



AGREEMENT ON THE CONSERVATION OF
AFRICAN-EURASIAN MIGRATORY WATERBIRDS

19th MEETING OF THE STANDING COMMITTEE
27 September 2021, Virtual Conference Format

REPORT OF THE MEETING

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Summary of StC19 Decisions

AGENDA ITEM		DECISION
Agenda item 2	Adoption of the Agenda	The agenda was adopted with one minor change.
Agenda item 3	Adoption of the Report of the 18 th Meeting of the Standing Committee	Comments on the report to be submitted to the AEWa Secretariat by 1 October 2021. In the absence of any comments the report would be adopted as submitted by the AEWa Secretariat.
Agenda item 4	Discussion on procedure for Contracting Parties to adopt the draft Resolutions Ex.1 and Ex.2	The StC Chair will send a letter to all Parties asking them to adopt the silence procedure. He will include the two resolutions for information. There will be a 2-week deadline for the Parties to respond. The StC Chair will send a second letter asking the Parties to adopt the two resolutions. There will be a 6-week deadline for the Parties to respond.
Agenda item 5	Venue / format and date of MOP8 (Draft Resolution Ex.1)	Document AEWa/StC19/DR1 is approved to be sent to all Parties for consideration with one minor change.
Agenda item 6	Draft Budget Proposal for 2022 (Draft Resolution Ex.2)	Document AEWa/StC19/DR2 is approved to be sent to all Parties for consideration.
Agenda item 8	Date and Venue of the 20 th Meeting of the Standing Committee	The next StC meeting will be scheduled online for February 2022.

Agenda item 1. Opening of the Meeting

1. The Standing Committee Chair, United Kingdom, and representative of Europe and Central Asia, Mr Simon Mackown, opened the 19th Meeting of the Standing Committee (StC) by warmly welcoming all participants, noting that it had been an unusual year. He hoped it would be a straightforward meeting.

Agenda item 2. Adoption of the Agenda

2. Referring to document AEWa/StC19.1, *Provisional Agenda*, Mr Mackown suggested to first discuss the procedure for adopting the resolutions before discussing the resolutions themselves.

3. Everyone agreed to this minor change and with that the agenda was adopted.

<i>Decision</i>	<i>The agenda was adopted with one minor change.</i>
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Agenda item 3. Adoption of the Report of the 18th Meeting of the Standing Committee

4. Ms Wilmar Remmelts, The Netherlands and StC member as representative of the Depository, said that since the report had been submitted by the Secretariat quite late, she had not had the chance to read it. She requested for more time to look at it.

5. Mr Mackown thought that was reasonable and proposed that comments on the report be submitted to the AEWA Secretariat in writing within the coming week, and no later than 1st October cob. In the absence of any comments the report would be adopted as submitted by the AEWA Secretariat.

<i>Decision</i>	<i>Comments on the report to be submitted to the AEWA Secretariat by 1 October 2021. In the absence of any comments the report would be adopted as submitted by the AEWA Secretariat.</i>
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Agenda item 4. Discussion on Procedure for Contracting Parties to Adopt the Resolutions Ex.1 and Ex.2

6. Mr Mackown introduced the agenda item by reminding everyone that it was not possible to hold a MOP in 2021 due to the issues around the COVID-19 pandemic. The StC had decided to postpone the MOP until 2022. However, the functioning of the AEWA Secretariat in 2022 needed to be ensured. So, the StC in this meeting needed to agree on a resolution that allowed the MOP to be postponed as well as on a resolution that allowed a budget and workplan continuation.

7. Mr Mackown hoped that everyone had had the chance to look at the document setting out the process for adopting the mentioned resolutions.

8. Mr Jacques Trouvilliez, AEWA Executive Secretary, proceeded to introduce document AEWA/StC19.2, *Procedure for Postponing MOP8 and Adopting a Budget for 2022*.

9. He explained that the decision of the StC to postpone the MOP needed to be endorsed by the Parties and that therefore a corresponding resolution was needed. Similarly, a resolution on the budget was needed as the previous AEWA Secretariat's budget was adopted for the triennium 2019-2021. Since the triennium was now ending, an interim budget for 2022 was needed.

10. Mr Trouvilliez further explained that the AEWA Secretariat had consulted with the UN Legal Advisers, who proposed two options. The first option was to schedule a virtual meeting to discuss the resolutions and the second was the option of a silence procedure. The latter would avoid having the same disadvantages as a hybrid meeting would have. Therefore, it was suggested to opt for the silence procedure.

11. Mr Trouvilliez suggested that the StC Chair would write to all Parties proposing to adopt the two resolutions through correspondence. It could now be decided how much time would be given to the Parties to respond. At the UN General Assembly, it was decided to give Parties 72 hours, which Mr Trouvilliez thought may be too short.

12. Mr Trouvilliez went on to outline what it meant to have a silence procedure. If no Party objected through an official correspondence, the procedure was adopted. The second step would be for the StC Chair to send another email to all Parties including the two resolutions. The Parties would then again have a certain amount of time to object. If no objection was received by the deadline, the two resolutions were adopted.

13. If a Party raised an objection to one or both resolutions the StC Chair could try to resolve the issue, or he could assign a third person to act as a mediator. If that resulted into the Party removing its objection, the resolution was adopted. If the resolution had to be redrafted a third letter would be sent by the StC Chair with the amended resolution.

14. After consulting with other MEAs where the silence procedure worked well, the AEWA Secretariat recommended to the StC to proceed with the silence procedure rather than with a virtual meeting.

15. Mr Mackown asked for a clarification regarding the silence procedure. He wondered whether the deadline for responding would be reset once a Party raised an objection.

16. Mr Trouvilliez clarified that they would have to look at the objections raised once they were received, if any, and to then find a consensus. If objections were not solved by the deadline, then this deadline would have to be reset or another procedure to adopt the resolutions would have to be decided.

17. Ms Nadjiba Bendjedda wanted to know what happened if an objection was received after the deadline and whether that would be accepted.

18. Mr Trouvilliez emphasised that any objection received after the deadline would not be taken into consideration. Therefore, Mr Trouvilliez recommended to give the Parties more than 72 hours for the first decision.

19. Mr Mackown agreed, since most Focal Points would have to go through numerous internal procedures to clear the decisions through their ministries. He suggested a 2-week deadline for the decision on the silence procedure and an 8-week deadline for the decision on the two resolutions.

20. Mr Trouvilliez noted that the 2-week deadline was fine, but the 8-week deadline meant it would then already be mid-December which could result in not having a budget in place in January 2022. If there were objections there would only be two or three weeks for finding a consensus. Mr Trouvilliez therefore suggested a 6-week deadline.

21. Mr Mackown agreed that a 6-week deadline would be appropriate in order to meet various other AEWA Secretariat internal deadlines. Furthermore, he proposed to circulate already attached to his first letter the two resolutions in draft, since that gave Parties an additional two weeks for consideration.

22. Mr Trouvilliez thought that it was a good idea. But it had to be clear that the first step was to accept or to object to the procedure itself.

<i>Decision</i>	<i>The StC Chair will send a letter to all Parties asking them to adopt the silence procedure. He will include the two resolutions for information. There will be a 2-week deadline for the Parties to respond. The StC Chair will send a second letter asking the Parties to adopt the two resolutions. There will be a 6-week deadline for the Parties to respond.</i>
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Agenda item 5. Venue / Format and Date of MOP8 (Draft Resolution Ex.1)

23. Mr Trouvilliez introduced document AEWA/StC19/DR1, *Draft Resolution on Postponing the 8th Session of the Meeting of the Parties to AEWA*.

24. Ms Rimmelts suggested to delete the following from paragraph 4 of the resolution: *on basis of a survey sent to all Parties and a thorough analysis*.

25. Since there were no further comments, the resolution was approved to be sent to all Parties for consideration, with the minor change suggested by Ms Rimmelts.

<i>Decision</i>	<i>Document AEWA/StC19/DR1 is approved to be sent to all Parties for consideration with one minor change.</i>
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Agenda item 6. Draft Budget Proposal for 2022 (Draft Resolution Ex.2)

26. Mr Trouvilliez proceeded to introduce document AEWA/StC19/DR2, *Draft Resolution on Financial and Administrative Matters*, noting that the AEWA Secretariat had decided to build a budget based on the 2021 contributions paid by each Party. This meant no increase in the contributions for any Parties and four new Parties to contribute each of them 2000 EUR, which explained the slight increase in the annual budget.

27. Mr Mackown recalled that at MOP7 there had been quite a bit of debate with certain Parties raising the issue about which scale of contribution was being used. Strictly, rolling over the budget meant that an outdated scale of contribution was being used. Mr Mackown thought it was sensible to keep the budget as it was and to roll it over into 2022, since it was straightforward. At the same time, he was nervous that some Parties might raise that issue again during the silence procedure. He thought there was a strong rationale about why it should be kept as it was but wanted to point out the risk.

28. Mr Trouvilliez confirmed that there had been a huge discussion on the matter during the finance working group at MOP7, but that the issue was less relevant now, since the proposal was to maintain the contribution of 2021. He suggested that Mr Mackown could mention in his first letter to Parties that there would be a new scale of contribution at the end of 2021 and that that would be used to build the budget for the next triennium.

30. Since there were no further comments, the resolution was approved to be sent to all Parties for consideration.

<i>Decision</i>	<i>Document AEWA/StC19/DR2 is approved to be sent to all Parties for consideration.</i>
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Agenda item 7. Operations of the Technical Committee and the Secretariat until MOP8 in 2022

31. Introducing this agenda item, Mr Trouvilliez reminded everyone that the StC requested the AEWA Secretariat to provide together with the triennial budget a programme of work. The AEWA Secretariat would use the first months of 2022 to build a programme of work related to the budget. The framework of the programme of work of the CMS Secretariat would be used to align it with that of the CMS Family.

32. The programme of work would be submitted, of course, to the StC for any comments or suggestions. With that, Mr Trouvilliez handed over to Mr Sergey Dereliev, Head of the Science, Implementation and Compliance Unit of the AEWa Secretariat.

33. Mr Dereliev said that he had had a discussion with the TC Chair in order to brainstorm about the work of the committee in the following year, since it was quite an unusual situation with an extra year in the triennium.

34. Mr Dereliev noted that this was an opportunity, but expectations needed to be managed. The discussion with the TC Chair was to outline what could realistically be possible within the extra year.

35. Reminding everyone that there were a few TC tasks that were only partially completed for which late funding was received, Mr Dereliev explained that an effort had been made to start the implementation of those activities, however, the Technical Committee and the AEWa Secretariat were not in a position to deliver them in October 2021 for MOP8.

36. Rather than initiating new activities, it would be the focus of the TC to complete these pending tasks. The TC would also not start acting on any activities of the Strategic Plan, which were foreseen for year 4 of the implementation of the plan. The TC would wait for the decisions of MOP8 and then proceed with those activities.

37. There may, however, be a few opportunities which needed to be explored with those experts, that lead on those areas of work of the TC. These were not deliverables for MOP8 but required a much longer timeframe. Those topics may at least be opened for discussion within the TC. An ad-hoc group for example on sustainable harvest had been convened, which included a broad group of external experts. There was an ambition to start the work of that group already in 2021. This was however not possible due to unforeseen circumstances. The issues had been settled which may provide an opportunity to start the work of the group.

38. Mr Dereliev explained that any TC meetings that may be needed in connection with the activities would be online, as no budget was envisaged for that purpose.

39. Mr Mackown thought that it was an entirely sensible approach and would endorse it as such.

40. Ms Nina Mikander, representative of Finland, also fully supported the approach. However, she highlighted that Finland would be interested in seeing the seabird work of the TC progressing if possible. Finland would, of course, be willing to explore options to support that work if needed.

41. Mr Dereliev confirmed that indeed the seabird work was one of the areas that was planned to start in the course of 2021, but in addition to the TC capacity its implementation was also dependent on the capacity of the Secretariat which is currently depleted.

42. Responding to Mr van der Stegen's question on what kind of products would be delivered to MOP8, Mr Dereliev briefly outlined these. Furthermore, he said that the TC had certain tasks assigned to the Plan of Action for Africa (PoAA). However, the bulk of that work was with the Parties themselves.

Agenda item 8. Date and Venue of the 20th Meeting of the Standing Committee

43. Mr Trouvilliez said that it was not clear yet when the next StC should be convened. He explained that the silence procedure would go until early December and that probably there was no need for another StC meeting for the rest of the year.

44. Mr Trouvilliez suggested to schedule the next StC meeting for February 2022. The programme of work as well as a first draft of what could be a budget scenario for the next triennium. Furthermore, the AEWA Secretariat could report whether by then there was a host country for MOP8 or if it would have to take place in Bonn, Germany. In this meeting the StC would also have decide on the dates for MOP8. Mr Trouvilliez proposed to have it between October and early December.

45. Mr Trouvilliez then took the opportunity to thank Ms Remmelts for all her hard work and dedication, since she would be retiring this year. He said that it had always been a pleasure to work with her. He remembered that the negotiation of the treaty in 1995 in den Haag was a great moment for migratory bird conservation. He thanked the Government of The Netherlands for supporting AEWA and pushing for the adoption of the treaty, hoping that the good relationship would continue.

46. Ms Remmelts thanked Mr Trouvilliez for his kind words and said that she had hoped to travel to Hungary for a last MOP.

47. Mr Mackown echoed what Mr Trouvilliez said and added that he always appreciated Ms Remmelts' constructive and positive engagement with the StC. On a personal note, he would miss Ms Remmelts and the support and guidance offered by her.

48. Circling back to the issue of the date and venue of MOP8, Mr Mackown said that he was content with the proposed approach.

<i>Decision</i>	<i>The next StC meeting will be scheduled online for February 2022.</i>
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Agenda item 9. Any Other Business

49. Mr Trouvilliez commended Mr Mackown for his fantastic work during this unusual year and with all the extraordinary meetings of the StC. He also thanked, on behalf of the AEWA Secretariat, all other StC members, observers and Parties for their active participation in all meetings held this year.

50. Mr Mackown thanked Mr Trouvilliez and said that the same applied to the AEWA Secretariat. Its hard work in this unusual year and trying to navigate some difficult issues was much appreciated.

51. There were no further items under any other business.

Agenda item 10. Closure of the Meeting

52. Mr Mackown thanked everyone for their participation in the meeting. He said a final thank you and good-bye to Ms Remmelts, who would be retiring soon and that he would be in touch over the coming weeks as the silence procedure was taken forward.

53. With that the Chair declared the Meeting closed.