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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

**Second Conference on the Illegal killing,
Trapping and Trade of Wild Birds**

Tunis (29-30 May 2013)

and

**4th Meeting of the Group of Experts
on the Conservation of Birds**

Tunis (31 May 2013)

MEETINGS' REPORTS

*Secretariat Memorandum
prepared by
the Directorate of Democratic Governance*

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BACKGROUND

The issue of the illegal killing, trapping and trading of birds, particularly in Mediterranean Parties has been regularly on the Agenda of the meetings of the Standing Committee to the Bern Convention for the past 15 years.

At its 30th meeting, in December 2010, the Standing Committee concluded that illegal killing of birds was still carried out, and in some Contracting Parties it was a growing phenomenon; it realised that the implementation of national legislation was often weak; that the issue also involved other transversal aspects like the transit of the killed and captured birds through third countries, the difficulty to identify the illegally killed species; the capture of endangered species; the need for countries to co-operate and to work with nature conservation NGOs; the need for proper enforcement with appropriate penalties at all levels.

Expressing its deep concern on the extent and negative trends of illegal killing, trapping and trading of birds in the European continent, the Bern Convention promoted the organisation of the first "European Conference on illegal killing of birds", held in Larnaca, Cyprus, on 6-8 July 2011.

The Conference on Illegal Killing of Birds, organised by the Council of Europe in co-operation with the Game Fund of Cyprus (Ministry of Interior) gathered over 100 participants representing various stakeholders, including Contracting Parties and Observers to the Bern Convention, international organisations, national and local authorities, enforcement agencies, nature conservation NGOs including hunting associations, scientific and research bodies, tourism industry, police authorities and mass-media.

The event marked a turn-over in tackling the issue of illegal killing, trapping and trade of birds, by launching a long-term process aiming at enhancing national and international cooperation and coordination in this field, fostering adequate enforcement of existing legislation, sharing good practices and setting the basis for an appropriate monitoring process.

Participants stressed that there was no single solution, but a combination of techniques, actions, measures and strategies was urgently required as many birds species in Europe and worldwide are declining rapidly.

The Conference delivered the "[Larnaca Declaration](#)", and a draft Recommendation which the Standing Committee adopted at its 31st meeting in 2011 under the reference: [Recommendation No. 155 \(2011\) on the illegal killing, trapping and trade of wild birds](#).

The key message was "**Zero tolerance toward illegal killing of birds**". The Standing Committee decided to organise a Second Conference, in two years' time, to monitor progress of Parties towards the eradication of illegal killing, trapping and trade of birds.

THE 2ND CONFERENCE ON THE ILLEGAL KILLING, TRAPPING AND TRADE OF WILD BIRDS

Baseline consideration

Birds are a European natural heritage and a valuable resource. A zero tolerance approach to illegal killing, trapping and trade should be applied to support a shift of culture and promote active stewardship in this field.

Objectives of the Conference:

- To assess progress of Parties in the implementation of the measures contained in the operational paragraphs of Recommendation No. 155 (2011), particularly in respect of the legal, biological and institutional, and awareness aspects;
- To monitor and assess progress towards the development and implementation of national communication strategies, promoting dialogue between all relevant interest groups, and noting cultural sensitivities. These strategies should be aimed to the conservation of bird population and based on the following principles: (i.) this is about illegal killing of birds, not legal hunting; (ii.) zero tolerance of illegal killing of wild birds; (iii.) recognition of legal hunting and sustainable use;

- To take stock of, and analyse, the challenges faced by Parties in the implementation of the Recommendation (for instance regarding preventive measures, effective enforcement at each stage of the bird crime chain, monitoring and reporting, data collection and sharing, prioritisation of actions in hotspots of bird concentration, awareness raising, partnership and coordination of relevant stakeholders at local, national and international level) as well as to put forward the examples of success;
- To propose priority actions to remedy identified weaknesses, and measures to implement them, to be included in a draft Action Plan.

Scope

According to the definition agreed by the participants at the Larnaca Conference, “Illegal killing, trapping and trade of birds” refers to:

Activities which are illegal under national or regional law/regulations and involve the deliberate pursuit, killing, injuring or catching alive of wild birds or are aimed at illegal marketing live or dead specimens of wild birds, including their parts and derivatives.

Such activities include but are not limited to: killing/trapping in closed periods, in areas with prohibitions in force, by unauthorised persons and/or protected species; use of prohibited means and substances; breach of bag limits; possession, donation, use, movement, transfer, offer for sale, advertisement, consumption, import, introduction from the sea, transit or export, of specimens¹.

Enforcement challenges

Partnership and coordination between government agencies and stakeholders is critical to streamline enforcement at local, national and international level. A coordinated approach should cover each stage of the chain of activities related to illegal killing, trapping or trade, including end-use of illegally obtained specimens and activities related to prohibited means and substances. Another major challenge relates to the misuse of derogation provisions, particularly for non-emergency reasons.

Biological challenges

Illegal killing, trapping and trade of wild birds have been recognised as a risk to the achievement and maintenance of favourable status of bird populations, negatively affecting those conservation actions undertaken by the States and resulting in adverse impacts on the conservation, legal hunting, agriculture and tourism sectors.

In order to effectively stop and prevent these illegal practices and their negative consequences, urgent improvement of the knowledge base is needed to support the solutions to these problems. Moreover, the “zero tolerance approach” adopted at the Larnaca Conference suggests that the lack of specific knowledge should not prevent from taking effective action in view of the evidence that certain types of illegal activities are increasing in some countries.

Cultural and awareness challenges

While there has been considerable biological and legal work focused on bird conservation, there has been a lack of addressing the same issue from a human perspective, consisting in understanding public beliefs, attitudes, motivations and behaviours toward illegal killing, trapping and trade of birds.

While for poaching in general the main motivations are related to economic or recreational factors regardless of conservation regulations, the specific issue of illegal killing, trapping and trade of wild birds has also a deep-rooted cultural component as soon as identity and traditions are among the arguments that are often used by both the offenders and the final users to justify their actions.

To move forward, the Larnaca Conference suggested a paradigm shift from people as a problem to people as part of the solution, emphasising on the need for public involvement approaches are as innovative path forward to address the issue. Parties were requested to develop and support national

¹ See conclusions of Working Group 1 : How to make legislation and enforcement more effective, Larnaca Conference

communication strategies, promoting dialogue between all relevant interest groups, and noting cultural sensitivities.

METHODOLOGY

Assessment of the replies of Parties to the questionnaire prepared for evaluating compliance with the relevant recommendations. Presentation and discussion of the assessment report. Presentations by national experts, NGOs and International Organisations/Agreements of other key issues and/or available tools, to feed discussions.

Working groups to further explore specific issues related to enforcement of legal aspects, biological and institutional, and awareness aspects, in order to propose priority actions to remedy identified weaknesses, and measures to implement them, to be included in a draft Action Plan.

WORKING LANGUAGES

English - French

ORGANISERS

The Council of Europe (Secretariat of the Bern Convention), in co-operation with the Ministry of Equipment and Environment, and the Ministry of Agriculture of Tunisia, and with the technical support of Birdlife International and FACE. The Conference is foreseen in the framework of the joint Bern Convention/CMS Initiative “Week on the Conservation of Birds”, and is a contribution to the CBD/IUCN partnership “Friends of Target 12”.

PARTICIPANTS

Officials from Contracting Parties to the Bern Convention, International Conventions, Tunisian National authorities, nature protection NGOs, experts and other relevant stakeholders.

2ND CONFERENCE ON ILLEGAL KILLING, TRAPPING AND TRADE OF BIRDS

- MEETING REPORT -

1. WELCOMING REMARKS AND INTRODUCTION TO THE CONFERENCE

Mr Jan Plesnik, Chair of the Standing Committee to the Bern Convention, opened the Second Conference on the Illegal Killing, Trapping and Trade of Birds (IKTTB), by welcoming the participants and, more particularly, the authorities of Tunisia, for the very good cooperation during the preparation of the meeting. He further welcomed the participation of representatives of Cameroun, Iran and Jordan, all countries which are not Party to the Bern Convention. He also thanked the representatives of the Convention on Migratory Species as partners of the “Week on the Conservation of Birds”, as well as BirdLife International and the FACE for the technical support in the organisation of the 2nd Conference on IKTTB.

Mr William Massolin, Council of Europe National Coordinator for Tunisia, joined the Chair in greeting the participants to the Conference, and particularly welcomed the representatives of the national authorities, as well as of the other biodiversity related Conventions, emphasising on the importance of strengthening synergies at international level, particularly on topics which are a transboundary concern. He then gave an overview of the Council of Europe neighbourhood policy which targets Tunisia, among others. He explained that this is implemented to facilitate democratic political transition, to help to promote good governance, and to reinforce and enlarge the Council of Europe regional action in combating trans-border and global threats. Mr Massolin recalled that the Council of Europe has signed with Tunisia the first Memorandum of Understanding (MoU) with a non-member state of the Organisation, in order to establish very soon a Council of Europe office in Tunis, dealing with operational projects in the fields of Human Rights, Democracy and the Rule of Law (see Appendix 5 to this report).

Ms Ivana d’Alessandro, Secretary of the Bern Convention, presented the rationale behind the organisation of the Conference and gave a short overview of the results of the monitoring exercise conducted to evaluate the progress in the implementation of the Standing Committee’s Recommendation No. 155 (2011). She further presented the programme of the Conference, particularly thanking the speakers, moderators and rapporteurs whom accepted to contribute to the debates, as well as the NGO “*Les Amis des Oiseaux*” (AAO – BirdLife Partner in Tunisia), for the organisation of the three excursions foreseen in the Conference’s programme.

She further emphasised on the role of the working groups, which were tasked with the elaboration of a draft Action Plan to address the remaining challenges and gaps towards the eradication of illegal killing, trapping and trade of wild birds by 2020. She concluded by stressing that the Conference was the first event organised under the “Friends of Target 12” initiative, a partnership of organisations and institutions launched by the CBD and the IUCN to support CBD Parties and others to achieve Aichi Target 12 by providing practical guidance and raising awareness of initiatives and programmes that contribute to the implementation of the activities needed to stem the tide of species’ extinctions (see Appendix 6 to this report).

In his opening remarks, Mr Sadok El Amri, State Secretary in charge of the Environment in the Ministry of Equipment and Environment, recalled the conservation targets set at the UN level to reverse the increasing trends regarding the loss of biodiversity, and emphasised on the critical role of bird species as bio-indicators. He further gave an overview of the Tunisian legal framework for the conservation of birds, and stressed that effective enforcement of legal provisions cannot be achieved without targeted awareness raising. He particularly thanked the Bern Convention and the CMS for organising the Week on the conservation of birds, which provided an excellent platform for engaging strategic discussions and exchanging view on the measures and actions to be undertaken for ensuring that the ambitious targets set for 2020 are fully reached.

2. ILLEGAL KILLING, TRAPPING AND TRADE OF BIRDS: SETTING THE SCENE

➤ Presentation of the assessment report on the implementation by Parties of the Standing Committee's Recommendation No. 155(2011)

Mr Willem van den Bossche, consultant, presented the Monitoring report² prepared on the basis of the Parties' replies to a questionnaire focussing on the implementation of Recommendation No. 155(2011)³. He structured his presentation around the four main action points of the Recommendation, and namely: i) awareness and communication; ii) enforcement aspects; iii) biological aspects; iv) institutional aspects.

According to the report, although the zero tolerance approach is evident in most States, the implementation of the concrete measures suggested in the recommendation needs to be reinforced.

For instance, the report reveals that awareness aspects are still a matter of concern, especially because this is the field of activities where less progress has been registered. In fact, only France, Hungary, Norway, Serbia and Spain informed on the elaboration of national communication strategies, prepared either as dedicated instruments or integrated into more general communication strategies on hunting. Among the best practices identified, the consultant highlighted the production of information materials, targeted campaigns conceived for reaching relevant social groups, and clear communication on hunting legislation.

On the enforcement aspects, progress is evident and encouraging. In most of the Parties assessed, partnerships and cooperation between government agencies and stakeholders are on-going and knowledge and information on best practice are regularly exchanged. Furthermore, institutional communication on derogations is clearer if compared to two years ago, and most of the Parties require licenses for possessing any specimen of a wild species. There is a positive trend to stricter enforcement.

Regarding the biological aspects, illegal activities are now systematically monitored and reported, and the links between demands for wild birds and supply through illegal activities have been identified. Protected areas are actively controlled to prevent illegal activities in most Contracting Parties, and cooperation at the international level has also increased thanks to the implementation and monitoring process launched under the Convention. However, a common reporting format for illegal activities has not been developed yet, and hotspots of bird concentration and illegal activities have only been identified and prioritised in a few Contracting Parties.

Concerning the institutional aspects, the monitoring report shows that Special Units of Police have been established in most Contracting Parties, although more efforts are needed to strengthen the capacity and human resources of enforcement authorities. Moreover, there is still a need for setting up specialised judges and prosecutors, the existence of which was only reported by very few Parties (for instance France, Norway, Slovakia and Spain).

Finally, the report recommends Contracting Parties to improve their reporting to the Bern Convention; to step up their efforts in developing national communication strategies on illegal killing, trapping and trade of wild birds; to develop a common reporting format for illegal activities targeting birds; to identify and prioritise hotspots of bird concentration and illegal activities; to identify or train special prosecutors and special judges to combat wildlife crime.

➤ Presentation of the CMS workshop on poisoning of migratory birds

Mr Borja Heredia, UNEP/CMS, Scientific and Technical Unit, recalled that the Tenth Meeting of the Conference of the Parties to CMS (COP10) passed Resolution 10.26 on Minimizing the Risk of Poisoning to Migratory Birds which, among others, calls on Parties to the Convention, non-Party Range States and other stakeholders, to engage in co-operative activities to address poisoning of migratory bird and to establish a Working Group under the Scientific Council. The Working Group on

² See document [T-PVS/Inf\(2013\)13](#)

³ The Parties which replied to the questionnaire before the Conference are: Albania, Cyprus, Czech Republic, European Union, France, Hungary, Italy, Luxembourg, Malta, Monaco, Norway, Poland, Portugal, Serbia, Slovak Republic, Spain, Switzerland, and the United Kingdom.

Minimizing the Risk of Poisoning to Migratory Bird met in Tunis on 27-28 May, in the framework of the joint Bern Convention/CMS week on the conservation of birds, bringing together experts from all over the world. The Group analysed those types of poisoning most likely to cause significant harm to migratory bird populations and assessed the scale of impact of the various poisoning types. Participants acknowledged the ongoing cooperation on bird conservation between the Bern Convention and the CMS, identified possibilities for joint efforts and invited the Group of Experts on the Conservation of Birds of the Bern Convention to address the problem of bird poisoning, monitor the development of the CMS initiative and the progress in its implementation, and to share and provide guidance on best practices whenever relevant new developments to reduce the impact of poisoning on birds become available. It prepared a [statement](#) for the 2nd Conference on IKTTB, which Mr Heredia presented to the participants and which received the support of the Parties present.

➤ **Addressing illegal killing of birds at EU level**

Mr Fotios Papoulias, European Commission, presented the wide range of activities going on at the EU level to fight against illegal killing, trapping and trade of birds. He described the type of activities which represent a major concern, as identified through the stock-tacking study prepared at the occasion of the 1st European Conference on this topic. Mr Papoulias stressed that several EU Member States are concerned by this issue, which also affects migratory birds, and recalled its transboundary dimension.

He further set out the EU legal framework for bird conservation, mainly covered by the so-called Birds Directive (2009/147/EC), and highlighted that illegal killing of birds raises high public concern, as shown by the many complaints lodged using the mechanisms available at EU level. However, Mr Papoulias reminded that derogations legally granted by Member States and reported to the Commission, even if possibly problematic, are out of the scope of what is considered to be illegal.

While stressing that enforcement is primarily the responsibility of Member States he briefly presented the main courses of action undertaken to tackle this problem at EU level, namely through bilateral contacts between the Commission and Member States, a number of LIFE+ projects (for instance on poisoning, communication, etc.), exchange of information at the Ornithological Committee, and regular coordination meetings with the Bern Convention, European Hunters (FACE), and BirdLife International. More particularly he informed about the "Roadmap towards eliminating illegal Killing, Trapping and Trade of Birds", elaborated in cooperation with Member States and stakeholders as a follow-up to the Standing Committee's Recommendation No. 155 (2011). The roadmap identifies actions to be taken at EU or Member State level in order to improve data collection, provide training and awareness-raising (e.g. using opportunities offered by the IMPEL network, building capacity for judges and prosecutors), promote enforcement (e.g. exploring the possible use of the EU-TWIX mechanism, identifying legal loopholes, co-ordination with concerned parties), apply preventive measures.

He concluded by re-iterating the determination of the Commission to actively contribute to increasing effectiveness of measures aimed at eliminating illegal killing, trapping, and trade of birds.

➤ **Communications by national delegations on progress since 2011**

The delegate of Hungary, Mr András Schmidt focussed his presentation on the illegal killing of raptors in his country. He stressed that all raptor species are protected or strictly protected within the national territory, and that killing of raptors is a crime that can be punished with 2-5 years of imprisonment. He further detailed the most common types of crimes detected, among which: intentional disturbance, illegal trapping, nest's robbery, Shooting or destroying of nests, and poisoning. The latter is by far the most worrying illegal activity, as it is proved to be the main cause of mortality, for instance of imperial eagles, followed by electrocution. For most of the crimes, the delegate stressed the lack of a system allowing for the suitable registration of cases, while a very precise National Database has been created for poisoning and is being used since 1998.

He concluded his presentation by informing on a Life project successfully implemented for the protection of the Imperial Eagle in Hungary (HELICON LIFE10NAT/HU/019) whose main objective was to maintain the increasing trend of the Eastern Imperial Eagle population in Hungary through

significantly decreasing the non-natural mortality caused by persecution incidents. Actually action 2 of the project clearly aimed at increasing the chance of detecting illegal activities and imposing precedent judgments in the case of bird persecution incidents.

The delegate of the Slovak Republic, Mr Rastislav Rybanič, presented the progress done in eradicating illegal killing of birds in his country since 2011. Communication and awareness on illegal activities is well on track, although a communication strategy is not yet in place. Relevant legislation is available and the state of cooperation among enforcement institutions, police forces, inspection and management authorities is more than satisfactory. The cooperation with the NGO sector is also very good.

Concerning the biological aspects, relevant data are collected on a regular basis, but the monitoring activities are lacking funds. Regarding the institutional aspects, capacity should be improved, particularly regarding the role of judges and prosecutors.

The delegate of Portugal, Mr João José de Bastos Loureiro, informed on the state of the situation in his country, stressing that the most problematic issue is still the illegal trapping of birds through the use of cages. He also stressed that before 2010 it was forbidden to take European wild birds for domestic purposes while this is now allowed. The main gaps regarding implementation concern the enforcement aspects, although some progress in this field can be reported, more particularly with two recent investigations and prosecutions of illegal activities related to birds.

The representative of BirdLife Cyprus, speaking on behalf of the Game fund and fauna service of Cyprus, presented a full report on recent developments related to the implementation of the recommendations of the Standing Committee in Cyprus, including the trends in trapping activities, which remain a major concern as revealed by the BirdLife Cyprus surveillance programme on bird trapping. He then focussed on the enforcement efforts, and presented statistics related to court convictions. *Ambelopulia* remains problematic and the restaurants are still the main drivers for this activity. Unfortunately, while the percentage of prosecutions following the inspections is decreasing, it seems reasonable to imagine that the number of infractions remains at least the same.

The Larnaca conference was recognised to be for Cyprus a very good benchmark for taking stock of the situation, and provided the occasion for reinforcing the cooperation of all concerned stakeholders. A working group was set up for the preparation of a Strategic Action Plan, which should have been finalised by the end of 2013 and adopted with the consensus of all the participants. However, external and economic pressures have impeded this work to continue.

The delegate of Malta, Mr Sergei Golovkin, reported that Malta adopted a national environmental policy to be implemented until 2020, within which the conservation of biodiversity is a strong priority. The national biodiversity strategy and action plan were also adopted last year, listing a series of actions which also tackle the conservation of birds. The delegate emphasised on the work carried out on the management and conservation of birds' sanctuaries, and recalled the good cooperation with nature conservation NGOs (BirdLife Malta in particular) and the hunters. Moreover, in the near future Malta would like to set up a specialised wildlife crime unit within the police forces, and another one specifically dedicated to sustainable hunting and awareness raising.

➤ **Overview analysis by the NGOs**
(NB: all the presentations are available at the meeting's [website](#))

Mr Willem van den Bossche presented **the NGOs viewpoint** on the implementation by Parties of the standards set in Recommendation No. 155 (2011). In fact, five Observer organisations replied – on a voluntary basis - to the questionnaire prepared under the Convention, covering seven Contracting Parties.

According to the report⁴ major gaps are identified regarding the development and implementation of national communication strategies since for instance none of the Parties scrutinised has adopted a national communication strategy. Moreover, limited progress has been made on the institutional aspects of illegal killing, trapping and trade of birds, as well as on enforcement aspects although all the

⁴ See document [T-PVS/Inf \(2013\) 18](#)

NGOs involved acknowledge a zero tolerance approach. Lack of political support for combatting illegal activities was identified as an important constraint in tackling illegal killing, trapping and trade in one of the Parties. Progress has been generally identified concerning cooperation, exchange of knowledge and information, and the biological aspects.

Three Parties have identified hotspots of bird concentration and illegal activities, and analysed the links between demands of wild birds and supply.

Finally, progress is still to be made in strengthening the enforcement authority in several Contracting Parties, particularly regarding capacity building measures for judges and prosecutors.

The representative of Euronatur, Ms Romy Durst, gave an overview of activities aimed at monitoring bird crime in the Adriatic Coast. She reported about the results of field observation carried out since 2009, and provided an overview of the positive trends concerning the hunting legislation since the adoption of Recommendation No. 155 (2011), including a shortening of the hunting seasons, a decrease in the number of species on the hunting lists, and the prohibition to hunt species protected under Annex 1 of the Birds Directive. Still, she considered that there are not enough hunting ban areas across the region, and reported about several cases of infringement of the law, including in protected areas, as highlighted by the monitoring activity carried out in the field in 2011-2012. She further noted that effective enforcement is challenged by a too weak presence of hunting inspectors, scarce legal prosecution, lack of special task forces in place to combat illegal bird killing and lack of targeted awareness and information. She finalised her presentation by making a series of recommendations regarding the challenges which should be addressed to fully meet the requirements of the international standards on this topic.

Ms Claudia Feltrup-Azafzaf, representing the Association « *Les Amis des Oiseaux* » (AAO – BirdLife partner in Tunisia), presented the state of implementation of a project targeting 8 Mediterranean countries, aiming at strengthening networks and building capacity for migratory bird conservation in the region. The project started in October 2012 for a duration of two years. Its main purpose is to achieve long term outcomes for the conservation on the African-Eurasian flyway for migratory birds in the Mediterranean Basin, through developing a strong, committed and dynamic network of NGOs in the region, working with local people, governments and the international community. The project's activities tackle illegal killing of birds, but also the protection of key sites for migratory birds, and the cooperation with the energy sector.

The project has a strong awareness component, both for building the capacity of the NGOs as well as for educating the wider public. The activities foreseen within the project implementation include the elaboration of communication strategies, tools for information sharing and publications on best practices, but they address gaps in the legislative and institutional frameworks.

➤ **Case studies**

(NB: all the presentations are available at the meeting's [website](#))

The representative of the British Association for Shooting and Conservation (BASC), Mr. John Swift, presented Britain's experience in dealing with wildlife crime. He offered an overview of the administrative and legal framework, stressing the challenges of working with different governments and administrations. He also highlighted the role of hunting organisation, in both overcoming widespread stereotypes against the hunting community, and working to promote awareness on sustainable, legal hunting. He then presented the findings of the Special Report on Wildlife Crime, and the government's response to this, released in March this year. Funding, personnel and resources appeared as being among of the most crucial issues for effectively tackle wildlife crime, including in rural areas. Partnership and multi-agency cooperation were also quoted, particularly for the prioritisation of actions and the efficient distribution of tasks among the stakeholders.

Regarding to the progress since the Larnaca Conference, Mr Swift emphasised on the “vicarious liability”, which became law in Scotland in 2011, and which makes an employer liable to prosecution for certain wildlife crimes committed by their employee. He informed that the number of reported poisoning crimes in Scotland dropped by 70% in the past two years. Another key factor of success in Scotland has been a genuine political will, combined with the good cooperation between the

government, enforcement agencies and NGOs. According to Mr Swift, progress has been slower in England, namely because of some reluctance to introduce the vicarious liability by law.

Ms Julia Newth, representing the Wildfowl & Wetlands Trust (WWT) presented the baseline of a collaborative project launched by hunting and conservation groups to reduce the illegal shooting of Bewick's and Whooper Swans across their flyways. She started by providing information on the international legal frame for the protection of both species and explained the methodology used for collecting evidence about the illegal shooting (through the x-ray of live birds). She then presented the results of the investigation carried out prior to the implementation of the project which indicated that 13% of Whooper Swans and 23% of Bewick's Swans were shot between 2000-2008 (Newth et al. 2011). Several knowledge gaps remain (including the identification of shooting blackspots and the reasons for illegal shooting) and these will be addressed by the Project.

Ms Newth highlighted that the project aims to work on reducing illegal shooting by understanding the range of issues, identifying potential blackspots of shooting activity, improving awareness and promoting partnership and cooperation with the hunting and farming communities in the conservation of these species.

Greater enforcement of protective legislation is also among the project's expected results.

Mr Yves Lecocq, representing the Federation of Associations for Hunting and Conservation of the EU (FACE), gave a detailed presentation of the tools and practices which help ensuring a sustainable bird hunting tourism. He recalled the main principles of the European Charter on Hunting and Biodiversity, adopted by the Standing Committee to the Bern Convention in 2007, which addresses more particularly, although not exclusively, the organisations of hunting tourism. He then explained what sustainable hunting tourism is, and stressed that this practice is respectful of conservation needs, and can provide local communities with socio-economic incentives to conserve and manage wildlife and their habitats, create jobs, and preserve local traditions. He further presented the global context, recalling for instance the initiatives undertaken at UN level, and more particularly by the CBD, to develop standards conciliating biodiversity and tourism development, including hunting tourism.

Mr Lecocq further presented the challenges related to tourist hunters of migratory bird species, where it is difficult to assess population and harvest levels, and ensure that populations do not decline because of lack of coordination. Among the suggested solutions he evoked hunting bag recording schemes, where the exchange of information at the international level becomes essential, adaptive management, the precautionary approach, on-the-spot controls and checks, and of course the human dimension as a tool for solving possible conflicts.

3. WORKING GROUPS – CHALLENGES AND WAY FORWARD

The moderators of the working groups presented the aims and tools of their respective workshops, aimed at preparing an Action Plan detailing specific actions, priorities, and implementing bodies to eradicate illegal killing, trapping and trade of wild birds protected under the Convention by 2020. Participants were requested to concentrate more particularly on actions, steps, timelines and responsible bodies.

The presentations are available on the meeting's website.

➤ Working Group 1: Legal aspects

During the preliminary discussions, participants recognised that enforcement includes awareness raising (so that people understand the offences they may be at risk of committing), meaning that in some cases simplification and clarification of the law is worthwhile. At the same time, the seriousness of the regulations, in terms of the biological impact involved, must be clearly conveyed. It could be useful giving targeted advice to prevent the commission of offences, in advance of prosecution through the courts. The objective of enforcement should in fact be to prevent any crime being committed in the first place.

Bird law enforcement requires first and foremost the existence and/or development of infrastructure. In most of the countries involved, tackling bird crime is a new responsibility for the

State. Investigative agencies need to be built up. Specific training for police and enforcement officers should be provided. Specific tools (adequate knowledge of the police, civil and environmental law, attitude training, impact of bird catching) and intense training of all agencies involved at every stage are decisive for an efficient law enforcement chain. The need to strengthen enforcement at each stage of the bird crime chain through appropriate training and technical support may be beyond the immediate capacity of some states. The support and know-how of the EU is fundamental if “zero tolerance” is to be achieved in the short term.

The Working Group focussed on measures from the top (judiciary) down, as well as from the start of investigations onwards, so as to achieve effective prosecution, conviction and sentencing of people suspected of having committed crimes under wildlife law.

The Groups further agreed that sanctions imposed on those convicted may include orders for community service, compensation, confiscations, civil sanctions connected with cross compliance, as well as traditional fines and custodial sentences, as well as orders for costs and depriving offenders of the proceeds of their criminal activity. It seemed appropriate to advocate for a “proportional intolerance”, the latter making reference to the need of using the whole range of sanctions and penalties foreseen by the law, and to adapt the penalties to the gravity of the illegal practice. This will help a better understanding of the sentences delivered against the offenders.

The Working Group focussed on measures from the top (judiciary) down as well as from the start of investigations onwards, so as to achieve effective prosecution, conviction and sentencing of people (suspected of) having committed crimes under wildlife law.

The Working Group concentrated on four connected points as follows: establishing “Wildlife Crime Priorities” both nationally and internationally ; embedding “Conservation Impact Assessments” at the heart of investigation and prosecution process; agreeing “Gravity Factors” to be used to assess individual cases and influence appropriate sanctions; and Court sentencing guidelines. Taken together, these should ensure that national Criminal Justice Systems actively and appropriately employ in wildlife crime cases the full range of penalties provided within their legislations.

The participants stressed that the judges should be encouraged to apply more severe punishments, taking into account internationally agreed gravity factors and standardised sentencing guidelines. Appropriate training targeting both judges and prosecutors, focussing more particularly on the biological impact of the illegal activities will help ensuring the development of a dedicated jurisprudence on the topic, which will be harmonised in all Contracting Parties. Two issues have been considered as being particularly important when it comes to the gravity factors: the conservation status of the species and the impact of the illegal activity on the ecosystem. The economic gains deriving from the illegal activity should also be considered by the judges as an aggravating circumstance. Awareness of the result of prosecution and ensuring that appropriate echo is given to the sentences, for instance through the media, are other useful deterrents.

Coordination at national level, prior to the international level is another factor of success which has been put forward by the participants. The Parties are encouraged to identify wildlife priorities at national level, as well as the bodies in charge both of the implementation and of its monitoring. The civil society should be invited to participate in the coordination and implementation processes.

Focal points for information and knowledge sharing should be appointed in each Party and provide assistance for instance in collecting data related to the illegal activities, to be used before the Courts. Specific training for police and enforcement officers should also be provided.

➤ **Working Group 2: Awareness aspects**

This Group started taking stock of the progress made since Larnaca in the field of awareness aspects, considering the latter in its wider sense, i.e. including understanding public beliefs and attitudes to illegal killing, trapping, and trade of birds; taking into account the identity and tradition’s components, but without leaving aside the economic drivers of law-breaking; developing national communication strategies; and fostering dialogue between all stakeholders.

The Group identified four main actions to be carried out in order to ensure effective awareness:

1. Building alliances: develop positive and effective alliances with stakeholders by establishing a mechanism to create an opportunity for national dialogue on selected issues. Participation should be ensured not only at the level of debate but also in the decision making process;
2. Enforcement publicising: develop and implement communication tools and mechanisms to publicise results of enforcement;
3. Tailored messaging: define a follow-up of actions to deliver tailored messages to identified target groups;
4. Positive biodiversity education: show people how nature and ecosystems work to make them realise that conservation is a serious issue. In order to get the society condemning illegal killing of birds, it is necessary to provide it with knowledge on the birds, their ecosystems, their role in the biodiversity chain, and the negative impact of wildlife crimes. For instance, the integration of these notions into school *curricula* would allow making the students conscious about the issues and challenges related to bird conservation and incite them to condemn illegal killings.

➤ Working Group 3: Biological and Institutional Aspects

On the Biological aspects, participants agreed that harmonisation and standardisation of data collected at national level is crucial for delivering correct, sound and global analysis at the international level. For this reasons, the Group identified four priority actions whose implementation is still lacking and should be promoted:

1. Identification of Euro-African flyways for species in question to be able to assess the impacts of the illegal activities on flyway population levels;
2. Improve the use and standardisation of existing data;
3. Identification of illegal killing, trapping and trade of “blackspots”, i.e. places where an important number of varied illegal activities takes place, having a negative impact on the populations concerned;
4. Collect bag data at the international level, so to allow for adaptive management of game species

Concerning the institutional aspects, the Group considered that a lot of information is already available, and more or less standardised. What is perhaps missing is a dedicated international group, concentrating on the pan-Mediterranean region, dealing with the coordination of the stakeholders in charge of enforcement and providing for their training. The actions to be promoted are the following:

1. Creation of a Task Force to eradicate illegal killing, trapping and unsustainable use of birds in Pan-Mediterranean area;
2. Training of judges and prosecutors on the consequences of wildlife crimes, and more particularly crimes affecting bird-species, on the biodiversity;
3. Preparation of a toolkit for prosecutors and judges on the biological aspect of the problem.

Finally, the Participants asked the AEWA Standing Committee to consider opening an Implementation Review Process (IRP) on killing and trapping of birds along the North African coast of Mediterranean Sea (Egypt, Lybia).

4. CONCLUSIONS OF THE CONFERENCE

The Conference allowed stakeholders in charge of the awareness, research, prevention and prosecution of illegal practices against wild birds, to monitor progress, take stock of the remaining challenges, and share information and good practices on key issues. It also raised attention on bird poisoning, a topic which was only incidentally touched upon at the Larnaca Conference and which is now dealt with by the CMS, following the adoption of the Standing Committee’s Recommendation No. 155 in 2011.

The Conference reaffirmed the commitment of the Contracting Parties to the Bern Convention towards the eradication of illegal killing, trapping and trade of birds in their States, and the application of the “Zero tolerance approach”. This commitment is now even more ambitious, as it is framed by a draft Action Plan which identifies specific actions, stakeholders involved, and timeframe for implementation, in order to achieve the eradication objective by 2020. In this sense, the Conference marked the shift from the “Vision” expressed by the [Larnaca Declaration](#), to the “Action”, delivering a tool which, once adopted by the Standing Committee to the Bern Convention, will help measuring the effectiveness of the actions undertaken and the progress towards the eradication of illegal killing of birds.

The Bern Convention’s Group of Experts of Birds will be the body in charge of the evaluation of the progress in the implementation of the Action Plan, which is also a contribution to the fulfilment of CBD Aichi Target 12, aiming at preventing the extinction of known threatened species and improving their conservation status by 2020.

It was stressed that enforcement should include (and aim to) the notion of prevention of crimes before they are committed. In this respect, more efforts must be devoted to targeted awareness and information on the biological consequences of illegal activities, but also on the legal provisions related to the prosecutions of the crimes. Contracting Parties are therefore strongly encouraged to step-up efforts towards the preparation and adoption of national communication strategies.

Sentencing is among the domains which need improvement, namely through a common understanding of the issues at stake, and the development of a jurisprudence inspired by a fair proportionality between the gravity of the crime committed and the sanctions imposed.

To this end, Parties should urgently work towards the identification of “black-spots” where illegal activities are particularly persisting, share information about these, and prioritise their actions accordingly.

The participants to the Conference further praised the coordination efforts on bird conservation related issues at the international level, and more particularly the synergies and cooperation established between the Bern Convention, the CMS, the AEWA and the EU. The organisation of back-to-back meetings and the informal coordination gatherings which have taken proved to be effective and should be maintained and reinforced.

The promotion of institutional collaboration at national level and the participation of the NGOs in all the phases of this process (debate, decision making and monitoring) has also been considered a key factor of success.

Finally, and as pointed out more particularly by the local participants, the Conference contributed to reaffirm the Bern Convention as a particularly useful tool for North African countries which are parties to it, namely for giving them the opportunity to cooperate with their European neighbours and take advantage of the oldest European legal framework for improving their own nature conservation legislation and standards.

ACKNOWLEDGEMENTS

These meetings were partly financed by the governments of France and Switzerland.

4TH MEETING OF THE GROUP OF EXPERTS ON THE CONSERVATION OF BIRDS - MEETING REPORT -

1. OPENING OF THE MEETING AND ELECTION OF THE CHAIRPERSON

Mr Jan Plesnik, former Chair of the Group of Experts, greeted the participants and recalled that this Group is traditionally convened by the Convention in cooperation with BirdLife International. He gave a short overview of the work carried out by the Group since its origins, emphasising on the development of Species Action Plans on globally threatened species, an exercise which benefitted of the cooperation of BirdLife International, RSPB, and the European Commission. He then invited the delegates of Contracting Parties to proceed to the election of the Chair.

The Group elected Mr Rastislav RYBANIČ, Director General, Division of Nature Protection and Landscape Development, Ministry of the Environment of the Slovak Republic, following a proposal by Switzerland, seconded by the Czech Republic.

2. ADOPTION OF THE DRAFT AGENDA

The draft Agenda was adopted with no amendments.

3. ASSESSMENT REPORT ON THE IMPLEMENTATION BY PARTIES OF THE BUDAPEST DECLARATION ON BIRD SAFE POWERLINES

The consultant, Mr Willem van den Bossche (BirdLife International) presented the results of the evaluation of parties' replies to the compliance questionnaire on implementation of the Budapest Declaration on Bird Safe powerlines (document [T-PVS/Inf \(2013\) 13](#)).

The delegate of Switzerland noted that the recommendations suggested in the evaluation report were all focussed at the setting up of working groups or other similar methodologies, with none recommending implementation of existing guidelines, despite good information being available. He then suggested that the Group recommends to the Standing Committee to identify blackspots and to immediately implement existing available guidelines, as appropriate. He further stressed that the costs of implementation are known and should not be prohibitive to the energy companies.

The delegate of Hungary reported that in his country a MoU had been agreed and signed by all stakeholders to work together to eliminate powerlines related problems by 2020. This is an ongoing work programme implemented following a step by step process. He then raised the issue of the financing of mitigation measures, and raised concern regarding the situations where finance is limited to energy companies, where the work carried out would not be targeted at black-spots, but rather in the priority order of power line reconstruction needs..

Mr Fernando Spina, speaking in his capacity of Chair of the CMS Scientific Council, wished to support the comments done by Switzerland regarding the urgency in speeding up the implementation of existing tools. Recalling UNEP/CMS/Resolution 10.11 on Power Lines and Migratory Birds, he highlighted the need for joint cooperation between the biodiversity related conventions, including the Bern Convention. He also emphasised on the urgent need to improve knowledge of the location of black-spots.

The representative of the AEW, Mr Dereliev, commended those countries that have implemented the Budapest Declaration. Similar instruments exist, and he quoted for e.g. the joint efforts of 3 CMS instruments (CMS CoP 2011, followed by AEW in 2012 and more recently by the Raptor MoU). A set of guidelines for implementation has been adopted by the CMS parties. He suggested that CMS and the Bern Convention work more closely on this particular aspect. There are currently some very good and clear Resolutions with little incentive to implement. He also suggested to set-up a Working Group on Energy, particularly with respect to renewable energy developments. This should perhaps have an AE flyway focus in the first instance, though could perhaps operate globally later.

Furthermore, Mr Dereliev, invited the Parties to the Bern Convention to consider joining the inter-governmental action on energy sector developments, which would also help them to report without duplication. In fact, he provided information on the online reporting system developed by UNEP/WCMC, which will be used by CMS and AEWa for the next reporting cycle. CITES and RAMSAR and possibly also the CBD are already considering the possibility of adopting this system. He therefore invited Parties to the Bern Convention to also consider this, more particularly as such a harmonised system between conventions would benefit all.

The delegate of Poland informed that national mechanisms operating under regional directives have been used in her country for financing environmental projects aimed at implementing mitigation measures. Some schemes have benefited from NGO initiatives for aligned actions and energy distributors and companies may also be interested in funding, particularly where interactions between powerlines and birds cause financial losses (increased incentives for mitigation).

The delegate of Portugal reported a situation similar to Poland with respect to financing of mitigation schemes, although he also noted some technical difficulties related to implementation.

The delegate of the Czech Republic informed on the project 'The Light of Prague' and stressed that only 10% of birds killed by powerlines in the Czech Republic remained on the ground – the remainder being removed by scavengers. The project allowed showing how many birds were wounded and or killed to bring electricity to the public. As a result, now in the Czech Republic it is obligatory to construct new power lines bird safe. Most of the costs are payed by the companies themselves and they can use the project in media releases to show that they are protecting biodiversity.

The Chair summarised the discussions related to this agenda item emphasising on the agreement of the participants to recommend to the Standing Committee that the Bern Convention takes part in the joint energy sector initiative and adhere to the online reporting system proposed by AEWa/CMS. An initiative to streamline reporting was a much needed move. He concluded by noting that a lot of implementation work still needs to be done, but many good initiatives have been taken forward by several countries. It is now cost rather than a lack of technical expertise that is holding back the implementation process.

4. SCOPE AND NEED FOR ADAPTATION OF SPECIES ACTION PLANS ADOPTED BY THE EU, AEWa AND THE CMS

The representative of BirdLife International presented document [T-PVS/Inf\(2013\)14](#), providing an overview of the Species Action Plans endorsed by the Standing Committee to the Bern Convention and the need for possible endorsement of SAPs adopted by the European Commission, AEWa and CMS since 2006. He stressed that the Convention rarely prepares SAPs, but endorses those prepared by other organisations or institutions. He also recalled that originally there were two types of mechanisms, i.e. the SAPs and the Management Plans (MPs, the latter for huntable species), and that these are now amalgamated into Species Recovery Plans (SRPs), a terminology used to promote a common understanding of the importance of implementation by all parties. For instance, only a few countries have made progress on implementation of management plans. The use of a common terminology will also help removing uncertainty over reporting obligations. One exception to this however is the MP for the Svalbard population of the pink-footed Goose (*Anser brachyrhynchus*), which is based on the American system. Unlike other plans, the latter sets desired upper limits to the population. He concluded by communicating that BirdLife International do not generally recommend that the Bern Convention endorses this kind of plans at this stage and informed that the EU will soon publish a new Red List (foreseen in spring 2015).

The representative of the AEWa recalled that the SRPs related to the Black-tailed godwit and red-breasted Goose are both plans prepared by AEWa and the European Commission, to be jointly implemented under both instruments. The AEWa MP for pink-footed Goose is a different concept, based on the provisions of the agreement for huntable species which also creates conflict with other stakeholder groups, for example, on issues related to agriculture. The MP does not seek to limit the population size, but rather to maintain it at an agreed level for species with an economic impact, ensuring that this is still at a favourable conservation status and limiting damage. This concept was jointly developed by conservationists, farmers and governments. He concluded by stating that AEWa

welcomes the endorsement of the action plans, and reminds that for their implementation AEWA has a protocol developed to assess the progress in this sense.

The delegate of France initiated an exchange of views on proposals for the AEWA black-tailed godwit MP, reminding that there is already a 5-year hunting moratorium in place, despite the fact that it is recognised that a number of factors impact upon the population size. She stressed that there is a need to inform more about this initiative.

Mr Fernando Spina recalled a specific meeting organised in Brussels to discuss SAPs and MPs, where general concern was expressed with respect to the lack of implementation of such instruments.

The Chair summarised the discussions held, emphasising on the proposal for an Informal Group for MEA Secretariats, including the Bern Convention, and other Stakeholders to oversee the development and implementation of Species Recovery Plans, supported by the United Kingdom and the Czech Republic.

5. IMPROVING INTERNATIONAL COORDINATION ON SPECIES RECOVERY PLANS

The representative of the AEWA introduced this agenda item, noting that a number of different Instruments are developing Action Plans and, particularly in the EU, there is great overlap in many of these. He emphasised on the need of implementing these plans, rather than developing new ones, as well as of coordinating the implementation of the actions undertaken at the different levels. He recalled that a draft Terms of Reference for the setting up of an informal coordination group on this topic was prepared after the Larnaca Conference, and informed that the AEWA supports the move towards the formation of such a group.

The representative of the UK, Mr David Stroud, stressed that the different time frame of the existing plans does not help implementation on the ground. The UK would support any proposal to harmonise reporting against these.

The delegate of the Czech Republic expressed his support.

The Group agreed to ask the Standing Committee to allow for the participation of the Bern Convention in this initiative.

6. CONSERVATION OF BIRDS AND WINDFARMS DEVELOPMENTS

a. Updated analysis of the effects of windfarms on birds, and guidance on integrated planning and impact assessment

The representative of the RSPB, Ms Danae Sheehan, presented the update of the Bern Convention's report on the effect of windfarms on birds [document [T-PVS/Inf\(2013\)15](#)]. MS Sheehan acknowledged that in the past ten years there have been advances in wind energy technology and considerable further work on the science of wind energy/avian interactions. Likewise, with the rapid growth of the wind energy industry in Europe, there has been a corresponding development of the policy environment and best practice for strategic planning and project development for wind energy. However, the updated analysis shows that many of the recommendations from the original report, presented to the Standing Committee in 2003, still hold today. For instance, there is still a need for governments, their advisors and industry to carry out coordinated and targeted research on the impacts of windfarms on birds, and the efficacy of mitigation measures and to make this information widely available, so as to inform future project development and decision-making, and reduce uncertainties over wind energy impacts. Moreover, Strategic Planning and associated Strategic Environmental Assessment should be used by governments to reduce potential conflicts between protected bird populations and wind energy development. This applies to both onshore and offshore and should be a priority for the relevant government bodies.

Furthermore, regulators should ensure that all potentially damaging projects undergo properly scoped EIA; they should also use the precautionary approach in decision-making when there is significant uncertainty as to the impacts of a wind energy proposal on sensitive bird populations. Although adaptive management in post-construction monitoring and mitigation is a valid approach, it should not be used to justify consent of development in unsuitable locations where key bird

populations may be put at risk. Developers should seek to apply an integrated planning approach to project development. Innovative mitigation measures such as increased cut-in speeds and radar-based on-demand shut-down systems should be investigated for inclusion in project proposals when relevant. However, further research is needed into these and other mitigation measures to prove their efficacy. Finally, relevant Conventions should encourage co-operation between Convention party states on migration routes to evaluate cumulative impacts and safeguard key corridors and stop-over sites.

The representative of the AEWA informed about the work of the Working Group on Energy issues which reviews, among others, the impacts of all renewable energy generation. He suggested that the Convention join the Group.

The delegate of France supported this proposal stressing that it is important to look at all aspects of energy development.

b. Follow-up of complaint No. 2004/2 on Wind farms in Balchik and Kaliakra (Bulgaria)

An outline summary of the case-file was provided based on the reports submitted both by the complainant and the Party concerned, although none of them could send a representative to the meeting. The Bureau of the Standing Committee, at its last meeting (Strasbourg, 8 April 2013), requested to the Group of Experts to prepare a draft Opinion on the matter. However, in the absence of the main actors, the Chair proposed to limit this agenda item to an exchange of views.

The representative of the AEWA provided an update of the information received by his Secretariat and invited the Secretariat and the institutions of the Bern Convention to keep the case file open.

The delegate of the United Kingdom asked whether the new wind farms are within the geographical area of concern of the initial complaint or outside, in which case the Committee should discuss whether the new developments should fall under complaint No. 2004/2 or not.

The delegate of Italy reminded that the authorities should consider the cumulative effect of wind farm developments and the crucial need for a flyway perspective in such cases.

The representative of the AEWA stressed that when the case was first opened (in 2003) it only related to Balchik, which was the first wind farm development in the country. Since then, there has been an explosion of cases and a second complaint was submitted to the Bern Convention with respect to Kaliakra. Balchik is no more under discussion, but Kaliakra remains problematic, and the new development projects are all in the Balchik/Kaliakra area.

The delegate of Switzerland suggested that Working Group on energy, once created, should look at this and similar case files and give recommendations to the Standing Committee.

The delegate of the Czech Republic suggested that the Standing Committee be asked to keep the case file open and to stress the concern of the Group of Experts on the Conservation of Birds about all developments in the same flyway, particularly about those that impact upon whole globally threatened species.

The proposal was agreed by the Group.

7. SPECIFIC ISSUES CONCERNING BIRD CONSERVATION IN EUROPE

a. Follow-up of the implementation of Recommendations No. 64 (1997), 124 (2007), and 149 (2010)

The discussions held under this agenda item revealed that good progress is being made in various countries, particularly the United Kingdom which now only hosts 30-40 specimens free-living in the wild. The UK delegation is confident that the country will meet the target of eradicating the Ruddy duck by 2015, and offered to share its experience, especially aspects dealing with stakeholder groups. In addition, the UK, in cooperation with WWT, produced guidelines for bird keepers on how to safely keep Ruddy Ducks in captivity and offered to share these with the interested Contracting Parties to the Bern Convention.

Concerning France, a new national action plan for the eradication of the Ruddy Duck is being finalised and should be launched this year, in order to evaluate the impact of the measures implemented in the past thirty years, identify patterns for improvement, and set up a calendar for the implementation of additional measures. Training for enabling personnel to take forward the culling of the species, including on private land, is on-going.

The delegate of Portugal reminded that the possession of the species in captivity in his country is forbidden since 1999. As a result, there are no specimens now, both in captivity and in the wild. Twelve people were identified with the Ruddy Duck in their possession, but accepted not keep the birds anymore.

The Chair welcomed the information presented by the Parties, as well as the good progress towards the eradication of the species, and expressed appreciation for the proposal put forward by the UK of sharing experience and knowledge, perhaps also through a side event at the Standing Committee meeting.

b. Conclusions of the CMS Workshop on Poisoning of Migratory Birds

The Group agreed to recommend to the Standing Committee to take note of the outcomes of the workshop on poisoning of migratory birds.

8. OTHER ISSUES CONCERNING BIRD CONSERVATION AT NATIONAL LEVEL

a. Follow-up of complaint No. 2012/7 on the presumed illegal killing of birds in Malta

The complaint was put forward by a private citizen but received support from BirdLife Malta, which submitted a complementary report. In the absence of the complainant, both the delegate of Malta and the representative of the BirdLife Malta presented their respective observations.

Mr Fernando Spina in his role of co-author of the Italian Bird Migration Atlas, wished to make a clarification concerning the figures presented by the delegation from the Government of Malta relating to the number of turtle doves passing through the island, since these have been extrapolated from data originating from the Italian Atlas. The surface relation is 1/1000 on km² Malta/Italy, which presumably means that if all Turtle Doves breeding in Italy or migrating through Italy would be passing through Malta, there should be much higher densities than those reported. If this connection is so strong there should be other species that show same patterns between the two countries.

The delegate of Poland asked information regarding the quota for hunting turtle doves in the spring which, according to her views, remains very high compared to the number of birds reported to be shot.

The delegate of Malta reminded that the complaint under screening relates to illegal killing of birds, and not to the spring derogation. Nevertheless, he recalled that Malta has agreed quotas with the EU Commission and the information is publicly available in a legal notice of 2010 that explains the legal provisions in detail. Hunting bags are verified via a) the system of *carnet de chasse*, b) a SMS reporting system and c) field inspections.

The representative of BirdLife International reminded delegates that IMPEL will organise a workshop in Malta at the beginning of October.

The Group decided to leave to the Standing Committee to decide on the status of the complaint.

9. PRESENTATION OF THE CONCLUSIONS OF THE 2ND CONFERENCE ON ILLEGAL KILLING, TRAPPING AND TRADE OF WILD BIRDS

The Chair briefly summarised the conclusions of the 2nd Conference, reminding that the draft Tunis Action Plan would be circulated to the delegates for comments before being submitted to the Bureau and the Standing Committee.

The delegate of France stressed the need to be mindful of the socio-economic drivers of illegal killing before discussing enforcement, and suggested that this needs consideration within the Action Plan alongside biological, legal and awareness raising aspects.

The delegate of the Czech Republic (Jan Plesnik) reminded that an analysis on the social aspects of human-wildlife conflicts⁵ was prepared for the Larnaca Conference and that it would be appropriate to take it into consideration together with the outcomes of the 2nd Conference.

10. RECOMMENDATIONS TO BE FORWARDED TO THE STANDING COMMITTEE

The Group of Experts invites the Standing Committee to:

- Support the participation of the Bern Convention in a Working Group on Energy issues at the level of the MEAs ;
- Consider, for possible decision, the adoption by the Bern Convention of the online reporting system launched by the CMS/WCMC to harmonise reporting against, *inter alia*, Action Plans, and to ensure the appropriate funding for the transition;
- Take note of document [T-PVS/Inf \(2013\) 14](#) and endorse the SAP identified in it;
- Support the improvement of international coordination on Action Plans for bird species, and the participation of the Bern Convention to an informal coordination task force initiated by AEWAs;
- Take note of document [T-PVS/Inf \(2013\) 15](#) on “Wind farms and birds: an updated analysis of the effects of wind farms on birds, and best practice guidance on integrated planning and impact assessment”, and to take note of the recommendations and guidance included in the report particularly in view of the further implementation of Recommendation No. 110 (2004) on minimising adverse effects of above-ground electricity transmission facilities (power lines) on birds;
- Take note of the outcomes of the CMS workshop on poisoning of migratory birds and closely follow-up this issue in cooperation with the CMS;
- Adopt the Tunis Action Plan for the eradication of Illegal killing, trapping and trade of wild birds.

11. ANY OTHER BUSINESS

The representative of the Czech Republic, Mr Jan Plesnik, reported that during the CMS workshop on minimising poisoning and the Second Conference, participants received information about the massive illegal killing of birds in Egypt, Lybia and Lebanon. He stressed that although these countries are not part of the Convention area, the bird populations protected under the Convention are involved. With the support of Switzerland, Mr Plesnik asked the Standing Committee to follow-up this issue.

ACKNOWLEDGEMENTS

These meetings were partly financed by the governments of France and Switzerland.

⁵ [Document T-PVS \(2011\) 12 : Human dimensions as a tool for bird conservation](#)

Appendix 1

PROGRAMME OF THE SECOND CONFERENCE ON THE ILLEGAL KILLING, TRAPPING AND TRADE OF WILD BIRDS

DAY 1 - WEDNESDAY 29TH MAY 2013

8H30 – 9H00 Registration at the Conference site

PLENARY SESSION I

Chair: Mr Nabil Hamada, Director of Ecology and Natural Habitats, Ministry of Equipment and Environment, Tunisia

9H00 – 9H30

1. WELCOMING REMARKS AND INTRODUCTION TO THE CONFERENCE

- *Mr William Massolin, Special Representative of the Council of Europe Secretary General in Tunisia*
- *Ms Ivana d'Alessandro, Secretary of the Bern Convention*
- *Mr Sadok El Amri, State Secretary of the Ministry of Equipment and Environment*

9H30 – 12H30

2. ILLEGAL KILLING, TRAPPING AND TRADE OF BIRDS: SETTING THE SCENE

- *Presentation of the assessment report on the implementation by Parties of Bern Convention's Recommendation No. 155 (2011)*
Mr Willem Van den Bossche, BirdLife International
- *Presentation of the conclusions of the CMS Workshop on Poisoning on Migratory Birds*
Mr Borja Heredia, CMS Secretariat
- *Communications by national delegations on progress since 2011*
- *Addressing illegal killing, trapping and trade of birds at EU level*
Mr Fotios Papoulias, Policy Officer Nature Conservation, European Commission

10h45 – 11h00 Coffee break

- *Overview analysis by the NGOs*
 1. *Presentation of the analysis of the replies by the NGOs, Mr Willem Van den Bossche, BirdLife International*
 2. *Monitoring bird crime in the Adriatic Coast and developments in hunting legislations and law enforcement since 2011, Ms Romy Durst, Euronatur*

3. *Strengthening networks and building capacity for migratory bird conservation in the Mediterranean, Ms Claudia Feltrup-Azafzaf, Friends of the Birds (AAO)*

➤ **Case studies**

1. *Practical experiences dealing with rural crime in Britain, Mr John Swift, BASC/FACE*
2. *Illegal shooting of migratory swans and an initiative to address the issue, Ms Julia Newth, Wildfowl & Wetlands Trust (WWT)*
3. *Sustainable bird hunting tourism - Challenges and opportunities for host countries, Yves Lecocq, President, International Union of Game Biologists (IUGB)*

➤ **Discussion**

3. SHORT INTRODUCTION TO THE WORKING GROUPS: CHALLENGES AND POSSIBLE WAY FORWARD

➤ **Enforcement aspects**

Moderator: Mr Nicholas Crampton

➤ **Awareness Aspects**

Moderator: Mr Martin Hellicar

➤ **Institutional and biological aspects**

Moderator: Mr Fernando Spina

12:30 – 14:00 Lunch break (Registration to the working groups)

14H00 – 18H00

WORKING GROUPS

Working Group 1: Legal Aspects
How to fulfil remaining gaps in enforcement

Aim: To identify and understand the part played by enforcement mechanisms in obtaining compliance with national and international legislation, and in particular to consider the roles of investigators, experts, prosecutors and the judiciary in obtaining the imposition of sanctions that are effective deterrents. To propose priority actions to remedy identified weaknesses, and measures to implement them, to be included in a draft Action Plan.

Location: ROOM NUMBER
Moderator: Mr Nicholas Crampton
Rapporteur: Mr John Swift, BASC/FACE

Working Group 2: Awareness Aspects

Aim: To analyse the benefits of preventive, coordination and awareness measures, as well as the main obstacles to their effective implementation. To identify the main obstacles to the development or implementation of national communication strategies, promoting dialogue between all relevant interest groups, and noting cultural sensitivities. To propose priority actions to remedy identified weaknesses, and measures to implement them, to be included in a draft Action Plan.

Location: ROOM NUMBER
Moderator: Martin Hellicar, BirdLife Cyprus
Rapporteur: Mr Willem Van den Bossche, BirdLife International

Working Group 3: Institutional and Biological Aspects

Aim: To analyse improvements and gaps in the data collection and sharing process, the use of available knowledge by the concerned authorities, and a coordinated approach to monitoring and reporting. To assess the benefits of the prioritised actions undertaken, where applicable, in hotspots of bird concentration. To propose priority actions to remedy identified weaknesses, and measures to implement them, to be included in a draft Action Plan.

Location: ROOM NUMBER
Moderator: Mr Fernando Spina, Institute for Environmental Protection and Research - ISPRA
Rapporteur: Mr Rastislav Rybanič, Ministry of Environment of the Slovak Republic

18H00 END OF FIRST DAY – REGISTRATION FOR THE FIELD TRIP

DAY 2 - THURSDAY 30TH MAY 2013**FIELD TRIPS (ONE ITINERARY TO BE CHOOSEN AMONG THE FOLLOWING :)****(1) Ichkeul National Park; (2) Jbel Zaghouan National Park; (3) Sijoumi wetland**

Departure at 6.30 a.m.

Arrival to Conference Venue at 2.00 p.m.

Lunch will be provided during the trips

PLENARY SESSION II**Chair: Mr Jan Plesnik, Chair of the Standing Committee to the Bern Convention****14H30 – 16H00****4. WORKING GROUPS REPORTING SESSION**

- *Mr John Swift (WG 1)*
- *Mr Willem Van den Bossche (WG 2)*
- *Mr Rastislav Rybanič (WG 3)*

- *Discussion*

15H30 Findings and conclusions*Council of Europe**Tunisian authorities**Adoption of the main findings and conclusions for the Group of Experts on Birds***16H30 Press conference**

Appendix 2

**4TH MEETING OF THE GROUP OF EXPERTS
ON THE CONSERVATION OF BIRDS**

1. Opening of the meeting

Secretariat and BirdLife International

2. Election of the Chairperson

3. Adoption of the Draft Agenda

4. Assessment report on the implementation by Parties of the Budapest Declaration on Bird Safe power lines

BirdLife International

Discussion: questions and steps forward

5. Report on the scope and need for adaptation of Species Action Plans adopted by the EU, the AEWa and the CMS after 2006 [since the adoption of Recommendation No. 121 (2006)]

BirdLife International

Discussion: questions and steps forward

6. Improving the International coordination on Species Recovery Plans

7. Conservation of birds and windfarm developments

a) Updated analysis of the effects of windfarms on birds, and best practice guidance on integrated planning and impact assessment

Royal Society for Protection of Birds (RSPB)

b) Follow-up of complaint No. 2004/2 on Wind Farms in Balchik and Kaliakra, Bulgaria – Draft Opinion

Secretariat

8. Specific issues concerning bird conservation in Europe:

a) Follow up of the implementation of Recommendations No. 61 (1997), 124 (2007) and 149 (2010) on the White-headed duck (*Oxyura leucocephala*)

BirdLife International

b) Presentation of the conclusions of the CMS Workshop on Poisoning on Migratory Birds

CMS Secretariat

9. Other specific issues concerning bird conservation at national level

Follow up of complaint No. 2012/7 on the presumed illegal killing of birds in Malta

Secretariat

10. Presentation of the conclusions of the 2nd Conference on the illegal killing, trapping and trade of birds

Secretariat

11. Possible recommendations to be forwarded to the Standing Committee to the Bern Convention

12. Any other business

Appendix 3**LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS****I. CONTRACTING PARTIES / PARTIES CONTRACTANTES****ALBANIA / ALBANIE**

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1st DRAFT TUNIS ACTION PLAN 2013-2020 FOR THE ERADICATION OF ILLEGAL KILLING, TRAPPING AND TRADE OF WILD BIRDS

Enforcement and Legal Aspects

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Expected Result 1: National wildlife crime priorities are established				
Identification of National priorities	Draft recommendation submitted to the Standing Committee on criteria on how to set priorities	<p>2014 → 34th Standing Committee meeting</p> <ul style="list-style-type: none"> - Possible criteria to be submitted by April 2014; - Select Group on IKTTB to meet in June/July 2014 for preparation, examination and validation of a draft recommendation; - Draft recommendation discussed for possible adoption at the 34th Standing Committee 	<ul style="list-style-type: none"> - Parties to report on possible criteria at the request of the Secretariat - Group of Experts on Birds to prepare and agree on a draft recommendation on criteria for identification of priorities 	<p><i>At national level the key bodies will be government and police as represented by appropriate agency.</i></p> <p><i>The mechanisms will vary from country to country.</i></p> <p><i>Civil society involvement through consultation processes and especially with science on ecosystem and conservation impact essential.</i></p> <p><i>Recognising that wildlife is to be conserved for its</i></p>

		meeting (December 2014)		<p><i>own intrinsic value and not solely for the use or pleasure it gives, actually or potentially, to humankind.</i></p> <p><i>Recognising that the species comprising the ecosystem are the 'beneficiary' of wildlife conservation legislation, and thus that changes in human behaviour towards wildlife may have to occur. (cf. comments on 'tradition' below).</i></p>
	<p>Coordination with the Ornithological Committee (EU level) with aim to:</p> <ul style="list-style-type: none"> - Give direction to EU Member States - Obtain feedback - Report on EU problems and priorities 	→ Early October 2013	<p>EU DG Env</p> <p>Member States being requested to cooperate by providing information on the establishment of priorities</p>	
	National lists of priorities identified submitted to the Standing Committee	2015 → 35 th Standing Committee meeting	Parties to identify the responsible authority for policing and conservation and to submit a national list to the Secretariat (by July 2015)	

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
	Report on progress submitted to the Standing Committee	2016 → 36 th Standing Committee meeting	National focal points	
Identification of the areas of offending	Creation of national mechanisms for recording reports of wildlife cases to provide statistical evidence of the areas of offending, eg. through adding categories of wildlife crime to those crimes already recorded nationally	2015 - 2016 → Establishment by the 35 th Standing Committee meeting (December 2015) → Operational in 2016; 1 st report on progress by the 36 th Standing Committee meeting (December 2016)	Ministries, police and investigative agencies	
Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Expected Result 2: Conservation Impact Statements (CIS) are generalised				
The content of CISs is agreed and defined, to include: identify the species conservation status eg, IUCN listing, relevant conservation measures being taken, the ecological damage the type of offending does	<ul style="list-style-type: none"> - Appointment of National focal points to assist investigators and prosecutors in accessing/locating expert knowledge providers; - Identification of sources of knowledge and compilation of national contact lists 	<p>2015</p> <p>→ Implementation by the 34th Standing Committee meeting (December 2014)</p> <p>→ operational by 2015</p>	Bern Convention's focal points, environment ministries, national conservation agencies, and police; bodies responsible for setting priorities	<p><i>Examples of topics to be addressed:</i></p> <p><i>Investigators having access at an early stage to experts, NGOs and other e.g. university institutions.</i></p> <p><i>Recognising experts' overriding duty to the court.</i></p>

	<p>- Setting-up of an internet web portal giving guidance on CIS preparation and access to specialist law firms, advocates, expert witnesses, and independent specialists</p>		<p>Possibly look to EEA and ETC as well as existing institutions at country level for commitment towards the objective's achievement</p>	<p><i>Recognising role of expert to interpret significance of the crime and explain priorities and species' relevance, as well as conservation work in the field that is compromised.</i></p> <p><i>Recognising that lack of objective and independent science can undermine a prosecution.</i></p> <p><i>Recognising the value of "Forensic Partnership Funding" to pay for costly forensic evidence.</i></p> <p><i>Recognising the importance of rules of evidence and the correct handling (continuity) of evidence.</i></p> <p><i>Recognising the importance of providing for the training and information for police, judiciary and experts etc.</i></p>
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Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Investigators become familiar with the need to show the importance of the case in terms of its impact on conservation priorities and ecological damage	<p>Ensure Investigators have available to them the legal rules governing the admissibility of expert evidence through early liaison with legal advisers/prosecutors</p> <p>- Encourage, or place obligation on, prosecutors to regard completion of CISs as good practice and to make inquiries to identify suitable experts</p>	<p>2015</p> <p>→ Implementation by the 34th Standing Committee meeting (December 2014)</p> <p>→ Operational by 2015</p>	Prosecutors	<i>The body responsible for coordination should be the one in charge of prosecution. In some countries separate prosecutors for wildlife crimes do exist and could be taken as example</i>

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Expected Result 3: Identification and standardisation of gravity factors				
Gravity Factors that may influence prosecution and sentencing decisions are identified and standardised	<p>Development and agreement on a list of Gravity Factors taking into account:</p> <ul style="list-style-type: none"> - Conservation status of species - Impact risk for ecosystem - Legal obligation to protect under international legislation 	<p>2015</p> <p>→ Draft lists of gravity factors to be submitted by Parties by April 2014;</p> <p>→ Select Group on IKTTB to meet in June/July 2014 for preparation, examination and validation of a draft recommendation;</p>	<p>Prosecutors e.g.</p> <ul style="list-style-type: none"> - Ministry of Justice - Supreme Court <p>Cooperation from national science agency or authorities</p>	<p><i>Key issues:</i></p> <ul style="list-style-type: none"> - <i>Recognising that 'tradition' creates difficulty. (cf. comment on 'beneficiary' above)</i> - <i>Recognising the principle of judicial independence.</i>

	<ul style="list-style-type: none"> - Indiscriminate method used in committing offence Commercial motivation - Illegal gain/quantum - Prevalence of offence and need for deterrence - Professional duty on defendant to avoid committing offence - Scale of offending (number of specimens involved) - Intent and recklessness by defendant - History/recidivism 	<p>→ Draft Recommendation discussed for possible adoption at the 34th Standing Committee meeting (December 2014)</p> <p>→ Operational by 2015</p>		<ul style="list-style-type: none"> - <i>Recognising that the factors will carry different weight at country level and will change with time.</i>
<p>Investigators and Judiciaries to be familiar with National wildlife crime priorities, the purpose of CISs and offence gravity factors, and Judiciaries be encouraged to use these to inform sentencing guidelines.</p>	<p>Training of police and judiciary, both at national and international level</p>	<ul style="list-style-type: none"> - On-going at EU level - To be implemented for non EU Parties by 2015 (eg. in cooperation with the Supranational Environmental Justice Foundation) 	<ul style="list-style-type: none"> - The European Union through the European Commission for EU Member States; - The Parties to ensure cooperation in sending trainees regularly. 	

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Expected Result 4: Sentencing Guidelines are elaborated				
<p>Sentencing is more consistent and transparent through the establishment of Sentencing Guidelines enabling that serious wildlife crimes receive substantial sanctions, using the full range of sentencing options, thereby implementing ‘zero tolerance’ of wildlife crime through adopting the approach of ‘proportionate intolerance’ which is EHCR compliant and based on National Priorities and gravity factors</p>	<p>Parties are invited to discuss sentencing with their judicial authorities e.g. :</p> <ul style="list-style-type: none"> - Sentencing Council - Supreme Court <p>Judiciaries are encouraged to use training provided nationally or by the EU (for EU Parties)</p>	<p>2015</p> <p>→ Invitation to Parties at the 33rd Standing Committee meeting (December 2013)</p> <p>→ Parties to report within 2 years (to the Group of Experts on Birds in June July 2015, and to the 35th Standing Committee meeting, December 2015)</p> <p>On-going</p>	<p>Judiciary via Ministries of Justice;</p> <p>Ministries of environment to ensure cooperation at national level with the Ministries of Justice</p>	<p><i>Recognising Judicial independence but duty to implement in full legislation passed by parliaments (including use of all sentencing options)</i></p> <p><i>Recognising the importance of increasing awareness of wildlife species crime in the legal mind</i></p> <p><i>Concentrating on the top level</i></p> <p><i>[Priority+gravity→sanction]</i></p>
<p>Mechanism for recording and reporting results of wildlife prosecutions is set up</p>	<p>Prosecutors or investigators undertake to provide short report of the facts and of offences proved and sentences imposed to a national focal point appointed for recording, the records of such to be made available to investigators and prosecutors</p>	<p>2015</p> <p>→ Operational by the 35th Standing Committee meeting (2015)</p>	<p>Parties to identify a private body or NGO willing to undertake recording at national level, e.g. “TRAFFIC” at the EU level</p>	

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
The implementation of the Enforcement and Legal Aspects of the Action Plan is monitored and evaluated	Monitoring, evaluation, and follow-up to the actions set in the AP	2020 → 2015 - 2020	Standing Committee to the Bern Convention	

Biological and Institutional Aspects

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Expected Result 1: Biological and Institutional Aspects are fully taken into account in all the levels of enforcement chain				
Species and population specific flyways are analysed to be overlaid	Preparation and publication of Euro-African flyway atlas and description of blackspots	2016 → 36 th Standing Committee meeting	Bern Convention Secretariat, in cooperation with CMS Secretariat to look for available funds and tenders	The Secretariat of the Convention has not the technical expertise for such a work. This task should be therefore outsourced (and funded)
Existing data on illegal activities affecting birds are analysed; black-spots based on standardised protocols for data collection and analytical methods are identified	Preparation and publication of a dedicated report	2016 → Standard protocols ready by the 34 th Standing Committee meeting (December 2014) → Existing data collected by the 35 th Standing Committee meeting	Governmental agencies, scientific institutions and NGOs, coordinated by the Bern Convention's focal points	

		(December 2015) → Analysis of Black-spots by the 36 th Standing Committee meeting (December 2016)		
Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Knowledge on mortality within bird populations due to legal harvest (hunting) and illegal activities is established and allows for adaptive management of game species	Preparation of bag statistic reports and estimates of mortality due to illegal killing trapping and trade	2015 → By the 35 th Standing Committee meeting (December 2015)	Parties in cooperation with relevant Stakeholders	
Coordination of activities aimed at eradicating illegal killing and unsustainable use of birds in the Pan-Mediterranean area as a particularly critical region is improved	Setting-up of a Pan-Mediterranean working group to eradicate illegal killing, trapping and unsustainable use of birds (Task Force)	2014 → By the 34 th Standing Committee meeting (December 2014)	National focal points to the Bern Convention, Secretariat, AEWA, Raptors MoU, CMS, African – Eurasian Landbirds AP, FACE, BirdLife International, Wetlands International	Clarify who should take the initiative of convening the group
A Toolkit for prosecutors and judges is prepared with information on biological aspects of killing, trapping and illegal trade of birds and its international importance	Preparation of a dedicated toolkit or identification of an existing international toolkit to which a section on biological aspects would be added	2016 → to be submitted to the 36 th Standing Committee meeting (December 2016)	Secretariat, Parties, NGOs	

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
The implementation of the Biological and Institutional Aspects of the Action Plan is monitored and evaluated	Monitoring, evaluation, and follow-up to the actions set in the AP	2020 → 2015 - 2020	Standing Committee to the Bern Convention, every two years since 2015	

Awareness Aspects

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Expected Result 1: Positive and effective alliances with stakeholders are developed by establishing a mechanism to create an opportunity for national dialogue on IKTTB issues				
The challenges related to IKTTB issues are fully understood by all stakeholders	<ul style="list-style-type: none"> - Scientific evidence base is provided; - Stakeholder analysis provided; - Understanding of views and belief systems carried out; - Analysis of key drivers and benefits 	From now on	Focal point to liaise with appropriate government or Academic institution (Lead Agency)	

An operational platform dedicated to awareness and education is developed	<ul style="list-style-type: none"> - Review of previous examples; - Consultation of experts in conflict resolution 	2016 → operational by the 36 th Standing Committee meeting (December 2016)	Focal point to liaise with appropriate government or Academic institutions (Lead Agency)	
Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Outreach and stakeholders engagement is achieved	<ul style="list-style-type: none"> - Direct communications with stakeholders - Public communications 	2016 → operational by the 36 th Standing Committee meeting (December 2016)	Focal point to liaise with appropriate government or Academic institution (Lead Agency)	
Modus Operandi, including establishing trust	<ul style="list-style-type: none"> - Independent facilitator; - Shared goals are identified; - Stakeholders' views, interests and positions are recognised; - Stakeholders are invited to share their viewpoints; - Rules of Engagement are established 	2016 → operational by the 36 th Standing Committee meeting (December 2016)	All stakeholders	

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Walk the talk!	<ul style="list-style-type: none"> - Stakeholders seek decisions by consensus (no votes); - Stakeholders issue shared communications and publicity 	From now on	All stakeholders	<i>Please identify the coordination platform?</i>
Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Expected Result 2: Enforcement results are publicised				
Publicity is given to the level of fines, including potential fines and actual fines	<p>Statistics and reports are compiled and produced;</p> <p>Good practices, stories and examples are collected and disseminated</p>	From now on	Focal points to liaise with justice departments, NGOs, National authorities	
Media alliances are set up on different levels (national, local and specialist media)	Create a network of press, radio and TV with an interest in disseminated IKTTB information	From now on	All stakeholders	
Social cross compliance is encouraged	A blackboard with effective case studies is created	From now on	All stakeholders, including bird keepers, angler organisations, hunting organisations, etc.	

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Information on Illegal techniques is widespread	Development of a pan-European database, on the EU-TWIX example	From now on	Enforcement officers	The Secretariat of the Convention has not the technical expertise for such a work. This task should be therefore outsourced (and funded) or taken up by volunteers
Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Expected Result 3: Tailored messages are developed and used by key actors				
The main target groups are identified	Consultation round organised electronically	From now on	Relevant Stakeholders, NGOs and officials, under the coordination of the Secretariat	
Reasoning and motivation are established	Interviews by professionals (psychologists, selected according to gender balance criteria) are carried out	2016 → finalised by the 36 th Standing Committee meeting (December 2016)	Focal point to liaise with universities and education institutions	
Appropriate and adapted messages are developed		2015 → finalised by the 35 th Standing Committee meeting (December 2015)	NGOs will work with professional copywriters, in cooperation with wildlife experts	

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Tailored messages are disseminated to the wider public	Advertising companies disseminate the messages	2016 → operational by the 36th Standing Committee meeting (December 2016)	NGOs	
Progress in the implementation of the expected result 3 awareness aspects of the AP is assessed and adjusted	Opinion Polls	Long term	NGOs and focal points	
Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Expected Result 4: Positive biodiversity education is put in place to show people how nature and ecosystems work to make them realise that Conservation is a serious issue				
Birds and Ecosystem knowledge are integrated into school Curricula	The authorities responsible for education at national level receives information, training and knowledge on the issue	Medium term	NGOs, Focal points to the Bern Convention (for the coordination with the Ministries of education), Ministries of education, companies that produce educational materials, Council of Europe Education department	

Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
Positive effects of stopping IKTTB on ecosystem are put forward (e.g. ecotourism, pest control, habitat for game species)	Publications and events for stakeholders and for the general public	From now on	NGOs in alliance with other stakeholders, government bodies, press and the media	
Human beings are reconnected with nature	- Field trips and other educational activities are organised - New techniques are used to show the uniqueness of migratory birds	From now on	NGOs, governments, local tourism organisations	
Objective	Action(s)	Timeline(s)	Responsible body(ies)	Comment
The implementation of the Awareness aspects of the Action Plan is monitored and evaluated	Monitoring, evaluation, and follow-up to the actions set in the AP	2020 → 2015 - 2020	Standing Committee to the Bern Convention, every two years since 2015	

Appendix 5

CHECK AGAINST DELIVERY

ADDRESS BY THE COUNCIL OF EUROPE CO-ORDINATOR IN TUNIS

Allocution de M. William Massolin, Coordinateur National Tunisie du Conseil de l'Europe

Monsieur le Secrétaire d'Etat, chargé de l'Environnement auprès du ministre de l'Équipement et de l'Environnement,
Monsieur le Président du Comité permanent de la Convention de Berne,
Madame la Secrétaire de la Convention de Berne,
Mesdames et Messieurs,
Chers participants,

C'est un honneur et un plaisir de vous accueillir aujourd'hui au nom du Conseil de l'Europe, à l'occasion de la Seconde Conférence sur « La mise à mort, le piégeage et le commerce illégaux d'oiseaux sauvages », organisée en partenariat avec le ministère de l'Agriculture et le ministère de l'Équipement et de l'Environnement de Tunisie, avec le support technique de BirdLife International et de la FACE, Fédération des Associations de Chasse et Conservation de la Faune Sauvage de l'Union européenne.

Je tiens à remercier tout particulièrement Monsieur le Secrétaire d'Etat chargé de l'Environnement qui, malgré un agenda chargé, a répondu favorablement à notre invitation.

Sa présence et les paroles qu'il vient de prononcer démontrent toute l'attention que la Tunisie porte à la conservation de la nature et à la lutte contre les facteurs humains, en l'occurrence illégaux, qui contribuent à la disparition de nombre d'espèces protégées. Par ailleurs, ces efforts se sont intensifiés depuis l'adhésion de la Tunisie à la Convention de Berne, le 1^{er} mai 1996. En effet, la Convention de Berne a vocation à s'appliquer, de par sa nature, au-delà des frontières de l'Europe, dès lors qu'elle appelle les Parties contractantes à protéger les espèces migratoires, ce qui lui confère une nette dimension d'interdépendance Nord-Sud. Cependant, en mettant l'accent sur les espèces et habitats menacés de disparition, la Convention de Berne devient un outil de promotion de la durabilité et constitue, à ce titre, une importante contribution au développement durable de la vie sur cette planète.

Je salue aussi la présence de nombreuses Parties contractantes à la Convention de Berne, ainsi que les organisations internationales, les autorités locales, les services répressifs, les ONG œuvrant pour la conservation de l'environnement et les organismes scientifiques et de recherche qui ont accepté de participer et de contribuer à ce séminaire.

La Secrétaire de la Convention de Berne décrira brièvement le contexte dans lequel cette conférence s'inscrit mais j'aimerais cependant vous présenter brièvement les grands axes des activités du Conseil de l'Europe en Tunisie.

Le Conseil de l'Europe, dont le siège est à Strasbourg (France), regroupe aujourd'hui, avec ses 47 pays membres, la quasi-totalité du continent européen. Créé le 5 mai 1949 par 10 Etats fondateurs, le Conseil de l'Europe a pour objectif de favoriser en Europe un espace démocratique et juridique commun, organisé autour de la Convention européenne des droits de l'homme et d'autres textes de référence sur les droits de l'homme, la démocratie et la prééminence du droit. Beaucoup de gens, même en Europe, confondent notre organisation avec l'Union européenne, dont le siège est à Bruxelles, et qui regroupe 27, bientôt 28 pays qui lui ont partiellement délégué leur souveraineté pour lui permettre de prendre au niveau européen des

décisions démocratiques sur des questions d'intérêt commun. A ce jour, aucun pays n'est entré dans l'Union sans être préalablement membre du Conseil de l'Europe.

Le Conseil de l'Europe, en revanche, est une organisation intergouvernementale née des désastres de la Seconde guerre mondiale, avec l'idée de reconstruire ce continent sur la base de valeurs et de principes communs et, notamment, autour de la question de droits de l'homme. Ce n'est donc pas un hasard si la première convention - et la plus connue à ce jour - reste la Convention européenne des droits de l'homme. Au fil de ses presque soixante-cinq années d'existence, l'organisation a développé ses priorités autour de trois piliers fondamentaux : les droits de l'homme, la démocratie et l'Etat de droit.

En fait, fondements d'une société tolérante et civilisée, droits de l'homme, démocratie pluraliste et Etat de droit sont des valeurs indispensables à la stabilité, à la croissance économique et à la cohésion sociale du continent, favorisant la prise de conscience de l'identité culturelle du continent. Elles nous guident dans la recherche de solutions communes aux principaux problèmes : terrorisme, criminalité organisée et corruption, cybercriminalité, bioéthique et clonage, racisme et préjugés, violences à l'égard des femmes et des enfants, traite des êtres humains, et défis posés à la conservation de la biodiversité, entre autres. La coopération de tous les Etats membres est le seul moyen de régler les grandes questions de notre temps.

Nous travaillons donc aux côtés des Etats membres pour favoriser la stabilité démocratique en Europe, en fournissant de l'assistance pour les réformes politiques, législatives et constitutionnelles que ces Etats entreprennent pour se conformer aux exigences de nos traités.

Dans le cadre de la nouvelle politique avec son voisinage immédiat (qui comprend les pays du pourtour sud de la Méditerranée et d'Asie centrale), qui a été impulsée par le Secrétaire général Jagland, il a été décidé de renforcer les coopérations avec certains pays de la région, sur le chemin initié par le biais de nombre de Conventions du Conseil de l'Europe ouvertes aux pays non membres, comme dans le cas de la Convention de Berne.

Je suis, de ce fait, très heureux de vous informer que l'accord qui a été signé entre le Conseil de l'Europe et le Gouvernement tunisien en janvier 2013 (la Secrétaire générale adjointe était ici à Tunis pour l'occasion) permettra, dès qu'il sera ratifié par l'Assemblée nationale constituante, l'établissement du Premier bureau du Conseil de l'Europe dans un pays non membre. C'est vous dire toute l'importance que notre organisation accorde à la Tunisie et aux développements en cours dans ce pays depuis la Révolution.

Des priorités pour la période 2012-2014 ont été discutées avec les autorités et constituent la base de nos activités en Tunisie. J'aimerais insister sur un point : ces activités ont été développées d'un commun accord, dans un esprit de partenariat, en fonction de ce qui est le plus pertinent pour la Tunisie actuellement. La Tunisie, en effet, n'est pas membre de notre organisation et n'a pas vocation à le devenir. Elle n'est donc tenue à aucun des engagements contraignants qui lient les pays membres. C'est donc uniquement sur la base de la pertinence des standards et des expériences tirées de presque cinquante pays dont certains ont connu des transitions récentes, que nous souhaitons développer la coopération entre le Conseil de l'Europe et la Tunisie.

Les activités ont déjà commencé dans grand nombre de domaines, grâce notamment au financement de l'Union européenne mis à disposition dans le cadre du Programme Sud. La lutte contre la corruption, l'amélioration de l'efficacité de la justice font ainsi partie des priorités couvertes par ce programme, tout comme la lutte contre la contrefaçon de produits médicaux et les politiques de promotion de la santé publique dans le domaine des droits sociaux, qui sont spécifiquement identifiées parmi les priorités 2012-2014.

La biodiversité pourrait éventuellement se rajouter à cette liste de priorités, si les autorités le souhaitent, notamment en ce qui concerne l'assistance dans la mise en place du Réseau Emeraude des Zones d'Intérêt Spécial pour la Conservation. En effet, la création d'un Réseau écologique paneuropéen sur le continent eurasiatique était l'une des mesures-phares de la

Stratégie paneuropéenne de la diversité biologique et paysagère, adoptée par le Conseil de l'Europe en 1995. Ce projet s'appuie aujourd'hui sur les nombreuses initiatives qui, aux plans national, régional transrégional, établissent le Réseau Natura 2000 dans les pays de l'UE, et le Réseau Emeraude dans les autres pays du continent européen, l'objectif étant la conservation des écosystèmes, des habitats, des espèces et des paysages de notre héritage commun. Le Maroc a récemment mené à bien un projet pilote dans ce sens, qui pourrait être étendu à la Tunisie, le cas échéant.

Mais je ne voudrais pas prendre plus de votre temps. Je souhaiterais, avant de conclure, remercier tous ceux qui ont permis l'organisation de ce séminaire et, en particulier, Monsieur Mohammed Ali Ben Temmessek, dont l'investissement personnel a permis de vous rassembler aussi nombreux aujourd'hui.

Je vous souhaite à tous des discussions et un échange fructueux, étant pleinement convaincu que ces deux jours permettront d'apporter de nombreux éclaircissements et de tirer pleinement profit des expériences en cours en matière de répression et de prévention des crimes contre la vie sauvage.

Appendix 6**CHECK AGAINST DELIVERY****ADDRESS BY THE SECRETARY OF THE BERN CONVENTION**

Monsieur le Secrétaire d'Etat, chargé de l'Environnement auprès du ministre de l'Équipement et de l'Environnement,
Monsieur le Président du Comité permanent de la Convention de Berne,
Monsieur le Coordinateur National du Conseil de l'Europe en Tunisie,
Mesdames et Messieurs,
Chers participants,

Je ne peux que rejoindre mon collègue le Coordinateur National du Conseil de l'Europe en Tunisie, en exprimant la gratitude du Secrétariat aux autorités tunisiennes pour les paroles prononcées, et l'engagement démontré depuis désormais 17 ans pour les activités de la Convention de Berne. Je salue la participation d'autant d'experts et de personnalités du monde scientifique à cette Conférence, qui porte sur un sujet cher au Comité des parties de la Convention de Berne, la mise à mort, le piégeage et le commerce illégaux d'oiseaux.

Cette problématique a été inscrite régulièrement à l'ordre du jour des réunions du Comité permanent, pendant les 15 dernières années. Mais cela a été à Chypre, et plus exactement à Larnaca, en juillet 2011, qu'un tournant dans l'approche du problème de la capture et du piégeage illégaux d'oiseaux a été marqué au niveau paneuropéen. A ce sujet, je me dois de remercier encore une fois les autorités Chypriotes qui, de par leur hospitalité et engagement, ont facilité une organisation très efficace de la conférence.

Le message clé de la Conférence de Larnaca a été un appel, et je cite, à « une tolérance zéro des mises à mort illégales et une implication entière et proactive des parties prenantes dans la lutte contre cette activité illégale qui constitue une grave menace pour la diversité biologique, et qui porte autant atteinte à la nature qu'à la société humaine ».

Mais la conséquence la plus importante de la Conférence de Larnaca, en effet, a été de lancer un processus durable de renforcement de la coopération et de la coordination nationales et internationales dans ce domaine, assorti d'un appel à bien appliquer les lois existantes, à échanger les bonnes pratiques et à mettre en place un processus de suivi adapté. Elle a encouragé les Parties contractantes à soumettre des rapports sur la mise illégale d'oiseaux et sur la mise en œuvre des recommandations pertinentes de la Convention de Berne, rapports qui ont fait l'objet d'une analyse de suivi dont les conclusions vous seront présentées aujourd'hui.

Sans vouloir dévoiler les résultats de cette étude, résultats qui mettent en exergue autant d'importants progrès que de points encore faibles, je me limiterai à citer deux exemples de succès au niveau international, découlant directement de la Recommandation que le Comité Permanent a adoptée suite à la Conférence de Larnaca : une coopération accrue et plus coordonnées, avec des échanges d'information réguliers, entre la Convention de Berne et l'Union européenne sur le sujet, et la mise en place ou le renforcement d'outils spécifiques au niveau de l'UE, outils qui vous seront présentés tout à l'heure ; et l'adoption, par la 10^e Conférence des Parties à la CMS, de la Résolution 10.26, visant à Réduire le Risque d'Empoisonnement des Oiseaux migrateurs, qui a donné lieu au Groupe technique de travail sur la réduction de risques d'empoisonnement.

D'autres organisations internationales ont suivi et appuyé ces efforts, parmi lesquelles je ne pourrais ne pas citer l'Union Internationale pour la Conservation de la Nature qui, à son Congrès

Mondial en 2012, a adopté une résolution spécifique sur Lutte contre la capture, le commerce ou l'abattage illégaux ou non durables des oiseaux migrateurs dans le pourtour méditerranéen.

Ce travail a été possible bien sûr grâce à l'implication des Parties contractantes à la Convention de Berne, mais j'aimerais aujourd'hui rappeler aussi le rôle crucial de la société civile, et des ONG de conservation de la nature, dans le suivi de la mise en œuvre de la Convention. En effet, les ONG participent activement au dispositif de suivi très varié mise en place par la Convention, en surveillant l'application de la Convention dans un esprit constructif et de dialogue qui représente un complément important pour le travail du Secrétariat et du Comité. A ce sujet, je voudrais remercier très particulièrement BirdLife International et de la Fédération des Associations de Chasse et Conservation de la Faune Sauvage de l'UE pour le support technique offert à l'organisation de cette Conférence.

J'ai beaucoup parlé de Larnaca, et j'aimerais maintenant parler de Tunis, car j'espère vivement que la Conférence de Tunis prenne le relais et devienne la prochaine référence en la matière.

Comme vous le savez, l'objectif de cette conférence est de faire le point sur les progrès accomplis, mais aussi sur ce qui reste à faire, et sur les mesures ou actions qui pourraient permettre aux parties contractantes de remplir tous les objectifs qu'elles se sont fixées quant à la lutte contre la mise à mort, le piégeage et le commerce illégaux d'oiseaux. C'est pourquoi, après les présentations qui jetteront les bases pour nos réflexions, des groupes de travail se réuniront cet après-midi avec pour objectif d'identifier au moins 3 actions ou mesures spécifiques qui permettraient de s'attaquer, d'une manière encore plus efficace, aux problèmes énoncés dans la Recommandation 155 qui restent malheureusement d'actualité.

Un plan d'action spécifique, avec des objectifs réalistes et atteignables d'ici 2020 sera ainsi proposé d'abord au Groupe d'experts sur la conservation des oiseaux et ensuite au Comité permanent pour adoption éventuelle.

2020 n'est pas une échéance quelconque : 2020 marque la seconde chance que les décideurs se sont donnés en 2011 pour arriver à « vivre en harmonie avec la nature » (pour citer le sous-titre du Plan stratégique pour la diversité biologique, adopté par la CBD) et mettre un terme à l'appauvrissement de la diversité biologique.

Parmi les 20 Objectifs de Aichi l'Objectif n°12 est particulièrement significatif pour notre conférence, car il préconise que d'ici à 2020, l'extinction d'espèces menacées connues est évitée et leur état de conservation, en particulier de celles qui tombent le plus en déclin, est amélioré et maintenu.

Mon vœu est que cette conférence puisse donner entre autre une contribution à l'accomplissement de l'Objectif n°12, et c'est pourquoi elle a été inscrite dans le cadre des activités organisées par les Amis de l'Objectif 12, une initiative conjointe de la CBD et l'IUCN.

Mais je ne voudrais pas prendre plus de votre temps. J'aimerais conclure en empruntant les mots à Nelson Mandela lorsqu'il disait :

Une vision sans action n'est qu'un rêve.

Agir sans vision n'est qu'une perte de temps.

Agir avec vision peut changer le monde.

Larnaca nous a donné une vision, je suis sûre que Tunis saura lancer l'action.