



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 12 January 2011**

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from: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 5 January 2011

to: Mr Pierre de BOISSIEU, Secretary-General of the Council of the European  
Union

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Subject: Annex to the Communication from the Commission to the Council concerning  
the Memoranda of Understanding on the Conservation of Migratory Sharks and  
Birds of Prey under the Convention on the Conservation of Migratory Species  
of Wild Animals

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Delegations will find attached Commission document COM(2010) 805 Annex 3

Encl.: COM(2010) 805 Annex 3



EUROPEAN COMMISSION

Brussels, 5.1.2011  
COM(2010) 805 final

**Annex to the**  
**COMMUNICATION FROM THE COMMISSION TO THE COUNCIL**  
**concerning the**

**Memoranda of Understanding on the Conservation of Migratory Sharks and Birds of Prey under the Convention on the Conservation of Migratory Species of Wild Animals**

**MEMORANDUM OF UNDERSTANDING  
ON THE CONSERVATION OF MIGRATORY BIRDS OF PREY  
IN AFRICA AND EURASIA**

The Signatories

*Recalling* that the Convention on the Conservation of Migratory Species of Wild Animals, signed at Bonn on 23 June 1979, calls for international co-operative action to conserve migratory species and that Article IV.4 of that convention encourages Signatories to conclude agreements - including non-legally binding administrative agreements in respect of any populations of migratory species;

*Noting* that several species of Falconiformes are listed in Appendix I and all of these species in Appendix II of that Convention;

*Considering* that migratory birds of prey serve as high-level indicators of ecosystem health and climate change across their range;

*Recognizing* that many populations of birds of prey migrate between and within Africa and Eurasia, crossing the territory of different countries;

*Concerned* by the considerable number of African-Eurasian migratory species of birds of prey that presently have an unfavourable conservation status at a regional and/or global level and especially by the lack of knowledge of the status and trends of migratory birds of prey in Africa and Asia;

*Aware* that among the factors which contribute to the unfavourable conservation status of many African-Eurasian birds of prey species are the loss, degradation and fragmentation of habitats, increased mortality and reduced breeding success as a result of unlawful killing (including especially poisoning), unsustainable taking, human economic activities (damaging biodiversity) and land-use practices and that climate change is likely to cause further adverse effects on bird of prey populations;

*Mindful* that a range of existing multilateral environmental instruments can or do contribute to the conservation of migratory birds of prey but lack a unifying international plan of action;

*Convinced* of the need for immediate and concerted international actions to conserve African-Eurasian migratory species of birds of prey and to maintain and restore them in general to favourable conservation status;

*Underlining* the need to increase awareness to conserve migratory birds of prey in the African-Eurasian region;

*Recalling* Resolution No. 3 adopted by the VI World Conference on Birds of Prey and Owls held in Budapest, Hungary, 18-23 May 2003, and UNEP/CMS Recommendation 8.12 on Improving the Conservation Status of Birds of Prey and Owls in Africa and Eurasia;

*Realising* the importance of involving all Range States in the region as well as relevant intergovernmental, non-governmental and private sector organisations in cooperative conservation for migratory birds of prey and their habitats;

*Acknowledging* that effective implementation and enforcement of such actions will require cooperation between Range States and international and national non-governmental organisations in order to encourage research, training and awareness raising to maintain, restore, manage and monitor birds of prey.

HAVE DECIDED as follows:

### **Scope and Definitions**

1. For the purpose of this Memorandum of Understanding:
  - a) “Birds of Prey” means migratory populations of Falconiformes and Strigiformes species occurring in Africa and Eurasia, listed in Annex 1 of this Memorandum of Understanding;
  - b) “Africa and Eurasia” means Range States and territories listed in Annex 2 of this Memorandum of Understanding;
  - c) “Conservation” means the protection and management, including sustainable use of birds of prey and their habitats, in accordance with the objectives and principles of this Memorandum of Understanding;
  - d) “Convention” means the Convention on the Conservation of Migratory Species of Wild Animals, signed at Bonn on 23 June 1979;
  - e) “Signatory” means a Signatory to this Memorandum of Understanding in accordance with Paragraph 23 below;
  - f) “Secretariat” means the Secretariat of the Convention; and
  - g) “Action Plan” means the Action Plan for the Conservation of African-Eurasian Migratory birds of prey contained in Annex 3.

In addition, the terms defined in Article I, sub-paragraphs 1 (a) to (i), of the Convention shall have the same meaning, *mutatis mutandis*, in this Memorandum of Understanding.

2. This Memorandum of Understanding is a legally non-binding agreement under Article IV, paragraph 4 of the Bonn Convention, as defined by Resolution 2.6 adopted at the Second meeting of the Conference of the Parties to the Convention. (Geneva, 11-14 October 1988).

3. The interpretation of any term or provision of this Memorandum of Understanding will be made in accordance with the Convention and/or relevant Resolutions adopted by its Meeting of the Signatories, unless such a term or provision is defined or interpreted differently in this Memorandum of Understanding.

4. The three annexes form an integral part of this Memorandum of Understanding.

### **Fundamental Principles**

5. The Signatories will aim to take co-ordinated measures to achieve and maintain the favourable conservation status of birds of prey throughout their range and to reverse their decline when and where appropriate. To this end, they will endeavour to take, within the limits of their jurisdiction and having regard to their international obligations, the measures specified in Paragraphs 7 and 8, together with the specific actions laid down in the Action Plan.

6. In implementing the measures specified in Paragraph 5 above, Signatories will apply the precautionary principle.

### **General Conservation Measures**

7. The Signatories will strive to adopt, implement and enforce such legal, regulatory and administrative measures as may be appropriate to conserve birds of prey and their habitat.

8. To this end, the Signatories will endeavour to:

- a) identify important habitats, significant routes and congregatory sites for birds of prey occurring within their territory and encourage their protection, and/or appropriate management, assessment, rehabilitation and/or restoration;
- b) coordinate their efforts to ensure that a network of suitable habitats is maintained or, where appropriate, established *inter alia* where such habitats extend over the territory of more than one Signatory;
- c) investigate problems that are posed or are likely to be posed by human activities or from other causes and will endeavour to implement remedial and preventative measures, including *inter alia* habitat rehabilitation and habitat restoration, and compensatory measures for loss of habitat;
- d) cooperate in emergency situations requiring concerted international action, in developing appropriate emergency procedures to improve the conservation of bird of prey populations and in preparing guidelines to assist individual Signatories in addressing such situations;
- e) ensure that any utilisation of birds of prey is based on an assessment using the best available knowledge of their ecology and is sustainable for the species as well as for the ecological systems that support them;
- f) take appropriate measures for the recovery of bird populations and re-introduction of birds of prey native to their territory provided that such actions will contribute to their conservation;
- g) take appropriate measures to prevent the introduction into their territory of non-native birds of prey, including hybrids where this would have an adverse effect on the conservation of native biodiversity;

- h) encourage research into the biology and ecology of birds of prey, including the harmonization of research and monitoring methods and, where appropriate, the establishment of joint or cooperative research and monitoring programmes;
- i) assess training requirements to implement conservation actions and, in cooperation with others where possible, develop appropriate priority training programmes;
- j) develop and maintain programmes to raise awareness and understanding of conservation issues relating to birds of prey and their habitat as well as of the objectives and provisions of this Memorandum of Understanding;
- k) exchange information and the results from research, monitoring, conservation and education programmes; and
- l) cooperate with a view to assisting each other to implement this Memorandum of Understanding, particularly in the areas of research and monitoring.

9. With a view to promoting the conservation status of birds of prey, Signatories may encourage other Range States to sign this Memorandum of Understanding.

### **Implementation and Reporting**

10. Each Signatory will designate a contact point for all matters relating to the implementation of this Memorandum of Understanding; and communicate the name and address of that contact point to the Coordinating unit once established. Before the establishment of the Coordinating Unit such duties will be undertaken by an Interim Coordinating Unit designated by the Secretariat.

11. An Interim Coordinating Unit will be established, in collaboration with the authorities of the Environment Agency – Abu Dhabi, immediately after the conclusion of this Memorandum of Understanding. The Interim Coordinating Unit will operate until the establishment of a permanent Coordinating Unit under paragraph 16, and carry out similar functions.

12. Within two years of this Memorandum of Understanding becoming effective, Signatories will aim to prepare and submit to the Interim Coordinating Unit where appropriate a national or regional (e.g. EU) strategy or equivalent documents (e.g. Single Species Action Plans) for category 1 and, where appropriate, category 2 species in Table 1 in the Action Plan.

13. The Meeting of the Signatories will be the decision-making body of this Memorandum of Understanding. The Meeting will elect a Chairman and consider for adoption the rules of procedure recommended by the Secretariat. Meetings will be arranged wherever possible to coincide with other appropriate gatherings where the relevant representatives would be present. Any agency or body technically qualified in such matters may be represented at sessions of the Meeting of the Signatories by observers, unless at least one third of the Signatories present object. Participation will be subject to the rules of procedure adopted by the Meeting.

14. The first session of the Meeting of the Signatories will be convened as soon as possible after at least three quarters of those that are Signatories at the time this Memorandum of Understanding becomes effective have submitted their strategies or equivalent measures or, funds permitting, three years after the Memorandum of Understanding has become effective.

15. At the first session, the Interim Coordinating Unit will present an overview report compiled on the basis of all information at its disposal pertaining to birds of prey. The first session will also adopt a format for and schedule of regular progress reports on implementing the strategies or equivalent measures. At its first session the meeting will adopt a procedure for amending the Annexes to the Memorandum of Understanding and it will also make such arrangements as may be necessary for convening subsequent sessions of the Meeting of Signatories.

16. At its first session, the Meeting of the Signatories in collaboration with the Secretariat will establish a Coordinating Unit which will assist communication, encourage reporting and facilitate activities between and among Signatories, other interested States and organisations. The Coordinating Unit will make available to all of the Signatories all of the strategies and equivalent documents it receives, prepare an overview of progress in implementation of the Action Plan six months before the second and subsequent sessions of Signatories, and perform such other functions as may be assigned by the Meeting of Signatories. The Coordinating Unit will be based in the office of an appropriate national, regional, or international organisation as agreed by consensus of the Signatories at their first session, after consideration of all offers received.

17. The Coordinating Unit will compile the national and international progress reports and make them available to all Signatories and Range States. In respect of the compilation of the first national and international progress report, this function will be undertaken by the Interim Coordinating Unit.

18. Signatories that are also Parties to the Convention will in their national report to the Conference of the Parties to the Convention make specific reference to activities undertaken in relation to this Memorandum of Understanding.

19. The Signatories will endeavour to exchange without undue delay the scientific, technical, legal and other information needed to co-ordinate conservation measures and cooperate with other Range States, appropriate international organisations, national non-governmental organisations and scientists with a view to developing co-operative research and facilitating the implementation of this Memorandum of Understanding.

20. The Signatories will endeavour to finance from national and other sources the implementation in their territory of the measures necessary for the conservation of birds of prey. In addition, they will endeavour to assist each other in the implementation and financing of key points of the Action Plan, and seek assistance from other sources for the financing and implementation of their strategies or equivalent measures.

#### **Final Provisions**

21. This Memorandum of Understanding is concluded for an indefinite period.

22. This Memorandum of Understanding may be amended at any Meeting of the Signatories. Any amendment adopted will become effective on the date of its adoption by the Meeting by consensus. The Secretariat will communicate the text of any amendment so adopted to all Signatories and to all other Range States.

23. Nothing in this Memorandum of Understanding will prevent any of the Signatories adopting stricter measures for the conservation of birds of prey on its territory.

24. The Signatories will review at each session of the Meeting of Signatories this Memorandum of Understanding, including the operational, administrative and institutional arrangements for implementation.

25. Nothing in this Memorandum of Understanding will bind any of the Signatories either jointly or severally.

26. This Memorandum of Understanding will be open for signature indefinitely at the seat of the CMS Secretariat to all Range States of Africa-Eurasian birds of prey and to any regional economic integration organisation.

27. Inter-Governmental and international and national non-governmental organisations may associate themselves with this Memorandum of Understanding through their signature as co-operating partners, in particular with the implementation of the Action Plan in accordance with Article VII, paragraph 9 of the Convention on the Conservation of Migratory Species.

28. This Memorandum of Understanding will become effective on the first day of the month following the date on which there are at least eight Range State Signatories including at least two each from Europe, Asia and Africa. Thereafter, it will become effective for any other Signatory on the first day of the month following the date of signature by that Signatory.

29. Any Signatory may withdraw from this Memorandum of Understanding by written notification to the Secretariat. The withdrawal will take effect for that Signatory six months after the date on which the Secretariat has received the notification.

30. The Secretariat will be the Depositary of this Memorandum of Understanding.

31. The working language for all matters relating to this Memorandum of Understanding, including meetings, documents and correspondence, will be English and French.



## LIST OF AFRICAN-EURASIAN MIGRATORY BIRDS OF PREY

**FALCONIFORMES*****Pandionidae***

*Pandion haliaetus* Osprey

***Accipitridae***

*Aviceda cuculoides* African Baza  
*Aviceda jerdoni* Jerdon's Baza  
*Aviceda leuphotes* Black Baza  
*Pernis apivorus* European Honey-buzzard  
*Pernis ptilorhyncus* Oriental Honey-buzzard  
*Chelictinia riocourii* African Swallow-tailed Kite  
*Milvus lineatus* Black-eared Kite  
*Milvus milvu* Red Kite  
*Milvus migrans* Black Kite  
*Haliaeetus leucoryphus* Pallas's Fish-eagle  
*Haliaeetus albicilla* White-tailed Eagle  
*Haliaeetus pelagicus* Steller's Sea-eagle  
*Neophron percnopterus* Egyptian Vulture  
*Gyps fulvus* Griffon Vulture  
*Aegypius monachus* Cinereous Vulture  
*Circus gallicus* Short-toed Snake-eagle  
*Circus aeruginosus* Western Marsh-harrier  
*Circus spilonotus* Eastern Marsh-harrier  
*Circus maurus* Black Harrier  
*Circus cyaneus* Northern Harrier  
*Circus macrourus* Pallid Harrier  
*Circus melanoleucos* Pied Harrier  
*Circus pygargus* Montagu's Harrier  
*Accipiter badius* Shikra  
*Accipiter brevipes* Levant Sparrowhawk  
*Accipiter soloensis* Chinese Goshawk  
*Accipiter gularis* Japanese Sparrowhawk  
*Accipiter virgatus* Besra  
*Accipiter ovampensis* Ovampo Sparrowhawk  
*Accipiter nisus* Eurasian Sparrowhawk  
*Accipiter gentilis* Northern Goshawk  
*Butastur rufipennis* Grasshopper Buzzard  
*Butastur indicus* Grey-faced Buzzard  
*Buteo buteo* Common Buzzard  
*Buteo oreophilus* Mountain Buzzard  
*Buteo rufinus* Long-legged Buzzard  
*Buteo hemilasius* Upland Buzzard  
*Buteo lagopus* Rough-legged Buzzard  
*Buteo auguralis* Red-necked Buzzard  
*Aquila pomarina* Lesser Spotted Eagle  
*Aquila clanga* Greater Spotted Eagle  
*Aquila rapax* Tawny Eagle  
*Aquila nipalensis* Steppe Eagle

<i>Aquila adalberti</i>	Spanish Imperial Eagle
<i>Aquila heliaca</i>	Eastern Imperial Eagle
<i>Aquila wahlbergi</i>	Wahlberg's Eagle
<i>Aquila chrysaetos</i>	Golden Eagle
<i>Hieraaetus pennatus</i>	Booted Eagle
<i>Spizaetus nipalensis</i>	Mountain Hawk-eagle

**Falconidae**

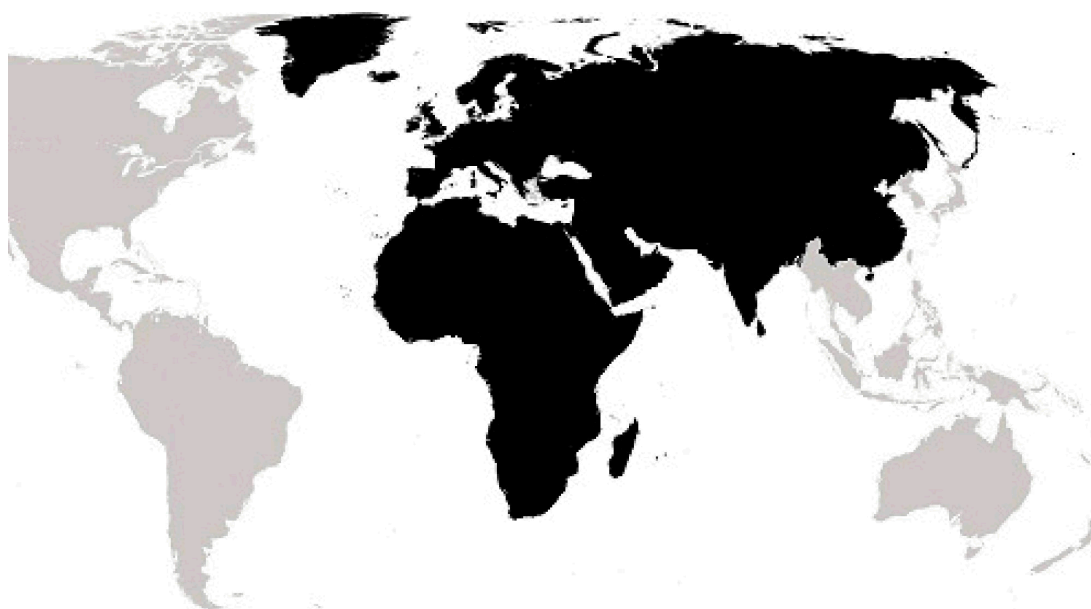
<i>Falco naumanni</i>	Lesser Kestrel
<i>Falco tinnunculus</i>	Common Kestrel
<i>Falco alopex</i>	Fox Kestrel
<i>Falco vespertinus</i>	Red-footed Falcon
<i>Falco amurensis</i>	Amur Falcon
<i>Falco eleonora</i>	Eleonora's Falcon
<i>Falco concolor</i>	Sooty Falcon
<i>Falco columbarius</i>	Merlin
<i>Falco subbuteo</i>	Eurasian Hobby
<i>Falco severus</i>	Oriental Hobby
<i>Falco biarmicus</i>	Lanner Falcon
<i>Falco cherrug</i>	Saker Falcon
<i>Falco rusticolus</i>	Gyrfalcon
<i>Falco peregrinus</i>	Peregrine Falcon
<i>Falco pelegrinoides</i>	Barbary Falcon

**STRIGIFORMES**

**Strigidae**

<i>Otus brucei</i>	Pallid Scops-owl
<i>Otus scops</i>	Common Scops-owl
<i>Otus sunia</i>	Oriental Scops-owl
<i>Nyctea scandiaca</i>	Snowy Owl
<i>Strix uralensis</i>	Ural Owl
<i>Strix nebulosa</i>	Great Grey Owl
<i>Surnia ulula</i>	Northern Hawk Owl
<i>Aegolius funereus</i>	Boreal Owl
<i>Ninox scutulata</i>	Brown Hawk-owl
<i>Asio otus</i>	Long-eared Owl
<i>Asio flammeus</i>	Short-eared Owl

### Map of the area included within this Memorandum of Understanding



Only those Range States and territories listed below, and shown in black on this map, are included within the scope of this MoU.

<b>Afrotropical realm</b>		
Angola	Gabon	Rwanda
Benin	Gambia	São Tomé and Príncipe
Botswana	Ghana	Senegal
Burkina Faso	Guinea	Seychelles
Burundi	Guinea-Bissau	Sierra Leone
Cameroon	Kenya	Somalia
Cape Verde	Lesotho	South Africa
Central African Republic	Liberia	Sudan
Chad	Madagascar	Swaziland
Comoros	Malawi	Togo
Congo	Mali	Uganda
Congo, Democratic Republic of	Mauritius	United Republic of Tanzania
Côte d'Ivoire	Mozambique	Zambia
Djibouti	Namibia	Zimbabwe
Equatorial Guinea	Niger	
Eritrea	Nigeria	
Ethiopia		

<b>Palaearctic realm</b>		
Afghanistan	Israel	Poland
Albania	Italy	Portugal
Algeria	Jordan	Qatar
Andorra	Kazakhstan	Romania
Armenia	Kuwait	Serbia
Austria	Kyrgyzstan	Slovakia
Azerbaijan	Latvia	Slovenia
Bahrain	Lebanon	Spain, including the Canary Islands
Belarus	Libyan Arab Jamahiriya	Sweden
Belgium	Liechtenstein	Switzerland
Bosnia and Herzegovina	Lithuania	Syrian Arab Republic
Bulgaria	Luxembourg	Tajikistan
China	The Former Yugoslav Republic of Macedonia	Tunisia
Croatia	Malta	Turkey
Cyprus	Mauritania	Turkmenistan
Czech Republic	Moldova	Ukraine
Denmark, including Faroe Islands and Greenland	Monaco	United Arab Emirates
Egypt	Mongolia	United Kingdom of Great Britain and Northern Ireland, including the Bailiwick of Guernsey, the Bailiwick of Jersey, the Isle of Man, Gibraltar and the Sovereign Base Areas in Cyprus (Akrotiri and Okechelia)
Estonia	Montenegro	
Finland, including Åland Islands	Morocco	
France, including Mayotte and Réunion	Netherlands	
Georgia	Norway, including Svalbard and Jan Mayen Islands	
Germany	Oman	
Greece	Palestinian Authority Territories	
Hungary	Russia	Uzbekistan
Iceland	San Marino	Vatican City
Ireland	Saudi Arabia	Yemen
Iran		
Iraq		
<b>Indo-Malayan realm</b>		
Bangladesh	India	Pakistan
Bhutan	Nepal	Sri Lanka

**ACTION PLAN  
FOR THE CONSERVATION OF MIGRATORY BIRDS OF PREY  
IN AFRICA AND EURASIA**

**1. General Aim**

The general aim is to ensure that all populations of African-Eurasian migratory birds of prey (including owls) are maintained in, or returned to, Favourable Conservation Status within the meaning of Article 1(c) of the Convention.

**2. Objectives**

For the effective period of this Action Plan, the following objectives are set:

- a) To halt and reverse the population declines<sup>1</sup> of globally threatened (Critically Endangered, Endangered and Vulnerable) and Near Threatened birds of prey and alleviate threats to them such that they are no longer globally threatened or Near Threatened;
- b) To halt and reverse the population declines of other birds of prey with an Unfavourable Conservation Status within Africa and Eurasia and alleviate threats to them in order to return their populations to Favourable Conservation Status; and
- c) To anticipate, reduce and avoid potential and new threats to all bird of prey species, especially to prevent the populations of any species undergoing long-term decline.

**3. Species Categories**

- 3.1. The bird of prey species included in Annex 1 of this Memorandum of Understanding (MoU) are assigned within the following categories:

Category 1: Globally threatened and Near Threatened species as defined according to the latest IUCN Red List and listed as such in the BirdLife International World Bird Database;

Category 2: Species considered to have Unfavourable Conservation Status at a regional level within the Range States and territories listed in Annex 2 to the MoU; and

Category 3: all other migratory species.

- 3.2. The species in Annex 1 of this MoU are assigned to the categories provided for in paragraph 3.1 as given in Table 1, for the effective period of this Action Plan,

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<sup>1</sup> Population decline is taken to mean a reduction in abundance or range.

unless Table 1 is amended in accordance with a procedure to be agreed by the Signatories at the first session of the Meeting of Signatories.

#### **4. Priority Actions**

Taking into account the predicted impacts of threats and opportunities for reducing them, the actions for achieving the objectives given in paragraph 2 are considered to be:

- a. Protecting all species from unlawful killing, including poisoning, shooting, persecution, and unsustainable exploitation;
- b. Promoting, as far as possible, high environmental standards, including through Environmental Impact Assessments, in the planning and construction of structures to minimise their impact on species, particularly by collision and electrocution, and seeking to minimise the impact of existing structures where it becomes evident that they constitute a negative impact for the species concerned;
- c. Conserving bird of prey habitats by encouraging an Ecosystem Approach to sustainable development and sectoral land use practices, as envisaged in the Convention on Biological Diversity (CBD) Ecosystem Approach (CBD V/6 and VII/11);
- d. Protecting and/or appropriately managing important sites: especially where Category 1 species breed, and all migration bottlenecks (known important sites are listed in Table 3);
- e. Taking into account the needs of bird of prey conservation in sectors and related policies such as agriculture, forestry, fisheries, industries, tourism, energy, chemicals and pesticides;
- f. Raising awareness about birds of prey, their current plight and the threats that they face, and the measures that need to be taken to conserve them;
- g. Assessing and monitoring of populations throughout the Range States to establish reliable population trends; conducting research to establish the impacts of threats on them and the measures that are needed to alleviate them; and, sharing information between Signatories and other Range States;
- h. Conducting research on species ecology and migratory behaviour, including analysing available data in order to describe flyway boundaries and migratory patterns, and routes, at the level of species' populations; and
- i. Building capacity for conservation actions (in relevant institutions and local communities) by developing knowledge and monitoring of birds of prey.

## 5. Implementation Framework

5.1. **Activities** The principal activities Signatories ought to undertake in order to implement the general provisions of the MoU and the specific issues addressed in this Action Plan are set out in Table 2. These activities will be addressed by the strategies, or equivalent documents, as envisaged by paragraph 12 of the MoU. The Coordinating Unit as envisaged by paragraph 16 of the MoU will assist signatories with implementation.

5.2. **Priorities** The activities in Table 2 are accorded the following orders of priority:

First: an activity needed to prevent global extinction of a species.

Second: an activity needed to prevent or reverse population declines in any globally threatened or Near Threatened species, or the majority of other species with an Unfavourable Conservation Status.

Third: an activity needed to restore populations of a globally threatened or Near Threatened species, or to prevent population declines in any species with an Unfavourable Conservation Status.

Fourth: an activity needed to restore populations in any species with an Unfavourable Conservation Status, or to prevent population declines in any species with a Favourable Conservation Status.

These priorities ought to be taken into account in the preparation of strategies, or equivalent documents, for birds of prey as envisaged under paragraph 12 of the MoU.

5.3. **Time schedule** The activities in Table 2 are accorded the following time schedules:

Immediate: an activity expected to be completed within two years from the date that the MoU has become effective for that Signatory;

Short term: an activity expected to be completed within three years from the date that the MoU has become effective for that Signatory;

Medium: an activity expected to be completed within five years from the date that the MoU has become effective for that Signatory;

Long term: an activity expected to be completed within seven years from the date that the MoU has become effective for that Signatory; and

Ongoing: an activity expected to be undertaken throughout the period that the MoU is effective for that Signatory.

5.4. **Responsibilities** The organisations expected to lead on the various activities are indicated in Table 2. Signatories are urged to encourage the full range of necessary organisations to participate in the implementation of this Action Plan whether or not they are currently Signatories to the MoU.

5.5. **Targets** The Coordinating Unit will monitor the progress and efficacy of this Action Plan according to the performance targets for certain activities given in Table 2.

## **6. Synergy with MEAs**

Insofar as a Range State or a Regional Economic Integration Organisation (REIO) Signatory which is represented as a Signatory to this Memorandum of Understanding is also Contracting Party to one or more Multilateral Environmental Agreements (MEAs) that has or have provisions that achieve or otherwise assist the aims, objectives and activities of this Action Plan, such MEAs will be applied as appropriate and to their full extent in the first instance.

## **7. Progress Reports**

Taking advice from Signatories on their progress in implementing this Action Plan as envisaged in paragraphs 12 and 14 of the MoU, the Secretariat will report on progress with implementing the Action Plan in accordance with paragraph 15 of the MoU.

## **8. Period of Effectiveness**

This Action Plan comes into effect on the same date as the MoU for a period of seven years. At least two years before the expiry of this period, a full review of the Action Plan will be undertaken and a revised version prepared for the approval of the Signatories.



**Table 1: Categorisation of African-Eurasian birds of prey covered by the Action Plan<sup>(1,2)</sup>**

**Category 1**

Scientific name	Vernacular name	Red List status <sup>(3)</sup>
<i>Falco naumanni</i>	Lesser Kestrel	VU
<i>Falco vespertinus</i>	Red-footed Falcon	NT
<i>Falco concolor</i>	Sooty Falcon	NT
<i>Falco cherrug</i>	Saker Falcon	EN
<i>Milvus milvus</i>	Red Kite	NT
<i>Haliaeetus cucoryphus</i>	Pallas's Fish-eagle	VU
<i>Haliaeetus pelagicus</i>	Steller's Sea-eagle	VU
<i>Aegypius monachus</i>	Cinereous Vulture	NT
<i>Circus maurus</i>	Black Harrier	VU
<i>Circus macrourus</i>	Pallid Harrier	NT
<i>Aquila clanga</i>	Greater Spotted Eagle	VU
<i>Aquila adalberti</i>	Spanish Imperial Eagle	VU
<i>Aquila heliaca</i>	Eastern Imperial Eagle	VU
<i>Neophron percnopterus</i>	Egyptian Vulture	EN

**Category 2<sup>(4)</sup>**

Scientific name	Vernacular name
<i>Falco tinnunculus</i>	Common Kestrel
<i>Falco eleonora</i>	Eleonora's Falcon
<i>Falco biarmicus</i>	Lanner Falcon
<i>Falco rusticolus</i>	Gyr Falcon
<i>Pandion haliaetus</i>	Osprey
<i>Pernis ptilorhynchus</i>	Oriental Honey-buzzard
<i>Chelictinia riocourii</i>	African Swallow-tailed Kite
<i>Milvus migrans</i>	Black Kite
<i>Milvus lineatus</i>	Black-eared Kite
<i>Haliaeetus albicilla</i>	White-tailed Eagle
<i>Circaetus gallicus</i>	Short-toed Snake-eagle
<i>Circus spilonotus</i>	Eastern Marsh-harrier
<i>Circus cyaneus</i>	Northern Harrier
<i>Accipiter brevipes</i>	Levant Sparrowhawk
<i>Butastur indicus</i>	Grey-faced Buzzard
<i>Buteo rufinus</i>	Long-legged Buzzard
<i>Buteo hemilasius</i>	Upland Buzzard
<i>Aquila pomarina</i>	Lesser Spotted Eagle
<i>Aquila rapax</i>	Tawny Eagle
<i>Aquila nipalensis</i>	Steppe Eagle
<i>Aquila chrysaetos</i>	Golden Eagle
<i>Hieraetus pennatus</i>	Booted Eagle
<i>Otus brucei</i>	Pallid Scops-owl
<i>Otus scops</i>	Common Scops-owl
<i>Nyctea scandiaca</i>	Snowy Owl
<i>Asio flammeus</i>	Short-eared Owl

### Category 3<sup>(5)</sup>

Scientific name	Vernacular name
<i>Falco alopex</i>	Fox Kestrel
<i>Falco amurensis</i>	Amur Falcon
<i>Falco columbarius</i>	Merlin
<i>Falco subbuteo</i>	Eurasian Hobby
<i>Falco severus</i>	Oriental Hobby
<i>Falco peregrinus</i>	Peregrine Falcon
<i>Falco pelegrinoides</i>	Barbary Falcon
<i>Aviceda cuculoides</i>	African Baza
<i>Aviceda jerdoni</i>	Jerdon's Baza
<i>Aviceda leuphotes</i>	Black Baza
<i>Pernis apivorus</i>	European Honey-buzzard
<i>Gyps fulvus</i>	Griffon Vulture
<i>Circus aeruginosus</i>	Western Marsh-harrier
<i>Circus melanoleucos</i>	Pied Harrier
<i>Circus pygargus</i>	Montagu's Harrier
<i>Accipiter badius</i>	Shikra
<i>Accipiter soloensis</i>	Chinese Goshawk
<i>Accipiter gularis</i>	Japanese Sparrowhawk
<i>Accipiter virgatus</i>	Besra
<i>Accipiter ovampensis</i>	Ovampo Sparrowhawk
<i>Accipiter nisus</i>	Eurasian Sparrowhawk
<i>Accipiter gentilis</i>	Northern Goshawk
<i>Butastur rufipennis</i>	Grasshopper Buzzard
<i>Buteo buteo</i>	Common Buzzard
<i>Buteo oreophilus</i>	Mountain Buzzard
<i>Buteo lagopus</i>	Rough-legged Buzzard
<i>Buteo auguralis</i>	Red-necked Buzzard
<i>Aquila wahlbergi</i>	Wahlberg's Eagle
<i>Spizaetus nipalensis</i>	Mountain Hawk-eagle
<i>Otus sunia</i>	Oriental Scops-owl
<i>Strix uralensis</i>	Ural Owl
<i>Strix nebulosa</i>	Great Grey Owl
<i>Surnia ulula</i>	Northern Hawk Owl
<i>Aegolius funereus</i>	Boreal Owl
<i>Ninox scutulata</i>	Brown Hawk-owl
<i>Asio otus</i>	Long-eared Owl

#### Notes

- 1: Listed in Annex 1 of this MoU
- 2: Some species have uncertain migratory status and are not currently included in Annex 1 of this MoU
- 3: Globally threatened and Near Threatened species as defined by IUCN and listed on BirdLife International's World Bird Database (EN = Endangered; VU = Vulnerable; NT = Near Threatened) as at 2008
- 4: Species that are considered to have Unfavourable Conservation Status at a regional level within the area (defined in Annex 2) of the MoU
- 5: All other migratory species

**Table 2: Activities to be done under paragraph 5 of the Action Plan**

Activities	Species	Countries	Priority Level	Time-scale	Organisations	Target
<b>Activity 1: Improvement of legal protection</b>						
1.1. Update CMS Appendix I to include all Category 1 species	Cat. 1	-	Second	Short	CMS Secretariat / CoP	CMS Appendix I amended
1.2. Review relevant legislation and take steps where possible to make sure that it protects all birds of prey from all forms of a) deliberate killing, b) deliberate disturbance at nest sites and communal roost sites (particularly in wintering grounds) where this is considered detrimental to the conservation of the species; and c) egg-collection and taking from the wild. Unless this is authorised by the competent body and only where the action is sustainable and not detrimental to the conservation status of the species concerned	All	All	First	Immediate	Governments	All birds of prey given full protection in the relevant legislation of all Range State Signatories and unsustainable taking of birds is prohibited
1.3 Review relevant legislation and take steps where possible to ban the use of exposed poison baits for predator control and those chemicals where they have been shown to cause significant avian mortalities	All	All	First	Immediate	Governments	The relevant legislation of all Signatories bans use of exposed poison baits and those chemicals that have been shown to cause significant avian mortalities
1.4 Review relevant legislation and take steps where possible to make sure that it requires all new power lines to be designed to avoid bird of prey electrocution	All	All	Second	Medium	Governments	The relevant legislation of all Signatories requires power line design to avoid electrocution
1.5 Strengthen the application of legal protection, and reporting of persecution, for birds of prey by ensuring appropriate penalties, training law enforcement authorities, and raising public awareness to boost surveillance and reporting of illegal activities	All	All	Second	Ongoing	Governments, law enforcement agencies and NGOs	Effective, proportionate and dissuasive penalties are implemented and a strategy to tackle illegal activities against birds of prey is introduced. Details are relayed to Secretariat and included in national reports

Activities	Species	Countries	Priority Level	Time-scale	Organisations	Target
1.6 Identify gaps in existing MEAs where bird of prey protection and conservation can be improved and draw these to the attention of the relevant Secretariat and other Parties	All	All	Third	Immediate	CMS Secretariat / Governments / NGOs	Provisions of existing MEAs strengthened with respect to bird of prey protection and conservation
<b>Activity 2: Protect and/or manage important sites and flyways</b>						
2.1 Designate nationally and internationally important sites (including those listed in Table 3) as protected areas with management plans or as appropriately managed sites taking bird of prey conservation requirements into account	All	All countries	Second	Medium	Governments, BirdLife International and site stakeholders	All important sites have conservation measures in place
2.2 Undertake EIAs in accordance with the CBD guidelines (CBD Decision VI/7A and any subsequent amendments) and CMS Resolution 7.2 on Impact Assessment and Migratory Species for any projects potentially adversely impacting sites listed in Table 3 and any other sites holding significant populations of Category 1 and 2 species	Cat 1 and 2	All	Third	Medium	Governments, forestry, energy and infrastructure sectors	National EIA regulations require EIAs for projects impacting bird of prey sites; results of specialist studies relating to the impacts on birds of prey in EIAs relayed to the Secretariat and included in national reports
2.3 Conduct risk analysis at important sites (including those listed in Table 3) to identify and address actual or potential causes of significant incidental mortality from human causes (including fire, laying poisons, pesticide use, power lines, wind turbines)	Cat. 1 and 2	All	Third	Ongoing	Governments and land managers	Incidental mortality of birds of prey reduced to insignificant levels
2.4 Conduct Strategic Environmental Assessments of planned significant infrastructure developments within major flyways to identify key risk areas	All	All countries with bottleneck sites	Third	Medium	Governments	SEAs carried out and results relayed to the Secretariat and included in national reports
<b>Activity 3: Habitat conservation and sustainable management</b>						
3.1 Survey, maintain and restore natural vegetation cover in former habitats (especially grasslands) in the range of globally threatened species	Cat. 1	All range states of Cat. 1 species	Third	Long	Government, land managers	Inventories of grassland areas supporting Cat. 1 species prepared and at least 30% of former grassland habitats having natural vegetation cover and under sustainable management

Activities	Species	Countries	Priority Level	Time-scale	Organisations	Target
3.2 Where feasible, take necessary actions to ensure that existing power lines that pose the greatest risk to birds of prey are modified to avoid bird of prey electrocution	All species	All	Second	Medium	Governments, energy and infrastructure sectors	Highest risk power lines modified to avoid bird of prey electrocution
3.3 Endeavour to facilitate feeding opportunities for necrophagous birds of prey as far as it is possible taking into account sanitary considerations	All relevant species	All relevant countries	Second	Short	Governments in collaboration with relevant NGOs	Feeding stations established as appropriate and feasible
3.4 Taking into account the needs of bird of prey conservation in sectors and related policies such as agriculture, forestry, fisheries, industries, tourism, energy, chemicals and pesticides	All	All	Second	Ongoing	Governments and relevant sectors and organisations	Conservation of birds of prey is integrated in sectors and corresponding policies
<b>Activity 4: Raise awareness of problems faced by birds of prey and measures needed to conserve them</b>						
4.1 Develop a programme of public awareness, using electronic and print media to publicise the migrations undertaken by birds of prey, their current status, the threats to them and actions, including review of superstitions about them, that can be taken to conserve them	All species	All countries	Second	Short	Governments in collaboration with NGOs	Programme implemented, and conservation needs of birds of prey widely understood amongst public
4.2 Develop an awareness programme within forestry, agriculture, fisheries, energy, industry, transport and other relevant sectors to inform decision makers of the current status of birds of prey, the threats to them and the spectral actions that can be taken to conserve them	All species	All	Second	Medium	Governments in collaboration with NGOs	Programme implemented, and conservation needs of birds of prey widely understood amongst government departments
4.3 Develop a school educational programme and teaching resources to inform school children of the migrations undertaken by birds of prey, their current status, the threats to them and actions that can be taken to conserve them	All species	All countries	Third	Medium	Governments in collaboration with NGOs	Programme implemented, and conservation needs of birds of prey widely understood by teachers and taught in schools
4.4 Establish information notices and provide leaflets at bottleneck sites informing people of their importance for birds of prey and the measures that they can take to conserve them	All species	All countries with bottleneck sites	Second	Short	Governments and NGOs	Programme implemented, and conservation needs of birds of prey known within bottleneck sites

Activities	Species	Countries	Priority Level	Time-scale	Organisations	Target
4.5 Organise sub-regional and national training workshops to improve skills in the monitoring of birds of prey	All species	All countries	Second	Medium	Governments and relevant NGOs	Training programmes established
4.6 Educate and raise awareness of local communities to the importance of birds of prey, and the need to monitor and protect them	All species	All countries	Second	Medium	Governments and relevant NGOs	Training programmes established
<b>Activity 5: Monitor bird of prey populations, carry out conservation research and take appropriate remedial measures</b>						
5.1 Establish flyway-scale monitoring networks comprising a representative range of sites where systematic and coordinated monitoring of breeding populations, reproductive success and migration numbers (spring and autumn) can be undertaken	All	To be defined	First	Immediate	Governments, Birdlife International, national ornithological and relevant research organisations	Monitoring network established and adopted by Signatories
5.2 Design and undertake a coordinated monitoring programme and develop monitoring protocols based on the monitoring network established under 5.1	All	To be defined	First	Ongoing	Governments, Birdlife International, national ornithological and relevant research organisations	Monitoring guidelines / manual prepared for national and trans-boundary data collection; data relayed to the Secretariat and included in national reports; breeding and migratory population trends reliably established
5.3 Assess and then address the impacts of habitat loss on breeding, passage and wintering populations of birds of prey, and identify required measures to maintain Favourable Conservation Status	Cat. 1 and 2 species	All countries	Second	Medium	Appropriate NGOs and research organisations	Habitat problems and required mitigation measures identified and addressed
5.4 Assess and then address the impacts of the use of toxic chemicals, including heavy metals (for example lead in shot pellets), on breeding, passage and wintering populations of birds of prey, and their survival, identify and then implement appropriate measures to assist in achieving and maintaining Favourable Conservation Status	Cat. 1 and 2 species	All countries	First	Medium	Governments, appropriate NGOs and research organisations	Toxic chemical and heavy metal problems assessed and mitigation measures identified if required and addressed

Activities	Species	Countries	Priority Level	Time-scale	Organisations	Target
5.5 Monitor power line and wind farm impacts on birds of prey, including through analysis of existing data such as ringing data	All species	All relevant countries	First	Ongoing	Governments, NGOs, relevant research organisations, and energy sectors	Programmes established to monitor the impacts of power lines and wind farms
5.6. Undertake research into the desirability of re-introducing birds of prey, and implement appropriate conservation programmes (including those involving captive breeding), where this is shown to improve their conservation status in the wild, and where these are in accord with IUCN guidelines	All relevant species	All countries	Second	Short	Governments, NGOs and relevant conservation organisations	Re-introduction projects investigated and implemented where found to bring conservation benefit
5.7. Seek to promote appropriate programmes of captive breeding so as to alleviate the pressure of wild harvests on populations of birds of prey	Cat. 1 and 2 species	All relevant countries	Second	Long	Governments, NGOs and relevant conservation organisations	Appropriate programmes established
5.8. Assess the scale of harvests so as to evaluate the implications for the populations concerned	All species	All countries	Second	Medium	Governments, NGOs and relevant conservation organisations	Systems of recording and reporting harvests established
5.9 Undertake relevant surveillance for diseases which may pose a threat to birds of prey populations, so as to inform conservation and management responses	All species	All countries	Second	Medium	Governments and relevant research organisations	Effective disease surveillance programmes in place
5.10 Initiate collaborative research into the effects of climate change on birds of prey and their habitats, and implement appropriate adaptation measures	All species	All countries	Second	Medium	Governments, NGOs and relevant research organisations	Climate change impacts assessed and measures implemented to facilitate adaptation
<b>Activity 6: Supporting measures</b>						
6.1 Prepare National, Regional or Sub-Regional strategies, or equivalent documents, for birds of prey (taking into account the need for collaborative trans-boundary measures with adjacent Signatory States)	Cat. 1 and 2 species	All	Second	Immediate	Governments, national ornithological organisations	National, Regional or sub-regional strategies, or equivalent documents, describing how this Action Plan will be implemented with particular regard for Cat. 1 and Cat. 2 species, submitted to the Secretariat before the First Meeting of Signatories

<b>Activities</b>	<b>Species</b>	<b>Countries</b>	<b>Priority Level</b>	<b>Time-scale</b>	<b>Organisations</b>	<b>Target</b>
6.2 Prepare single species, or, if more appropriate, multispecies, action plans for all globally threatened species, taking account of existing international plans and where necessary extending them to cover the entire African-Eurasian range of each species	Cat. 1 species	All range states of Cat. 1 species	First	Medium	Governments, Birdlife International, national ornithological & relevant research organisations	Conservation plans developed, approved and being implemented for all globally threatened species
6.3 Update Tables 1 and 3 according to new information emerging from the monitoring programme	All	All	Third	Ongoing	Secretariat	On the basis of information collected and collated from the Signatories, the Secretariat proposes amendments to Tables 1 and 3 of this Action Plan for approval by the Signatories
6.4 Encourage Signatories to improve international cooperation through organising conferences, seminars and workshops concerning monitoring, scientific research and conservation activities	All	All	Second	Ongoing	Secretariat	Effective programmes of international cooperation established



**Table 3: Provisional list of Important Bird Areas that are currently known to be important congregatory bird of prey sites in Africa and Eurasia**

These include sites that qualify according to global and regional criteria for globally threatened species and congregations of migratory birds.

This indicative list should be treated as a minimum list of internationally important areas.

**Armenia**

Shirak plateau

Lori plateau

Gegama range

Sisian plateau

Pamlak-Sevan ranges

**Azerbaijan**

Gyzylagach

Goychay Bozdag Mountains

Zagatala

Goy-gol

Shahelili Cape

**Bulgaria**

Atanasovo Lake

Mandra-Poda complex

**China (mainland)**

Beidaihe

Changdao Islands

Changtang plateau

Laotieshan Nature Reserve

**Denmark**

Gilleleje area

Hellebæk

Korshage, Hundested and surrounding sea area

Marstal Bugt and the coast of south-west

Langeland

Skagen

Stevns

**Djibouti**

Kadda Guéini - Doumêra

**Egypt**

Ain Sukhna

El Qa plain

Gebel El Zeit

Ras Mohammed National Park

Suez

**Finland**

Merenkurkku archipelago

**France**

Basses Corbières

Col de l'Escrinet

Col de Lizarrieta

Etangs de Leucate et Lapalme

Etangs Narbonnais

Gorges de la Dordogne

Haute chaîne du Jura: défilé de l'écluse,

Etournel et Mont Vuache

Haute Soule : Forêt d'Irraty, Organbidexka

et Pic des Escaliers

Hautes Corbières

Hautes garrigues du Montpellierais

Massif du Canigou-Carança

Montagne de la Clape

Montagne de la Serre

Monts et Plomb du Cantal

Pointe de Grave

Val d'Allier : Saint-Yorre-Joze

Val de Drôme: Les Ramières-printegarde

Vallée de la Nive des Aldudes-Col de Lindux

**Georgia**

Batumi

Meskheti

Khevi

**Gibraltar (to UK)**

Rock of Gibraltar

**Greece**

North, east and south Kithira Island

**Iraq**

Samara dam

**Israel**

Cliffs of Zin and the Negev highlands

Hula valley

Jezre'el, Harod and Bet She'an valleys

Judean desert

Judean foothills

Northern Arava valley

Northern lower Jordan valley

Southern Arava valley and Elat Mountains

Western Negev

**Italy**

Aspromonte

Cape Otranto

Costa Viola

Maritime Alps

Mount Beigua

Mount Conero

Mount Grappa

Peloritani Mountains

Piave River

**Jordan**

Aqaba Mountains

Jordan valley

Petra area

Wadi Dana – Finan

Wadi Mujib

**Kuwait**

Al-Jahra Pool Nature Reserve

**Latvia**

Slitere Nature Reserve

**Lebanon**

Ammiq swamp

**Lithuania**

Kuronian spit

**Madagascar**

Analahjirofo

Itasy

Analamanga

Anosy

Melaky

**Malta**

Buskett and Wied il-Luq

**Mongolia**

Erdenesane

Eejkhad

Ikh Nart Nature reserve

Khomjil

Galba Gobi

Yazaar Mountain

**Morocco**

Cap Spartel – Perdicaris

Jbel Moussa

**Palestinian Authority Territories**

Jericho

Northern Lower Jordan Valley

**Portugal**

South-west coast of Portugal

**Russia**

Caucasus Biosphere Reserve

Chudsko-Pskovski Lake and adjacent areas

Delta of the River Don

Irendyk ridge

South Baikal migratory corridor

Teberdinski Nature Reserve

**Saudi Arabia**

Farasan

Wadi Jizan

**Spain**

Bujeo, Ojén, del Niño and Blanquilla

Mountain ranges

Cabras, Aljibe and Montecoche mountain range

Cadí mountains

Ceuta

De la Plata mountain range

Guadalquivir marshes

La Janda

Roncesvalles-Irati-Abodi mountain range

Tarifa

**Sudan**

Arqeet

Port Sudan

Al Allagi

Kasala

Al Faaw

Al Malha Neyala

**Sweden**

Bay of Skälderviken

Falsterbo-Bay of Foteviken

**Switzerland**

Pre-alpine region of Gurnigel

**Syrian Arab Republic**

Jabal Slenfeh

**Tunisia**

Djebel el Haouaria

**Turkey**

Bosporus

North-east Turkey

Nur Mountains

**Yemen**

Area of Al Kadan

Bab El Mendab – Dubab

Wadi Mawzii

Mafraq Al Makha

Wadi Rajaf

Wadi Toaz – Wadi Rasiane

Jabal Iref wa Khar