pre-MOP workshop had resulted in a revised draft that better reflected the needs and challenges involved in the conservation and sustainable management of migratory waterbirds in Africa.

182. The European Union and its Member States supported the amendments made to the tables contained in section 6 of the PoAA "*Activities and expected results for achieving an improved conservation status for migratory waterbirds in Africa*", but had some doubts whether section 5 "*Implementation of the Plan of Action for Africa*" in fact properly reflected the decision of the pre-MOP workshop as orally presented to the EU Presidency by the Chair of that workshop. According to the latter, the pre-MOP workshop had concluded that its favoured option for implementation and coordination of the PoAA was coordination-based in each of the five sub-regions of Africa, supported by coordination in Bonn. This decision of the African Parties seemed not to be reflected in the final draft prepared by the Secretariat.

183. Following internal debate and consultations on this issue between the European Union and its Member States, the EU Presidency was pleased to announce that the Government of France had decided to renew its support to the implementation of the African Initiative. The financial support that France was offering would serve to establish a new position based in France, at Tour du Valat Biological Station, through which a network of experts would be able to provide internationally recognised technical support for wetland and waterbird conservation and management in Africa, including technical assistance to the sub-regional implementation coordinators within Africa. The new position would therefore enable alleviation of the Secretariat's workload.

184. The European Union and its Member States looked forward to consideration of the coordination role of the Secretariat in Bonn, including the general obligation to dedicate appropriate time to fundraising for, and development of, the AI as a top priority.

185. The European Union and its Member States looked forward to discussion of the Draft Resolution on the AI and suggested that all other draft resolutions relevant to implementation of AEWA in Africa be amended to contain references to the AI, where appropriate.

186. The **Chair** clarified that the offer of technical support made by the Government of France was not intended to replace or supplant the Secretariat. There would need to be an *ad hoc* Working Group to finalize the Draft Resolution and to take on board the comments of the European Union.

187. **Benin,** speaking on behalf of **the African Group**, thanked the European Union for its clear and strong commitment to the PoAA. It was hoped that other Parties would also support its implementation.

188. **Senegal** thanked the European Union and France and hoped that Germany and Switzerland would also continue their active support for the AI.

189. At the request of the **Chair**, **Ms Parh Moloko** introduced Draft Resolution AEWA/MOP DR9 Rev. 1 *Implementation of the African Initiative for the conservation of migratory waterbirds and their habitats in Africa.*

190. **Switzerland** considered that the AI deserved the highest attention and support, and recommended adoption of the Draft Resolution and the PoAA. It was an excellent initiative to bring on board all countries in the African region. Switzerland also tabled an amendment to operative paragraph 5 of the Draft Resolution.

191. Following a request by the **Chair**, the **EU Presidency**, **France**, **Kenya**, **Mauritania**, **Senegal**, and **South Africa** volunteered to constitute an *ad hoc* group to work with the Secretariat to finalise the Draft Resolution for resubmission to Plenary in due course.

Agenda item 23. Conservation Guidelines

192. This item was considered by the MOP5 Working Group on Scientific & Technical matters (see paragraphs 245 & 246 under agenda item 29 for the report of that Working Group's deliberations).

Agenda item 24. Issues Affecting the Conservation Status of Migratory Waterbirds in the AEWA Region

193. This item was considered by the MOP5 Working Group on Scientific & Technical matters (see paragraphs 245 & 246 under agenda item 29 for the report of that Working Group's deliberations).

Agenda item 25. Central Asian Flyway

194. The **Deputy Executive Secretary of the CMS** (Mr Bert Lenten) made a presentation introducing document AEWA/MOP 5.39 *Developing a Legal and Institutional Framework for the Central Asian Flyway*, as well as the associated information papers AEWA/MOP Inf. 5.6, AEWA/MOP Inf. 5.7 and AEWA/MOP Inf. 5.8. He outlined the background to date, noting that CAF had been discussed at AEWA MOP3 and MOP4, as well as at many CMS meetings. The CAF Action Plan had been endorsed by a meeting of CAF Range States held in New Delhi in 2005, but this meeting had not finalised the legal and institutional framework. Options for such a framework included: (a) extending the AEWA Agreement Area, or (b) a separate CMS Agreement, or (c) a stand-alone framework, within CMS, such as a Memorandum of Understanding (MoU).

195. **Mr Lenten** recalled that the CMS COP10 decisions on the 'Future Shape' process had stressed that development of new CMS Agreements should be avoided. This had left options (a) or (c) remaining. There were already numerous CMS MoUs with minimal or no funding for implementation, making the prospects for any new MoU on CAF very limited. Furthermore, there were few countries in the CAF region likely to be in a position to assist with funding for implementation. As the AEWA and CAF regions already overlapped substantially, and countries in the 'overlap zone' had shown little enthusiasm for joining two separate instruments for migratory waterbird conservation, the most practical solution therefore appeared to be extension of the AEWA Agreement Area to include CAF. A CMS CAF negotiation meeting, to be held in Abu Dhabi in December 2012, would examine the issues in more detail and hopefully come to an agreement on the way forward. MOP5 was invited to note the activities undertaken by the CMS Secretariat with regard to the development of an institutional framework for the CAF Action Plan, and to consider the next steps to be undertaken by the AEWA Secretariat, and by the AEWA Technical Committee and Standing Committee, prior to MOP6 in the event that the meeting in December 2012 were to decide that incorporation of CAF into AEWA was the preferred option.

196. The **Chair** opened the floor to comments.

197. **Kazakhstan** stated its support for extending the AEWA Agreement Area to include the CAF region.

198. **Denmark,** speaking on behalf of **the European Union and its Member States**, made the following statement:

"*The EU and its Member States welcome conservation efforts for the Central Asian Flyway and are grateful to the Standing Committee for taking this issue forward. The development of a Central Asian Flyway Action Plan under the auspices of CMS is an important step forward and we look forward to the CAF negotiation meeting in December 2012, which will build on the discussions in Tashkent and New Delhi.*

There is considerable overlap of the species and issues discussed under the CAF and AEWA, and we understand that a number of states that are within both the AEWA range and that of the CAF have already expressed an understandable desire to avoid separate, overlapping agreements.

We have already discussed the CMS Future Shape process under AEWA MOP5 Agenda item 10. The process was established after the Range States of CAF adopted the Action Plan and started to consider the legal and institutional framework for it. The Future Shape process is about increasing efficiency and enhancing synergies of the CMS and its Family to adequately serve migratory species worldwide in times of limited resources. The EU and its Member States have proposed an amendment to AEWA MOP5 Draft Resolution 17 to secure involvement of AEWA in this process, in particular to contribute to coordinated strategic plans for the CMS Family.

We are of the view that these coordinated strategic plans of the CMS and the CMS Family should address requests of CAF Range States to join CMS or AEWA. There are also ongoing initiatives for other migratory

species in the CAF Region. For example, the Palearctic/Paleotropic flyways, including the CAF and East-Asian flyways, are already included within the Raptor MoU.

If the CAF Range States at their meeting in December 2012 express the wish to extend the AEWA geographical area to include the entire CAF and incorporate the CAF Waterbird Action Plan under AEWA, the Standing Committee, as part of its contribution to the coordinated strategic plans, should discuss with the Secretariat and with the Secretariat of CMS how to take such a request forward in line with the CMS Future Shape process, and with a view to presenting a proposal to the AEWA Meeting of the Parties for decision, bearing in mind that the final decision on expansion of the geographical scope of AEWA of course rests with the AEWA Parties, who would have to consider any such proposal at a future Meeting of the Parties."

199. At the invitation of the **Chair**, the meeting indicated its broad agreement with the European Union's statement, including the proposed amendment to DR17, which would be considered under Agenda item 26a.

200. The **Asia-Pacific Shorebird Network** welcomed and strongly encouraged AEWA involvement with CAF, but called for consultation with the East Asian-Australasian Flyway Partnership (EAAFP) – the geographical scope of which also overlapped with the CAF region.

Agenda item 26. Institutional Arrangements

a. Standing Committee

201. During the Plenary Session held on 15 May, the **Acting Executive Secretary of AEWA** (Mr Marco Barbieri) briefly introduced Draft Resolution AEWA/MOP DR17 *Institutional Arrangements: Standing Committee* which would record the composition, term and operational arrangements for the StC during the next intersessional period. There was one current vacancy on the StC, namely for a member from the Europe and Central Asia region.

202. **Denmark**, speaking on behalf of **the European Union its Member States**, stated that the European Union would nominate a candidate to fill this vacancy in due course, but wished first to consult with other European and Central Asian countries.

203. During the Plenary Session held on 18 May, the **Chair** invited the meeting to consider Draft Resolution DR17 *Institutional Arrangements: Standing Committee* Rev. 2 drawing attention to the proposed amendments shown for two operative paragraphs.

204. **Denmark,** speaking on behalf of the **European Union and its Member States**, nominated Croatia as the Alternate Representative to France for the Europe and Central Asian region.

205. **Benin** speaking on behalf of the **African Group**, and seconded by **Togo** and **Mali**, nominated Ghana as the Representative and Chad as Alternate Representative for the Western and Central Africa region.

206. **Algeria**, nominated Libya as the Alternate for the Middle East and Northern Africa region.

207. At the invitation of the **Chair**, the meeting approved DR17 Rev. 2, as amended by the additional nominations tabled by Algeria, Benin and the European Union, confirming membership of the Standing Committee for the next intersessional period as follows:

Region Regional	Representative	Alternate
Europe and Central Asia (1)	**Norway**	**Ukraine**
Europe and Central Asia (2)	**France**	**Croatia**
Middle East and Northern Africa	**Algeria**	**Libya**
Western and Central Africa	**Ghana**	**Chad**
Eastern and Southern Africa	**Uganda**	**South Africa**

208. The **Acting Executive Secretary of AEWA** (Mr Marco Barbieri) recalled that there would be a brief meeting of the new StC, together with the representative of the Depositary, immediately after the closure of MOP5.

b. Technical Committee

209. The **AEWA Technical Officer** (Mr Sergey Dereliev) briefly introduced Draft Resolution AEWA/MOP DR18 Rev.1 *Institutional arrangements: Technical Committee* which proposed two amendments to the Modus Operandi of the TC and appointed the members and alternate members for the next intersessional period. The Draft Resolution also instructed the Chair of the TC to identify and appoint a CEPA expert. Mr Dereliev informed the meeting of the nominations that had been received and the candidates duly recommended by the TC Advisory Group for approval by the MOP:

Region	Regional Representative	Alternate
North and Southwestern Europe	**Mr David Stroud (UK)**	vacant
Central Europe	**Mr Lorenzo Serra (Italy)**	**Mr Darko Savelijc (Montenegr**o)
Eastern Europe	**Mr Saulius Svazas (Lithuania)**	**Mr Gleb Gavrys (Ukraine)**
Southwestern Asia	**Mr Sharif Jbour (Jordan)**	vacant
Northern Africa	**Mr Hichem Azafzaf (Tunisia)**	vacant
Western Africa	**Mr Erasmus Owusu (Ghana)**	vacant
Central Africa	vacant	vacant
Eastern Africa	**Mr Muchai S. Muchane (Kenya)**	vacant
Southern Africa	**Mr Mark Brown (South Africa)**	vacant

210. Discussion, which included contributions from **Chad**, **Mali**, **Senegal** and **Uganda**, focused on whether or not the TC Modus Operandi should be amended so that the shortlist of TC candidates submitted to future MOPs would be accompanied by brief summaries of candidates' CVs.

211. The **Secretariat** clarified that the current Modus Operandi provided for detailed consideration of candidates' CVs by a six-person Advisory Group, headed by the TC Chair.

212. The **Chair** ruled that any Party wishing to make a specific proposal for an amendment to the Draft Resolution concerning the TC Modus Operandi should do so in writing.

213. **The TC Thematic Expert on Environmental Law** (Ms Melissa Lewis**)** questioned whether operative paragraph 3 of the Draft Resolution was fully in conformity with Article 7 of the Agreement text.

214. The **Secretariat** suggested that the two were conceptually different and that there was no conflict in practice.

215. **Ms Lewis** concurred, but noted that there might be a need to revisit this issue in the future.

c. Cooperation with Other Bodies and Processes

216. The representative of **the European Union and its Member States** introduced Draft Resolution AEWA/MOP5 DR19 *Encouragement of Further Joint Implementation of AEWA and the Ramsar Convention.*

217. The **Chair** opened the floor to comments.

218. Amendments were tabled by **Senegal,** on behalf of **the African Region**, and by the **Ramsar Convention Secretariat**.

219. The **Chair** requested the Secretariat to prepare a revised version of DR19.

220. **France,** speaking on behalf of the **European Union and its Member States**, introduced AEWA/MOP5 DR20 *Promote Twinning Schemes between the Natural Sites Covered by the AEWA and the Network of Sites Listed under the Ramsar Convention*.

221. The **Chair** opened the floor to comments.

222. Proposed amendments were tabled by **Norway**, **Senegal**, on behalf of **the African Region**, and by the **Ramsar Convention Secretariat**.

223. In response to the proposals made by Senegal, the **Chair** invited Senegal and the EU Presidency to coordinate to agree a mutually acceptable amendment that could be submitted for consideration by Plenary on 18 May.

Agenda item 27 Financial and administrative matters

224. The **Acting Executive Secretary of AEWA** (Mr Marco Barbieri) introduced document 5.40 Rev.1 *Report of the Secretariat on Finance and Administrative Issues 2009–2012*, under the headings of:

- Staffing;
- Core budget 2009-2011 – overview of income and expenditure (noting that Ireland, Mauritius, Israel, Slovak Republic, Denmark and Croatia had paid dues since March 2012); and
- Voluntary contributions 2009-2011 – clear downward trend, no doubt related to the economic situation affecting several of AEWA's traditional donor Parties.

225. In relation to staffing issues, the **Chair** invited the **Deputy Executive Secretary of CMS** (Mr Bert Lenten) to provide complementary information concerning the recruitment process for the new AEWA Executive Secretary. **Mr Lenten** recalled the comments made by the CMS Executive Secretary (Mrs Elisabeth Mrema) during the Opening Ceremony of MOP5. The decision on grading of the position as P4 or P5 had to be taken by the MOP. The Director of UNEP did not wish to pre-empt the decision of the MOP by advertising the vacancy prior to the MOP. If the MOP decided to keep the position at P4 level, the grading process would have to be reopened.

226. The **Chair** ruled that discussion should be deferred to the Working Group on Financial & Administrative matters.

<u>AEWA budget for the next intersessional period</u>

227. The **Acting Executive Secretary of AEWA** (Mr Marco Barbieri) introduced document AEWA/MOP 5.41 Rev.1 *Draft Budget Proposal 2013-2015/2016* and summarised the principles set out by the StC that informed the process for preparing the budget proposal, namely:

- Preparation of scenarios for both three- and four-year cycles;
- A range of budget increases from 0% to 10%;
- Provision within all proposals for a withdrawal of a certain amount from the Trust Fund based on past savings.

228. Six scenarios had been prepared, as detailed in the document AEWA/MOP 5.41, with allocations under each scenario shown under the headings of *General management*, *Implementation of the African Initiative*, *Servicing the MOP*, *Servicing the TC*, *Servicing the StC*, and *UNEP overhead costs*. The implications of each scenario for each Party's assessed contributions were also shown, using the same scale of contributions as adopted by MOP4. Possible savings and the implications of the budget proposal for human resources were also detailed in the document.

International Waterbird Population Monitoring

229. The **AEWA Technical Officer** (Mr Sergey Dereliev) and the representative of **Wetlands International** (Mr Szabolcs Nagy) presented document AEWA/MOP 5.42 Rev. 1 *Strategic Development of the Waterbird Monitoring in the African-Eurasian Flyways*.

230. **Mr Dereliev** summarized the various requirements of the AEWA Agreement text, Strategic Plan and Action Plan that could not be met without effective waterbird monitoring, as well as past decisions of the MOP regarding the need to strengthen and further develop the international framework for waterbird monitoring.

231. **Mr Nagy** outlined the process for developing a strategic plan for waterbird monitoring in the AEWA region, including the establishment in June 2011 of the African-Eurasian Waterbird Monitoring Partnership. He stressed that the International Waterbird Census (IWC) underpinned the information services that led to policy relevant analyses. It was proposed that the future of the IWC should be based on flyway-level coordination, combined with modest capacity building. The budgetary implications consisted of € 353K for annually recurring costs, plus periodic costs of € 290K, of which only € 130K annually was being sought from AEWA Parties.

232. **Mr Dereliev** presented five possible scenarios for future structural funding of the IWC, setting out AEWA's potential participation, as well as Draft Resolution AEWA/MOP DR22 *Establishing a Long-Term Basic Structural Funding Regime for International Waterbird Census in the African-Eurasian Region*. The operational paragraphs of the Draft Resolution were divided into two alternative clusters. He stressed that the amounts under discussion greatly under-estimated the true cost of the IWC which depended on the efforts made by thousands of committed volunteers.

Periodicity of Meetings of the AEWA Parties

233. The **Acting Executive Secretary of AEWA** (Mr Marco Barbieri) introduced document AEWA/MOP 5.43 *Considerations about the Future Periodicity of Sessions of the Meeting of the Parties*, as well as the corresponding Draft Resolution AEWA/MOP DR23 *Periodicity of Sessions of the Meeting of the Parties.* Document 5.43, which had been prepared by the Secretariat, in consultation with the StC, set out the possible advantages and disadvantages of shifting to a four-year intersessional period, rather than the current three-year cycle. The Draft Resolution set out four possible options, taking into account these advantages and disadvantages.

Discussion

234. **Switzerland** observed that the documents considered under Agenda item 19 were at the heart of MOP5. The Agreement was evolving in an intelligent manner and responding to new developments and emerging needs. It was both understandable and justified that the AEWA budget should be growing. Switzerland recommended either budget scenario 3 or 6, i.e. an increase of 2% per year to compensate for inflation, plus an additional 3%. Switzerland also favoured allocating an amount for Waterbird Population Monitoring within AEWA's budget. Finally, it was suggested that the visibility of AEWA should be raised significantly in the context of the Joint Programme of Work between CMS and the Convention on Biological Diversity.

235. **Algeria**, speaking on behalf of **the African Group**, supported the position of Switzerland and confirmed that the Group was in favour of budget option 3.

Agenda item 28. Other Draft Resolutions

236. **Mr David Stroud** (TC Member for South & Northwest Europe) introduced Draft Resolution AEWA/MOP5 DR24 *AEWA's contribution to delivering the Aichi 2020 biodiversity targets*. He noted that the Annex to the Draft Resolution set out AEWA's past and future contributions to each of the Aichi Targets.

237. Noting that DR24 would be considered by WG1, the **Chair** opened the floor to general comments, but none was forthcoming.

238. **France,** speaking on behalf of the **European Union and its Member States**, introduced AEWA/MOP5 DR25 *Clarifications on the Definition of Disturbance, Useful for Appropriate Implementation of the Action Plan*.

239. Noting that DR25 would be considered by WG1, the **Chair** opened the floor to general comments.

240. The **Chair** asked that comments made by **Algeria** and by **Senegal, on behalf of the African Group**, be taken forward during WG1.

241. **Denmark, speaking on behalf of the European Union and its Member States** introduced AEWA/MOP5 DR26 *Support for Reinforcing Capacities with a View to Improving Laws and Policies in Favour of Waterbirds*.

242. Noting that DR26 would be considered by WG1, the **Chair** opened the floor to general comments.

243. At the invitation of the **Chair**, the MOP adopted DR26 by consensus, subject to the incorporation of an editorial correction to the French text, as requested by **Senegal**.

Agenda item 29. Reports of the Credentials Committee and Sessional Committees

244. The **Chair of the Credentials Committee**, the United Kingdom (represented by Ms Clare Hamilton) presented the Committee's final report on 18 May (an interim report having been presented to Plenary on 15 May). Of the 44 Parties present at MOP5, 39 had provided satisfactory credentials. Three had not submitted credentials, while, in the view of the Committee, the Credentials of two Parties did not fulfil the criteria specified in Article 18 of the Rules of Procedure (one had not been translated into one of the official languages of the Agreement (English and French); the other had not been signed by a competent authority).

245. The **Chair of the Working Group of Scientific & Technical matters** (WG1), South Africa (represented by Ms Malta Qwathekana), reported that WG1 had met on four occasions between 15 & 18 May. The WG had received a number of presentations and reviewed in detail the following Draft Resolutions (as well as the corresponding MOP5 documents, where appropriate):

- DR1 *National Reporting and Online Reporting System.*
- DR2 *Addressing Gaps in Knowledge of and Conservation Action for Waterbird Populations and Sites Important for Them*.
- DR3 *AEWA International Implementation Tasks for [2012–2015] [2012–2016]*.
- DR4 *Implementation of the Wings Over Wetlands (WOW) UNEP-GEF African-Eurasian Flyways Project and Post-WOW Prospects*.
- DR5 *Implementation and Revision of the Communication Strategy*.
- DR6 *Adoption of Amendments to the AEWA Action Plan*.
- DR7 *Adoption of Amendments and New Guidance for Interpretation of Terms Used in the Context of Table 1 of the AEWA Action Plan*.
- DR8 *Adoption and Implementation of International Single Species Action Plans and Species Management Plans.*
- DR10 *Revision and Adoption of Conservation Guidelines* and the associated document AEWA/MOP 5.34 *Draft Revised Conservation Guideline No. 10: Guidelines on Avoidance of Introductions of Non-Native Waterbird Species*.
- DR11 *Power Lines and Migratory Waterbirds*.
- DR12 *Adverse Effects of Agrochemicals on Migratory Waterbirds in Africa*.
- DR13 *Climate Change and Adaptation Measures for Waterbirds*.
- DR14 *Waterbirds, Wetlands and the Impacts of Extractive Industries.*
- DR15 *Impact of Invasive Alien Aquatic Weeds on Waterbird Habitats in Africa*.

- DR16 *Renewable Energy and Migratory Waterbirds*.
- DR18 *Institutional Arrangements: Technical Committee.*
- DR24 *AEWA's Contribution to Delivering the Aichi 2020 Biodiversity Targets*.
- DR25 *Clarifications on the Definition of Disturbance, Useful for Appropriate Implementation of the Action Plan*.

246. Revised drafts, in both official languages, with the proposed amendments agreed by WG1 shown as tracked changes, were now being presented to Plenary for final review and adoption. **Ms Qwathekana** thanked the WG participants, the TC for its expert advice, the interpreters (especially for working until the end of two consecutive night sessions), the Secretariat, and all those who had contributed to successful outputs from WG1.

247. The **Chair of the Working Group on Financial & Administrative matters** (WG2), Norway (represented by Mr Øystein Størkersen), thanked members of WG2 for conducting their work in good spirit. Several breakout sessions had been held and all resulting documents had either been distributed or would be distributed very shortly. WG2 had considered the following four draft Resolutions:

DR17 *Institutional Arrangements: Standing Committee.*

248. Note that Plenary consideration of the revised DR took place under Agenda item 26 a (see paragraphs 201–207).

DR21 *Financial and Administrative Matters.*

249. **Mr Størkersen** reported that under the WG's proposal for DR21, a zero growth budget in terms of assessed contributions to be paid by the Parties was recommended, based on adaptation of scenario four in the original documentation. Nevertheless, the proposal represented an approximately 10% increase in AEWA's overall budget as a consequence of a draw-down from the Trust Fund. He outlined the other key points contained in the revised DR, noting in particular that the MOP had heard repeated calls for more action on the ground, especially in Africa. WG2 was therefore recommending establishment of a new African Initiative position for the Secretariat in Bonn and a significantly strengthened budget line for the AI.

250. Final Plenary consideration of the revised DR took place under Agenda item 30 (see paragraphs 292–307).

DR22 *Establishing a Long-Term Basic Structural Funding Regime for the International Waterbird Census in the African-Eurasian region.*

251. **Mr Størkersen** reported that a lengthy debate in the WG had resulted in a proposed budget that did not include a budget line for the International Waterbird Census. The options before the WG had been to delete DR22 as redundant or to retain it, but with modifications to the operative part. The preferred option of WG2 had been deletion. He suggested that the Chair of MOP5 should invite Switzerland, as the original proponent of DR22 to comment on this outcome.

252. **Denmark,** speaking on behalf of **the European Union and its Members States**, apologised to the Chair of WG2 since the EU coordination group, which had met earlier in the day, had agreed to suggest amendments to DR22 instead of its deletion. The EU's proposed amendments had been transmitted to Switzerland.

253. **Switzerland** expressed great disappointment at the outcome of WG2's discussions on DR22 and considerable surprise at the new amendments being tabled by the EU.

254. The **Chair of MOP5** ruled that further discussion of this item be deferred to Agenda item 30, to enable Switzerland to consider the EU's proposed amendments.

DR23 *Periodicity of the Sessions of the Meeting of the Parties to AEWA.*

255. **Mr Størkersen** reported that WG2 was recommending retention of the existing three-year cycle and that DR23 should therefore be withdrawn.

Agenda item 30. Adoption of the Resolutions and Amendments to the Annexes of the Agreement

(Editorial note: The Correction (Corr.) and revision (Rev.) numbers of the text considered for final adoption by Plenary are indicated, where applicable, for each draft resolution.)

DR1 Rev. 2 ***National Reporting and Online Reporting System***

256. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR1 Rev. 2 was adopted by consensus without further amendment.

DR2 Rev. 2 ***Addressing Gaps in Knowledge of and Conservation Action for Waterbird Populations and Sites Important for Them***

257. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR2 Rev. 2 was adopted by consensus without further amendment.

DR3 Corr. 1 Rev. 2 ***AEWA International Implementation Tasks for [2012–2015] [2012–2016]***

258. The **Chair** noted that this Draft Resolution had been reviewed by WG1. He confirmed that the title could now be finalised as applying to 2012-2015 because DR23 (on MOP periodicity) had been withdrawn and a three-year intersessional cycle retained. He invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR3 Corr. 1 Rev. 2 was adopted by consensus subject to finalisation of the title, as indicated.

DR4 Rev. 3 ***Implementation of the Wings Over Wetlands (WOW) UNEP-GEF African-Eurasian Flyways Project and post-WOW prospects***

259. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR4 Rev. 3 was adopted by consensus without further amendment.

DR5 Rev. 2 ***Implementation and Revision of the Communication Strategy***

260. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR5 Rev. 2 was adopted by consensus without further amendment.

DR6 Rev. 4 ***Adoption of Amendments to the AEWA Action Plan***

261. The **Chair** noted that this Draft Resolution had been reviewed by WG1. He invited comments from the floor.

262. The **United Kingdom**, speaking on behalf of **the European Union and its Member States**, tabled amendments to the final paragraph of the preamble and to operative paragraph 4 to insert "Eurasian Curlew *Numenius arquata*," immediately before "Long-tailed Duck *Clangula hyemalis*".

263. The **European Commission**, speaking on behalf of the **European Union and its Member States**, made the following statement for the record:

"*The EU fully supports the amendments to the status of the populations of migratory waterbirds in Table 1 of the AEWA Action Plan.*

In accordance with these amendments the populations of Anser fabalis fabalis *and* Larus fuscus fuscus *will be uplisted and require protection as provided for in the AEWA Action Plan.*

These species are listed as huntable species under the EU Birds Directive. At this stage, a perfect alignment of EU legislation with international commitments is a complex EU internal process.

Therefore, we would like to indicate that, as regards these two populations, there might be a need to enter a reservation for the EU during the period of ninety days after MOP5 as provided for in paragraph 6 of Article X of the Agreement. In such case, this reservation would be lifted once all the arrangements would be concluded."

264. Referring to paragraph 2.1.2 (b) of the Action Plan annexed to DR6 Rev. 4, the representative of the **European Commission**, speaking on behalf of **the European Union and its Member States**, made the following additional statement for the record:

"*The EU and its Member States have expressed certain concerns in relation to the paragraph on exemption from prohibitions to the modes of taking to accommodate use for livelihood purposes. The mechanism of exemptions that is being established appears to provide many possibilities for use, even if it may only be applied where sustainable. We would have preferred to have some other wording, but, having discussed different options with other Parties, we are ready to accept the consensus on the current proposal. The text of this paragraph ends with the words "*where sustainable*" without further addition. Nevertheless we believe that Parties should carefully assess to which extent they will avail of this possibility so that it does not lead to a general use of the listed methods*."

265. **The Chair of the Technical Committee** (Ms Jelena Kralj) drew attention to a minor editorial correction required in the first line of section 2.1.3 of the Action Plan.

266. There being no further comments, and at the invitation of the Chair, the meeting approved DR6 Rev. 4, subject to incorporation of the amendments tabled by the UK (on behalf of the EU and its Member States) and taking note of the statements made by the representative of the European Commission (on behalf of the EU and its Member States).

DR7 Rev. 3 ***Adoption of Amendments and New Guidance for Interpretation of Terms Used in the Context of Table 1 of the AEWA Action Plan***

267. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR7 Rev. 3 was adopted by consensus without further amendment.

DR8 Rev. 1 ***Adoption and Implementation of International Single Species Action Plans and Species Management Plans***

268. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor.

269. The **United Kingdom**, speaking on behalf of the **European Union and its Member States**, tabled amendments to delete the final operative paragraph and to insert "at its first meeting" after the request to the TC contained in operative paragraph 9.

270. **Zimbabwe** recommended adoption of DR8 Rev. 1, as amended by the United Kingdom, and with the caveat that Zimbabwe would submit to the Secretariat information on the sites to be included in the Annex relating to the SSAP for Slaty Egret *Egretta vinaceigula*.

271. There being no further comments, and at the invitation of the **Chair**, the meeting approved DR8 Rev. 1, subject to incorporation of the amendments tabled by the United Kingdom (on behalf of the European Union and its Member States) and taking note of the statement made by Zimbabwe.

DR9 Rev. 2 ***Implementation of the African Initiative for the Conservation of Migratory Waterbirds and Their Habitats in Africa***

272. The **Chair** noted that the African Initiative had been discussed extensively during the MOP, resulting in the addition of a number of amendments to the Draft Resolution. He invited comments from the floor.

273. There followed a lengthy debate – involving contributions from **Benin** (speaking on behalf of **the African Group**), **France** (speaking on behalf of **the European Union and its Member States**), **Mali**, **Senegal** (speaking on behalf of **the African Group**), and **Uganda** – concerning the respective roles and responsibilities, with regard to coordination and implementation of the African Initiative and Plan of Action for Africa, of the UNEP/AEWA Secretariat in Bonn, sub-regional focal points in Africa, and the arrangement for technical support to be funded by France and based at Tour du Valat Biological Station.

274. During discussion it was emphasized that implementation of the PoAA should be led from within the region itself. The offer of France to fund technical support was warmly welcomed by Parties and the role of the UNEP/AEWA Secretariat to date, and especially the contribution of the AI Coordinator, in bringing the PoAA to fruition, was also commended.

275. **Denmark**, speaking on behalf of **the European Union and its Member States**, pointed out the need to harmonise the text of the PoAA where it made reference to the phasing out of lead shot, with what had been agreed in WG1 for DR24 concerning the Aichi Targets. Therefore Chapter 6, Table 5, Target 2.1, Result 2.1.1, Action a) should be amended to read: "…by 2017 as laid down in the AEWA Strategic Plan 2009–2017".

276. **Senegal**, speaking on behalf of the **African Group**, proposed amending Action b) of the same table; awareness raising should not only be for North Africa but for the whole of Africa.

277. The **Chair** summarised the specific amendments to be made as a consequence of the discussion:

- In the first preambular paragraph of the French version, amend "value of maintaining" to "benefit of maintaining".

- Preambular paragraph 3, at the end, after "each sub-region", amend to read: "who will guide implementation at the sub-regional level".

- In operative paragraph 2, amend the sentence at the end of the paragraph to read: "who will guide implementation at the sub-regional level and who will receive technical support from the arrangement offered by France".

- Operative paragraph 3 should be moved to become the last paragraph of the preamble as it did not address operative issues.

- Operative paragraph 6 add: after "the European Union: "the arrangements made for technical support".

- The amendments to Table 5 of the PoAA requested by Denmark and Senegal.

278. There being no further comments, and at the invitation of the **Chair**, DR9 Rev. 2 was adopted by consensus, subject to incorporation of the amendments summarized by the Chair and the amendments to Table 5 of the Plan of Action for Africa tabled by Denmark and Senegal.

DR10 Rev. 2 ***Revision and Adoption of Conservation Guidelines*** **and modification to doc 5.34**

279. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR10 Rev. 2 was adopted by consensus without further amendment.

DR11 Rev. 2 ***Power Lines and Migratory Waterbirds***

280. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR11 Rev. 2 was adopted by consensus without further amendment.

DR12 Rev. 2 ***Adverse Effects of Agrochemicals on Migratory Waterbirds in Africa***

281. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR12 Rev. 2 was adopted by consensus without further amendment.

DR13 Rev. 1 ***Climate Change and Adaptation Measures for Waterbirds***

282. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR13 Rev. 1 was adopted by consensus without further amendment.

DR14 Rev. 3 ***Waterbirds, Wetlands and the Impacts of Extractive Industries***

283. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR14 Rev. 3 was adopted by consensus without further amendment.

DR15 Rev. 2 ***Impact of Invasive Alien Aquatic Weeds on Waterbird Habitats in Africa***

284. The **Chair** noted that this Draft Resolution had been reviewed by WG1. He invited comments from the floor.

285. The **representative of the European Union and its Member States** tabled an amendment to the 5th paragraph of the preamble, namely to add: "travel, trade" after "dam developments".

286. There being no further comments, and at the invitation of the **Chair**, the meeting approved DR15 Rev. 2, subject to incorporation of the amendment tabled by the EU.

DR16 Rev. 2 ***Renewable Energy and Migratory Waterbirds***

287. The **Chair** noted that this Draft Resolution had been reviewed by WG1. The *Explanatory Note* had been removed and a number of other amendments introduced for the consideration of plenary. He invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR16 Rev. 2 was adopted by consensus without further amendment.

DR17 Rev. 2 ***Institutional Arrangements: Standing Committee***

288. This Draft Resolution was considered and adopted under Agenda item 26 a (see paragraphs 201–207).

DR18 Rev. 3 ***Institutional Arrangements: Technical Committee***

289. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR18 Rev. 3 was adopted by consensus without further amendment.

DR19 Rev. 1 ***Encouragement of Further Joint Implementation of AEWA and the Ramsar Convention***

290. The **Chair** recalled that this Draft Resolution had not been reviewed by either of the Working Groups, but that the Secretariat had nevertheless prepared a revised text including a number of amendments drawn to

its attention. He invited comments on these amendments. There being no such comments, and at the further invitation of the Chair, DR19 Rev. 1 was adopted by consensus without further amendment.

DR20 Rev. 1 ***Promote Twinning Schemes Between the Natural Sites Covered by AEWA and the Network of Sites Listed Under the Ramsar Convention***

291. The **Chair** recalled that this Draft Resolution had not been reviewed by either of the Working Groups, but that the Secretariat had nevertheless prepared a revised text including a number of amendments drawn to its attention. He invited comments on these amendments. There being no such comments, and at the further invitation of the Chair, DR20 Rev. 1 was adopted by consensus without further amendment.

DR21 Rev. 2 ***Financial and Administrative Matters***

292. The **Chair** noted that this Draft Resolution had been reviewed by WG2 and presented by the Chair of WG2 under Agenda item 29. He invited comments from the floor.

293. The **United Kingdom,** speaking on behalf of **the European Union and its Member States**, thanked the Chair of WG2 for his skilful conduct of the WG's discussions, as well as the Secretariat for its support. The European Union and its Member States wished to table the following amendments, to reflect the WG's conclusions at its final meeting:

- Operative paragraph 17, line 2: after "beyond 50%", delete "and to consider types of appointment other than the fixed-term appointment".
- Move operative paragraph 18, beginning "Takes note with appreciation...", to the preamble.
- Operative paragraph 19: after "African Initiative", add: "before voluntary contributions are sought for this post".

294. In response to a question from **Uganda**, the **Chair** confirmed that the text remaining in operative paragraph 17 would still permit the Secretariat to seek funding beyond 50%.

295. **Algeria** felt strongly that instead of merely seeking additional funding, the Secretariat should be guaranteeing such funding; this would better reflect the priority given by the African Parties to the AI.

296. The **Chair** suggested a compromise that would read "Instructs the Secretariat to find additional funding...", since the Secretariat was not in a position to guarantee doing so.

297. **The representative of the European Commission,** speaking on behalf of **the European Union and its Member States** pointed out that Appendix 4 and the scale of contributions should be corrected to make reference to the "European Union", not the "European Community".

298. The representative of **Switzerland** recalled that, in common with other single-person delegations, he had been unable to attend all of the negotiating sessions of WG2. He therefore wished to make a general comment regarding the AI and PoAA. Thanks were due to the Chair and members of WG2 for the efforts made to reach consensus, but Switzerland was nevertheless disappointed that the PoAA did not command greater attention and did not receive additional resources for implementation. It was a Plan of Action with relevance for the whole AEWA region; as such it was both key to the Agreement and extremely worthwhile. Switzerland was therefore making an urgent call to all Contracting Parties, including the wealthier countries, to support the AI.

299. The **Chair** expressed the hope that Parties that were potential donors all shared the view of Switzerland with regard to supporting the AI and PoAA.

300. **Denmark**, speaking on behalf of **the European Union and its Member States**, appreciated very much that WG2 had recommended including money directed at Africa in the core budget for the first time. There was also the generous offer of France to consider. These were both promising signs for the AI and PoAA.

301. **Mali** very much appreciated the comment of Switzerland. The AI was like a 'compass' or 'Global Positioning System (GPS)' for AEWA's efforts to conserve migratory waterbirds. The Parties gathered at MOP5 needed to work together; thanks were due to donors for their efforts to date and it was the hope of African Parties that such support would be continued.

302. **Tunisia** endorsed the intervention made by Switzerland.

303. **Uganda** also expressed wholehearted support for the statement of Switzerland and suggested strengthening operative paragraph 14 of the Draft Resolution to read: "Urges CPs, to make an increased effort in providing voluntary…".

304. **Norway**, speaking as Chair of WG2, apologised for having omitted, during the report of the WG's deliberations under Agenda item 29, to thank the Government of France for its generous offer of technical support for the PoAA. Speaking on behalf of Norway, it should be appreciated that the AI was a first for the Agreement and that the Parties had done the best they could in the circumstances. Norway would certainly join efforts to encourage more support for the AI in future; this was just the beginning.

305. **The Chair** reiterated the amendments tabled by the **European Commission (on behalf of the European Union and its Member States**), Uganda, and the **UK (on behalf of the European Union and its Member States)**. He invited additional comments or proposals.

306. **Uganda** moved adoption of the Draft Resolution as amended.

307. There being no further requests for the floor and at the invitation of the **Chair**, the meeting approved DR21 Rev. 2 subject to inclusion of the amendments tabled by the European Commission, Uganda and United Kingdom.

DR22 original text *Establishing a Long-Term Basic Structural Funding Regime for the International Waterbird Census in the African-Eurasian Region*

308. The **Chair** invited Switzerland to report on the outcome of its bilateral discussions with the EU, following earlier consideration of this Draft Resolution under Agenda item 29.

309. **Switzerland** confirmed that discussions had been held with the EU to find a compromise and that Switzerland was now in a position to table revised operative text for consideration of the Plenary, not withdrawal of the Draft Resolution. The new operative paragraphs, to replace the existing operative paragraphs, would read as follows:

- Operative paragraph 1: "*Invites the Technical Committee to work with the Waterbird Monitoring Partnership to make progress towards the monitoring-related targets of the AEWA Strategic Plan 2009-2017 and to report to the 6th Meeting of Parties and, if required, to propose this issue to be revisited at MOP6 with the aim to secure a long-term sustainable solution for international waterbird monitoring*".
- Operative paragraph 2: "*Urges Contracting Parties to consider making voluntary contributions to support the collection and collation of data for the production of the triennial AEWA Conservation Status Report and the Global Waterbird Population Estimates*."
- Operative paragraph 3: "*Invites the non-Contracting Parties, international organisations, and other stakeholders, to support the collection and collation of data for the production of the triennial AEWA Conservation Status Report and the Global Waterbird Population Estimates through voluntary contributions*."

310. **Switzerland** would have preferred a stronger text but had moved significantly towards the view of the European Union in the interests of consensus. However, the consequence of this decision would be continued reliance, during the next intersessional period, on the budget of Wetlands International and voluntary contributions. The International Waterbird Census (IWC) would therefore remain in a relatively weak situation in the short term and the signal being sent by the AEWA Parties to COP11 of the Ramsar Convention, to be held in July 2012, was very negative. Ramsar could have been one of the financial

contributors to a strengthened IWC and might now consider not stepping in because AEWA chose not to do so. Switzerland nevertheless hoped that the compromise text would be acceptable. The whole of the preamble to the Draft Resolution remained unchanged.

311. In response to a suggestion made by the **Chair**, **Switzerland** confirmed that the title of the Draft Resolution should remain unchanged.

312. There being no further comments, and at the invitation of the **Chair**, DR22 (original text) was adopted, subject to inclusion of the amendments to the operative paragraphs tabled by Switzerland.

DR23 ***Periodicity of the Sessions of the Meeting of the Parties to AEWA***

313. This Draft Resolution was withdrawn, upon the recommendation of WG2, as reported under Agenda item 29.

DR24 Rev. 2 ***AEWA's Contribution to Delivering the Aichi 2020 Biodiversity Targets***

314. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR24 Rev. 2 was adopted by consensus without further amendment.

DR25 original text ***Clarifications on the Definition of Disturbance, Useful for Appropriate Implementation of the Action Plan***

315. The **Chair** noted that this Draft Resolution had been reviewed by WG1 and he invited comments from the floor. There being no such comments, and at the further invitation of the Chair, DR25 (original text) was adopted by consensus without further amendment.

DR26 original text ***Support for Reinforcing Capacities with a View to Improving Laws and Policies in Favour of Waterbirds***

316. The **Chair** noted that the original text of this Draft Resolution had been reviewed in plenary, that no proposals for amendments had been received, and that the original text was therefore tabled for comment. There being no such comments, and at the further invitation of the Chair, DR26 (original text) was adopted by consensus without amendment.

DR27 original text ***Tribute to the Organisers***

317. This Draft Resolution was considered under Agenda item 34 (see paragraph 331).

DR28 original text ***Date, Venue and Funding of the 6th Meeting of the Parties***

318. This Draft Resolution was considered under Agenda item 31 (see paragraphs 325 & 326).

In concluding this Agenda item, the **Chair** confirmed that the adopted resolutions would be re-numbered to take account of the withdrawal of DR23.

Agenda item 31. Date and Venue of the Sixth Meeting of the Parties

319. The **Chair** noted that Parties had been invited in advance to consider hosting the 6th Session of the Meeting of Parties (now confirmed for 2015, following the withdrawal of DR23) and to announce any expression of interest prior to or during MOP5. He invited statements from the floor.

320. **Israel** invited MOP6 to meet in Israel. Since birds knew no political boundaries, all Parties would be welcomed. In case the offer was not accepted, any future meeting of the Technical Committee would also be warmly welcomed in Israel.

321. **Algeria**, **Egypt**, **Kuwait**, **Libya** and **Mauritania** all indicated that while AEWA did not deal with political concerns, holding MOP6 in Israel would make it difficult or impossible for many Arab countries to attend.
322. The **Chair** noted that all participants were aware of the concerns involved, though it was regrettable, since such issues extended well beyond the competence of AEWA.

323. **Mauritania** reported that it had hoped to make an offer to host MOP6 but was not yet in a position to issue an official invitation.

324. **South Africa** welcomed Israel's expression of interest to host MOP6 and indicated that Southern African countries might also consider developing an expression of interest to host a future MOP.

325. In the absence of an offer enjoying consensus support, the **Chair** suggested modifying DR28 as follows:

- Paragraph 2 of preamble to be deleted.
- New operative paragraph 1: "*Invites* interested Parties to communicate to the Secretariat within six months their interest in hosting the 6th Session of the Meeting of the Parties."
- New operative paragraph 2: "*Requests* the Standing Committee to decide on behalf of the Meeting of the Parties, the venue of the 6th Session of the Meeting of the Parties taking into account the expressions of interest received from Parties".

326. There being no further comments, and at the invitation of the **Chair**, DR28 was adopted by consensus subject to incorporation of the amendments tabled by the Chair.

Agenda item 32. Adoption of the Report of the Meeting

327. The **Chair** invited participants to review the three draft daily reports for the Plenary sessions held on 14, 15 and 16 May, and proposed that the Secretariat and MOP5 Chair should be entrusted with drafting a report for the Plenary sessions held on 18 May. He requested that minor drafting errors or other corrections to the three reports circulated so far should be brought to the attention of the Secretariat directly, but that any proposals for more substantive amendments should be made from the floor.

328. Referring to paragraph 45 of the daily reports, **Senegal** requested the inclusion, after "Senegal", of: "(African focal point for scientific and technical matters)".

329. In the absence of any further interventions, and at the invitation of the **Chair**, the meeting adopted the draft daily reports for 14, 15 & 16 May and authorised the Secretariat, in consultation with the Chair of MOP5, to prepare the report for 18 May.

Agenda item 33. Other Matters

330. There being no requests for the floor, the **Chair** announced that MOP5 had completed its substantive agenda.
Agenda item 34. Closure of the Meeting

331. In support of DR27 *Tribute to the Organisers*, which was adopted by consensus, statements of thanks were made by **Denmark** on behalf of **the European Union and its Member States**, and by **Benin** on behalf of **the African Group**, as well as by **Mali**, **South Sudan** and **Tunisia**.

332. Particular thanks were due to the hosts – the Government of France (notably the Ministry of Ecology, Sustainable Development, Transport and Housing), the Prefecture of Charente-Maritime, and the Municipality of La Rochelle – as well as to the Espace Encan conference centre, French governmental bodies (particularly ONCFS) and NGOs (especially LPO and OMPO), the Chair of the MOP and the Chairs of the Credentials Committee and two Working Groups, the Government of Germany for its generous

support (notably of sponsored delegate travel), and to those other donors who had supported AEWA's work. Thanks were also extended to the interpreters, rapporteur, technical staff, security staff and all members of the Secretariat.

333. The **Chair**, thanked participants on behalf of **France** for the honour of being appointed to chair the MOP. In addition to adding his personal thanks to those institutions and organisations already acknowledged by participants, he thanked AEWA's Acting Executive Secretary (Mr Marco Barbieri) and Technical Officer (Mr Sergey Dereliev), as well as the Programme Assistant (Ms Birgit Drerup) who had led logistical planning on behalf of the Secretariat. Special thanks went to all members of the French Organising Committee and in particular to Ms Marianne Courouble and Mr Olivier Monteau. He felt sure that participants would be taking away a general feeling of enthusiasm; that in spite of current economic difficulties, AEWA was planning for the long term. During the next intersessional period, all stakeholders needed to work to translate words into action in each region and each country of the Agreement Area.

334. The **Acting Executive Secretary of AEWA** (Mr Marco Barbieri) thanked the Chair and hosts of MOP5. The MOP had enjoyed excellent working conditions and would certainly be remembered as a stepping stone for the Agreement, but potentially also as a milestone; depending on what happened next in terms of implementation – especially with regard to the African Initiative. He reiterated his thanks to all those previously acknowledged and wished all participants a safe journey home.