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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

39th meeting
Strasbourg, 3-6 December 2019

**Joint Meeting of the Bern Convention Network of Special
Focal Points on Eradication of Illegal Killing, Trapping and
Trade in Wild Birds and the UN-Environment/CMS
Intergovernmental Task Force on Illegal Killing, Taking and
Trade of Migratory Birds in the Mediterranean**

Rome, Italy 8 – 10 May 2019

- MEETING REPORT -

*Document prepared by
the Convention on Migratory Species and
the Directorate of Democratic Participation*



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The European Commission were recognized as Champion Plus for their generous support and commitment towards addressing Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean for the period 2019-2020. This activity has been funded with the contribution granted by the European Commission under the Migratory Species Champion Programme and through the Global Public Goods and Challenges (GPGC Programme) Cooperation Agreements with UNEP.



List of Acronyms

AEWA	African Eurasian Waterbird Agreement
CABS	Committee against Bird Slaughter
CBD	Convention on Biological Diversity
CEO	Chief Executive Officer
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on the Conservation of Migratory Species of Wild Animals
COP	Conference of the Parties
EC	European Commission
ENPE	European Network of Prosecutors for the Environment
EU	European Union
EUFJE	EU Network of Judges for the Environment
FACE	European Federation of Associations for Hunting and Conservation
ICCWC	International Consortium on Combatting Wildlife Crime
IKB	Illegal Killing, Taking and Trade of Wild Birds
IMPEL	European Union Network for the Implementation and Enforcement of Environmental Law
INTERPOL	International Criminal Police Organization
ISPRA	Italian National Institute for Environmental Protection and Research
IUCN	International Union for Conservation of Nature
LIFE	EU funding instrument for the environment and climate action
LIPU	Italian League for Bird Protection, BirdLife partner in Italy
MIKT	CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean
MME	Hungarian Ornithological and Nature Conservation Society, BirdLife partner in Hungary
MOU	Memorandum of Understanding
NAP	National Action Plan
NGO	Non-Governmental Organization
POW	Programme of Work
SEO	Spanish Ornithological Society, BirdLife partner in Spain
SPFs	Bern Convention Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds
TAP	Tunis Action Plan
UK	United Kingdom
UNEP	United Nations Environment Programme
WCMC	World Conservation Monitoring Centre

1. Opening of the Meeting

1. Marco Barbieri (CMS Secretariat, CMS Scientific Adviser) opened the meeting and introduced himself as Officer-in-Charge of CMS, a role he had assumed following the death of Executive Secretary, Bradnee Chambers in January 2019. The Secretariat was going through a period of transition, with the temporary Executive Secretary about to take up her post before permanent arrangements were made. Borja Heredia, the former Head of the Avian Team had retired in October 2018, and while a replacement was being recruited, Tilman Schneider was temporarily overseeing the work of the Unit. Carmen Naves, the former MIKT coordinator had left the Secretariat in December 2017 and had been replaced by Laura Aguado.
2. CMS remained fully committed to the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT), this being the third meeting in the series and the second held jointly with the Bern Convention. Cooperation between the Bonn and Bern Conventions had proved fruitful and further synergies would be sought. Other members of the CMS Family were also engaged, including AEWA, the Raptors MOU and the Action Plan for the Conservation of African-Eurasian Migratory Landbirds (AEMLAP).
3. Thanks were expressed to the Italian Government, and particularly to the Ministry for Environment, Land and Sea Protection and the Italian National Institute for Environmental Protection and Research (ISPRA) for their support and to the administration of the Presidential Reserve of Castelporziano for providing the most imposing venue. The generous support of the European Commission, without which the meeting and the initiatives under MIKT would not have been possible, was also acknowledged.
4. Iva Obretenova (Secretary of the Bern Convention) expressed the thanks of her organization to the hosts. She pointed out that while this was the second meeting held jointly with the CMS MIKT, it was the fifth gathering of the Bern Convention's network of Special Focal Points (SFPs) relating to the Tunis Action Plan (TAP). The Bern Convention was working on guidance and other tools to assist implementation and was collaborating with a wide range of partners. She agreed that cooperation with CMS had been useful on projects such as the development of the Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (the Scoreboard), and further possibilities for working closely together would be explored. The assistance provided by the AEWA Secretariat was also gratefully acknowledged. She concluded her comments by noting that 2019 saw the 40th anniversaries of CMS, the Bern Convention and the EC Birds Directive.
5. Maria Carmela Giarratano (Director General of the Italian Ministry of the Environment, Land and Sea Protection) confirmed the commitment of the Ministry to the MIKT and TAP processes and welcomed participants to the historical setting of the Castelporziano Presidential Reserve. She thanked the Bern and Bonn Convention Secretariats for their support in organizing the meeting and noted the severe loss suffered by the conservation community with Bradnee Chambers' passing.
6. It was important to acquire a better understanding of migration and the flyways used by birds and to this end the Italian Government was supporting the production of the Eurasian African Bird Migration Atlas.
7. Giulia Bonella (Director of the Castelporziano Presidential Reserve) welcomed participants to the Reserve, noting some familiar faces from the time of Italy's last presidency of the EU in 2014. She acknowledged the support provided by the European Commission for MIKT over the past years and the contribution that work combating illegal killing, taking and trade in birds (IKB) was making to achieving the Aichi Targets (Target 12 in particular regarding extinctions and conservation status). Italy was taking measures to improve bird conservation. Its national plan to address illegal killing, taking and trade of birds had been adopted in 2017, but more effort was urgently needed as confirmed by the statement issued

by the Environment G7 in Metz, France, in the wake of the recent IPBES meeting in Paris. It was clear that most of the Aichi Targets would not be met by 2020 and the services provided by biodiversity to sustain a healthy planet and deliver benefits essential for all people were not being secured. Renewing the commitment and a greater cooperation among governments and NGOs were needed, to move ahead with scientific analysis and with agreed long-term monitoring programmes and action plans. She recalled that the post-2020 biodiversity framework must reaffirm the 2050 Vision, in a clear and consistent manner with the overarching Agenda 2030 and its SDGs. She referred to the EU road map towards eliminating illegal killing, trapping and trade of birds, and the European biodiversity strategy target 1 on the Birds and Habitats Directives and highlighted the importance of this Joint Meeting.

8. She explained that Castelporziano was one of three official residences of the President of Italy. The grounds were a natural reserve and provided habitat for a wide range of flora and fauna. Castelporziano was a Natura2000 site of special interest for birds and hosted a bird ringing station. The estate was thought to have been the landing place of Aeneas after he fled Troy as described by Virgil and the first scientific account of the area was written by Pliny the Younger. The trophies on the wall showed that hunting had been a means of conducting diplomacy and political relationships among kings in former times and embodied the changing relationship between man and wild fauna. The estate was managed by means of a plan overseen by a scientific committee set up in 1999 with representatives of the environment and agriculture ministries including experts in environment, history and art. At weekends, the estate was open to the public and hosted special programmes for differently abled people and senior citizens.
9. Alessandro Bratti (Director of ISPRA) stressed that the purpose of the meeting was to plan actions to combat the illegal killing of wild birds. Italy, which had not always enjoyed a positive image with regard to bird conservation, now had a national action plan which addressed wildlife crime of birds and was working to develop it further in conjunction with MIKT and the TAP. Hunting was rooted in local culture and had provided an important source of protein, but traditions changed as was shown by the fact that the meeting was being held in a trophy room.

2. Election of officers

10. Mr Barbieri (CMS Secretariat) said that in keeping with normal practice, the Secretariats had consulted the Host Government about identifying a person to chair the meeting and the next intersessional period. Marco Valentini of the Directorate General for Nature and Sea Protection had volunteered, and the meeting elected him by acclamation.
11. Mr Barbieri further explained that suitable candidates for the post of Vice-Chair to ensure geographical balance had been canvassed and it was proposed that Luay Zonkle (Egypt) should be nominated. The meeting agreed to this proposal and Mr Zonkle was duly elected.

3. Adoption of the agenda and schedule

12. The Chair thanked the organizers of the meeting, praising the close collaboration among the CMS and Bern Convention Secretariats and the Italian authorities. The meeting was important in respect of the implementation of MIKT and the TAP. While other environmental issues such as waste management were in the headlines, the IKB was largely ignored.
13. Wild birds were found everywhere but their numbers were being reduced as a result of many manmade threats. It was important to protect birds as part of biodiversity. The following two and half days would be dedicated to important discussions and participants faced a choice between two options for a new strategy for the next 10 years.
14. The Chair introduced the provisional agenda (document UNEP/CMS/MIKT3/Doc.3.2 – T-PVS/Agenda(2019)5).

15. Willemina Remmelts (Netherlands) asked how the future Strategic Plan for the period post 2020 and the revision of the Scoreboard would be aligned. The Chair said that the initial discussion would concentrate on reviewing the current status of the Scoreboard, and modifications would be considered in the light of the Strategic Plan. Mr Barbieri (CMS Secretariat) confirmed that the issue of the Scoreboard would be revisited throughout the meeting. It was not foreseen that the Strategic Plan would be finalized at the operational level at the present meeting.
16. Ms Obretenova (Bern Convention) said that the Scoreboard would be reviewed but advised against too many major changes, as this would undermine its value as a benchmark against which to measure future progress, since the first assessment of the Scoreboard had taken place in 2018.
17. Simon Nemtzov (Israel) questioned the references in the documentation to the forthcoming 40th meeting of the Bern Convention Standing Committee. The meeting scheduled for December 2019 was the 39th Meeting. The Bern Convention Secretariat undertook to make the appropriate corrections.

4. Reports on implementation

4.1. CMS Secretariat

18. Laura Aguado (CMS MIKT Coordinator) gave a presentation outlining progress achieved since the previous meeting in Malta.
19. She described the current composition of the MIKT and its main areas of work. The CMS Secretariat had organized a Workshop for Government Prosecutors on the Illegal Killing, Taking and Trade (IKB) of Migratory Birds in the Mediterranean Region in cooperation with the European Network of Prosecutors for the Environment (ENPE). The coordinator had contributed to a number of other workshops and meetings including the Technical Meeting of Experts on IUCN World Conservation Congress on "Crimes against the Environment" and the meeting of the "EU Roadmap towards eliminating illegal killing, trapping, and trade of birds", organized by the European Commission.
20. The Scoreboard had been launched in June 2018 and its results would be considered in more detail during the current meeting. Interest had been expressed in adapting the Scoreboard for use in other regions and flyways, e.g. the East Asian-Australasian Flyway. Side events promoting the work of MIKT had been held at the CBD and Ramsar COPs and AEWA MOP and other outreach work was being done using social media and the website. It was also planned to produce a documentary about the enforcement against the IKB.
21. The slides comprising Ms Aguado's presentation can be found on the [meeting's dedicated webpage](#).

4.2. Bern Convention Secretariat

22. Ms Obretenova (Bern Convention) said that she was seeking broad collaboration on the issue of the IKB. The TAP had three priority areas, and the Scoreboard was a means of taking stock of achievements and lessons. The case files under the Bern Convention provided a monitoring mechanism.
23. A social media campaign, "the Last Tweet", had followed birds on migration and told the story of the sad fate of some of the birds. This campaign had received coverage from some major media outlets and had been deemed a success.
24. The Bern Convention as part of the Council of Europe with its focus on human rights was using an e-learning tool called HELP to train judges and lawyers. This tool was also available

to people outside the legal profession. She informed the meeting of initial talks with the Secretariat of the HELP Programme aimed at developing a self-training programme on Bern Convention and its standards and policies in relation to illegal killing of birds, such as Bern Convention Recommendations 171 (2014), 177 (2015) and 164 (2017).

4.3. Reports from Members of MIKT and Bern Convention SFPs

25. Progress reports had been received from 19 countries. Ms Obretenova (Bern Convention) confirmed that Spain had sent a report, but it had not been included in the composite; this would be rectified.
26. Joseph van der Stegen (European Commission) asked whether there was any connection between the Council of Europe's courses for judges and the ENPE Workshop which had been held in Segovia, Spain. Ms Obretenova explained that the Council of Europe course was a self-learning online training package and work was being done to develop further modules in consultation with partners. It was hoped to produce courses in languages other than English. She confirmed that she was in contact with the CMS Secretariat on this topic and synergies would be sought.
27. Angus Innes (ENPE) said that the intention was to convert the outcomes of the Segovia workshop into a training module as well as it being sent to prosecutors. The material was in the process of being refined and it would be shared with partners in due course. It was hoped that partners would be able to translate it into their own languages for further dissemination.
28. Mr Nemptzov (Israel) said that as well as INTERPOL which had been mentioned, the International Consortium on Combating Wildlife Crime (ICWC) which included INTERPOL and several UN agencies would also be a useful partner. Ms Aguado thanked Mr Nemptzov for the suggestion and gave the assurance that MIKT was working on collaboration with other partners in addition to INTERPOL.
29. Technical problems had prevented Israel from submitting its report on time, but it would be sent shortly after the meeting. The IKB was not considered to be a major problem in Israel and was certainly much less significant than legal activities such as the construction of wind farms and agriculture, including licensed killing of bird species considered pests.
30. Rubén Moreno-Opo (Spain) reported that since the meeting in Malta there had been fewer IKB cases and the situation appeared to be improving. In 2018, new regulations had restricted the trapping of finches in the country and the LIFE Nature Guardians project under the SEO/BirdLife (the Spanish BirdLife partner) with the involvement of the Ministry for the Ecological Transition, and enforcement bodies included elements to combat the illegal killing of birds and other criminal activity. There was considerable trade in exotic species from the Americas, as proven by seizures at airports.
31. The MIKT Coordinator provided information on behalf of Algeria, as the focal point could not attend the meeting. A video was shown concerning the release of captured goldfinches in Algeria. Various agencies (customs, police and rangers) were involved in the operation.

4.3.1. Presentation from Italy

32. Alessandro Andreotti (ISPRA) said that with regard to the IKB Italy was still considered to be one of the worst culprits with an estimated 5 million birds killed each year. In 2014, the Ministry had decided to join IKB initiatives in the Mediterranean region and to promote a National Action Plan (NAP). A draft plan had been produced in 2015 by ISPRA, leading to consultations and a technical workshop in June 2016, before it was approved and adopted in March 2017 by the institution responsible for coordinating national and regional policies. The first workshop on IKB had been held in June 2016 in the Regional Park of Veneto Po Delta, to develop the NAP.

33. Mr Andreotti described the structure of the NAP, its five main targets and its Steering Committee composed by the Ministry of the Environment leading on institutional aspects and the Carabinieri Forestali on technical aspects.
34. Police forces had been strengthened through the creation of special units and the recruitment of more officers, and interregional cooperation among police corps had improved, especially in hotspots of illegal killing such as Apulia, southern Sardinia and western Sicily. Concerted long-term antipoaching campaigns had been conducted in seven hotspots across the country. Three campaigns in 2018 were presented, focusing on the trapping of thrushes and finches in Northern Italy, shooting of Northern Bald Ibis in Tuscany and catching and trade of birds in Calabria. The problem of poison baits was being addressed in Sardinia with units of trained dogs and similar activities in the regions of Trento and Latium were planned. In Sicily, where the incidence of egg taking from raptor nests had been reduced, the affected population had seen numbers recover. Another activity carried out was in response to a juvenile Egyptian Vulture tagged as part of a LIFE project, born in captivity and released that had been illegally killed.
35. Two centralized databases were collecting more information on the IKB in the country. One was compiling information on illegally trapped, shot and poisoned birds and was created by the Carabinieri, and another was gathering information on suspected and confirmed poisoning, initiated by the Ministry of Health and the Istituto Zooprofilattico Sperimentale del Lazio e della Toscana.
36. For the future, increased efforts in some weaker regions would be made, legislation would be improved with more effective sanctions, and the awareness and training of prosecutors and judges would be enhanced.
37. The slides comprising Mr Andreotti's presentation can be found on the [meeting's dedicated webpage](#).

4.4. Reports from MIKT Observers

38. Roderick Enzerink from the European Federation for Hunting and Conservation (FACE) explained the nature of his organization, which represented hunters across Europe and its role supporting zero tolerance towards illegal killing, promoting best practices and informing its members of policy and political developments under the Bern and CMS initiatives. FACE cooperated with BirdLife International on several issues.
39. He considered the Scoreboard to be a key achievement and urged all governments to provide the data requested. He stated that the CMS MIKT and Bern Convention SFPs processes had a good focus on stakeholder involvement, including hunters. The IKB was a problem and awareness of it had to be increased to trigger action. Communication was an important aspect. Paying special attention to the terminology was crucial and messages should be translated into as many languages as possible.
40. He stressed the importance of improving enforcement to complement legislation and regulation and to encourage various networks to communicate with each other, making a better use of non-binding Charters and Codes of Conduct.
41. The slides comprising Mr Enzerink's presentation can be found on the [meeting's dedicated webpage](#).

4.4.1 Report from BirdLife Greece

42. Manolia Vougioukalou (Hellenic Ornithological Society – BirdLife Greece) intervened to provide information on the current situation in Greece, as the country representative from Greece was not present. The IKB was certainly a problem in Greece but the government had not taken any substantial steps to limit it. No progress had been made on the Scoreboard

and the implementation of the TAP and financial crisis had adversely affected the Ministry of the Environment's staff capacity. The European Commission had started an infringement process in 2013 against Greece on poisoning and sent a reasoned opinion in 2016. Following the infringement procedure, Local Action Plans against the Illegal Use of Poison Baits had been endorsed by ministerial decision. Their implementation is pending. National Action Plans for the Egyptian Vulture and Lesser White-fronted Goose had been adopted but implementation had not started. A national dialogue was conducted on hunting however its outcomes were not used. NGOs wanted to prioritize the IKB, with action on spring hunting and the imposition of harsher penalties.

4.4.2 Report from ENPE

43. Angus Innes had attended the MIKT meetings in Cairo and Malta and had relayed the information to the relevant ENPE Working Group. The Working Group had met in May 2018 in Segovia, Spain. Seven European, three North African and two Middle-Eastern representatives had attended, with participation capped at two people per country. The workshop had been conducted in English, but the aim was for the material that emerged to be translated. The workshop programme had two parts, Part I dealing with the background, how to compile evidence and to establish that wildlife crime deserved attention from courts, which also had to deal with other serious crimes. Part II considered some case studies, with proper regard for disclosure rules.
44. Jan van den Berghe (EUFJE) explained that the EUFJE was a non-profit organization of judges, which held conferences on biodiversity, habitats and birds. It was clear that more awareness raising was needed and the recent IPBES report had demonstrated that climate change was not the only major global threat. He said that his colleagues in a bird-ringing group were unaware of the scale of the IKB in the Mediterranean.
45. Fernando Spina (CMS Scientific Council) said that hunting tourism was also a real threat that was difficult to measure and control.

4.4.3 Report from BirdLife International

46. Vicky Jones (BirdLife International) reiterated BirdLife International's support for the zero-tolerance approach and presented updates on activities since the second meeting of the MIKT in Malta and reiterated BirdLife International's support for the zero-tolerance approach. She reported that there had been a session on the IKB at the 2018 Flyway Summit in Abu Dhabi, BirdLife International had successfully raised funds for a raft of new projects to tackle IKB in priority countries, launched its "Flight for Survival" campaign and were reviewing the scope and scale of IKB in the Arabian Peninsula and South-East Asia where lessons learned in the Mediterranean were being applied.
47. She reported that many BirdLife partners were working in collaboration with national authorities to successfully tackle IKB (particularly at known worst locations) and BirdLife also worked in collaboration with many other NGOs on this issue.
48. National BirdLife partners reported positive signs in a few countries that tackling this issue was receiving high level political support and positive effects where this was combined with increased specialist enforcement capacity with well trained/ motivated personnel (recent examples being Italy and the UK Sovereign Base Areas in Cyprus).
49. In many countries BirdLife partners reported that resources were inadequate and combatting the IKB was too low a priority with weak enforcement effort, low penalties and low probability of prosecution. This created a continuing environment of impunity and unhelpful changes in some countries' national legislation or misuse of derogations continued to open up loopholes for the IKB.

50. Police raids often only disrupted criminal activities for a few days, and staff turnover in law enforcement agencies was high. Too much of the burden for monitoring and enforcement fell to NGOs, and where illegal-killing had deep cultural/traditional-roots, there was a reluctance on the part of the authorities to intervene to stop illegal practices.
51. More training was required to help the officials conducting investigations to gather evidence, achieve effective prosecution and apply deterrent penalties. International collaboration should be improved particularly on the issue of cross-border IKB sometimes associated with hunting tourism. Appropriate responses should be developed to counter poachers, who were adaptable and knew how to avoid areas where the authorities were vigilant. New technologies, such as satellite tags and drones, could be helpful in this regard.
52. The introduction of the Scoreboard was a welcome innovation, but there were still gaps and more governments had to be encouraged to respond. Some of the conclusions were over-optimistic, limiting the value of the results as a baseline e.g. the number of cases prosecuted did not reflect the full scale of IKB in a country and a low number of cases being brought to trial was not necessarily an indication of low levels of crime. While the Scoreboard was a good self-assessment tool, it appeared that not all key stakeholders in all countries had been fully involved. There were questions over the optimum timing of the release of requests to fill out the Scoreboard to all Task Force members and observers. It was also requested that the transparent and collaborative operation of the Task Force be reflected in sharing of national Scoreboard results with all members and observers.
53. Multi-stakeholder committees to guide the development and implementation of national IKB action plans were seen as very important and concern was expressed that few countries have these in place yet.
54. It was, however, recognized that governments faced many real and shared impediments to progress in tackling the IKB and that MIKT was providing an essential forum to exchange training, ideas and support of different kinds. More countries should be brought on board with the help of existing members and observers, and training/ exchange needs and capabilities should be identified and appropriate training implemented.
55. Mr Nemtsov (Israel) noted that corruption and intelligence gathering had not been prominent in the report. Ms Jones said that corruption was indeed a problem, and NGOs were well aware that there are cases where members of law enforcement turn a blind eye to or were involved in IKB themselves and that criminal gangs were sometimes involved in IKB. She saw it as a government role to tackle such corruption with NGOs limited in what action they could take.
56. The slides comprising Ms Jones' presentation can be found on the [meeting's dedicated webpage](#).

4.4.4 Report from CABS

57. Andrea Rutigliano (Committee against Bird Slaughter, CABS) presented some observations arising from the work carried out by CABS in five countries (Lebanon, Malta, Italy, Cyprus and Germany). While improvements were being made, progress was too slow and was too dependent on the efforts of NGOs rather than the authorities.
58. In Lebanon, there were 24,000 registered hunters but probably 500,000 unregistered ones who were indiscriminate in what they shot. The entire global population of Lesser Spotted Eagles used a 20km-wide corridor during their migration, making the species particularly vulnerable. The new law 580/2017 was imperfect having several loopholes, and enforcement was usually triggered by NGOs reporting and international pressure.

59. Malta had taken steps to reduce illegal shooting of protected species, but nothing had been done about bird trapping. Three quarters of court cases on Malta and all cases on Gozo were led by CABS or BirdLife Malta. Mr Rutigliano referred to a recent controversy centred on the official Wild Birds Regulation Unit claiming credit for work done by CABS.
60. Progress had been made on trapping in Italy, including the NAP, with NGOs providing voluntary wardens and the establishment of a central antipoaching unit. Some of the actions were an important strengthening of the SOARDA (anti-poaching unit of Italy's Carabinieri military police), employment of new game wardens and increase of local enforcement although more were needed in both cases and workshops for judges and prosecutors. Improvement was slow but steady, but problems still existed, fines had not been increased and were no longer a deterrent, resulting in an increase in repeat offenders.
61. The UK Sovereign Bases on Cyprus had seen steep declines in illegal killing. Improvements were also recorded in the Republic of Cyprus partly because of cooperation with CABS. However, hunters had protested at increased fines and the government had stopped collaborating with CABS and other conservation NGOs, resulting in a drop in prosecutions per year from 40-50 to three to four. Engagement was also decreased from Game Wardens and a new working schedule hampered prosecution.
62. In Germany, CABS had worked on the EDGAR initiative (Erfassungs- und Dokumentationsstelle Greifvogelverfolgung und Artenschutzkriminalität - Documentation clearing house for raptor persecution and wildlife crime) financed by the German Federal Ministry for the Environment, Nature Conservation, and Nuclear Safety and the Federal Agency for Nature Conservation, BfN. The study had resulted in 1,188 cases, 84 convictions, with 38 verbal warnings and 46 fines in 10 years.
63. Mr Rutigliano highlighted problems and proposals, including increasing the knowledge of police officers, prosecutors and judges on biology of birds and biodiversity. He concluded by listing positive and negative aspects. On the positive side, he mentioned the proactivity of NGOs, the central anti-poaching units and the cooperation between different stakeholders. On the negative side, no relevant developments had been registered in the last two years: there was a general lack of interest in the tribunals and political will to back up efforts and there was lobbying from hunting federations that hindered improvements.
64. The slides comprising Mr Rutigliano's presentation can be found on the [meeting's dedicated webpage](#).

5. First Assessment of the Scoreboard

65. Umberto Gallo-Orsi (Bern Convention Consultant) presented the first summary of the results from the Scoreboard, having first described the development of the tool since its inception, the first draft presented at the meeting in Malta and its adoption by the CMS COP12 and the 37th meeting of the Standing Committee of the Bern Convention. The results of the first assessment in 2018 would serve as the baseline for later comparison.
66. The response rate and the responses themselves to the first round were encouraging but it was noted that no country from North Africa had supplied information. Some countries had provided full responses and others only partial ones. Stakeholders had been invited to respond as well and in some cases the respondents were NGOs.
67. The Scoreboard covered five areas: national monitoring of IKB, comprehensiveness of legislation, enforcement response, prosecutions and sentencing (judicial procedures) and prevention, with indicators for each category.

68. No changes had been made to the scores provided by the respondents, and each response had been looked at individually, with the total score calculated at the end, discounting any responses of “not relevant” indicators. The final scores for each indicator group were then placed following the colour-coding indicated by the methodology of the Scoreboard.
69. Generally, scores were higher for legislation (mainly because of the comprehensive EU laws covering the subject) but lower for prosecution. Moderate scores were achieved for monitoring, enforcement and prevention.
70. In Hungary, a database was operated by MME, the BirdLife partner, in cooperation with the National Parks authority. France and Turkey also had databases, but a forthcoming revision of the French system would lead to the loss of some old data where specific species had not been recorded. In Italy, the databases to record the IKB were under development. Spain was one of several countries, where there were specific methodologies to develop an IKB indicator approach.
71. In general, national wildlife legislation appeared to be reported as adequate as no country scored below 2. The vast majority of the countries applied the criminal law in cases of IKB, while five countries indicated that criminal law was hardly, if ever applied in such events. Regarding the penalties imposed only one country reported that they were not adequate and commensurate with the crime.
72. As part of the Scoreboard area on national legislation, the severity of IKB crimes was considered. In Hungary penalties were established taking into account the nature conservation value of the species, the number of individuals, and the mitigating and aggravating circumstances. It was reported that judges had a wide margin of discretion.
73. Five countries reported already having a national or regional action plan or strategies to address the IKB, while in six countries national plans were being developed three countries had other strategies that covered IKB issues. Of those with broader conservation strategies, in several the IKB was not considered to be a major problem. The UK had a multilevel strategy involving a wide range of stakeholders.
74. Staffing levels in enforcement agencies were too low virtually everywhere as only 4 countries reported adequate level of staff and training.
75. Only three countries reported that awareness levels on the part of the judiciary were good, most indicated that awareness should be improved. Six countries had sentencing guidelines in place and in further six they are in the pipeline. Only two countries provided specific training on wildlife crime to more than 50 per cent of judges or prosecutors.
76. With regard to the prevention of the IKB, it was important to understand the drivers. Consideration should be given to appropriate communication tools. Most countries declared that they had a good understanding of the drivers and half of the respondents had implemented some awareness raising activities. In the case of Malta, the country had provided information on the drivers, where hunters had been placed in three categories: opportunistic, frustrated and rebels, and each had different motivations and needed a different message.
77. Mr Gallo-Orsi concluded referring to the outcomes from the ENPE-CMS Workshop for Government Prosecutors on the Illegal Killing, Taking and Trade of Migratory Birds, which had taken place in 2018, where countries concluded that specialist prosecutors and police forces were crucial for effective prosecution and sentencing. Other important aspects were the national commitment, modern and effective legislation and international cooperation.

78. Mr van der Stegen (European Commission) saw that some countries had reached a score of nearly 100 per cent and asked whether this meant that there was no IKB or whether it had been eliminated.
79. Mr Gallo-Orsi responded that there was no definitive answer for all countries. In some countries, score was low as level of poaching was particularly low thus not requiring action plans or specific attention, while, among the countries where IKB is considered to be high, the average score is close to 75%, indicating many countries are taking actions to address the problem. The data also came from self-assessments and any change would be visible only in the next time the scoreboard would be used.
80. The Chair asked what problems and difficulties countries had encountered when filling in the Scoreboard. These problems could be addressed when the Scoreboard was revised.
81. Ms Remmelts (Netherlands) had not noticed any reference to the burden of proof. The Netherlands had well-documented numbers of birds falling victim to the IKB (1,000 raptors, which was low in comparison to other countries). Camera traps had been set up, but it was not clear how much evidence would be needed to take the case to court and secure a conviction.
82. Mr Gallo-Orsi said that it was difficult to take a case to court if the only evidence was a poisoned carcass. Only cases supported by evidence using advanced investigative tools such as camera traps or good investigative work could result in a prosecution, but the lack of a prosecution did not mean the IKB did not take place.
83. Mr Imad Cherkaoui (AEWA Technical Committee) said that the Scoreboard should be translated into French for Morocco, Algeria and Tunisia. Ms Aguado (MIKT Coordinator) said that the Scoreboard had been translated for the COP12 document. However, the online scoreboard to be completed only existed in English. Due to the short time between the adoption of the Scoreboard in December 2017 and the first assessment in 2018, priority had been given to allow the maximum time for countries to compile information, therefore the online Scoreboard had only been made available in English. She, in cooperation with the Bern Convention Secretariat, undertook to try to have the French version posted online for the next round in 2020.
84. Andras Schmidt (Hungary) undertook to resend the response to some of the questions on compiling data as this had been prepared but apparently not received. He also said that there were instances where the wording of the Scoreboard was not clear.
85. Mr Innes (ENPE) said that the issue of not identifying specific species of birds in the returns should be addressed. Some countries had provided full details and others should be encouraged to do so too. Parties had insisted on a voluntary system and this was understandable given that the legal systems across the region differed, making a uniform system difficult. He agreed that judges and lawyers needed more training, but in some countries the police led the investigation and in others the judiciary. ENPE had looked at environmental law across Europe and found wide inconsistencies.
86. Ms Nicola Crockford (BirdLife International) asked whether the data submitted by each country would be published. National reports were made public and the assessment would be easier to understand if the core data upon which it was based was available. The wording of the Scoreboard document suggested that data would be released, and it was understood that the Scoreboard was not meant as a league table or a competition between Parties. Ms Crockford asked when the decision not to release the data had been made.
87. Ms Obretenova (Bern Convention) said that her understanding was that it had been agreed at the 37th meeting of the Standing Committee of the Bern Convention that the data from

individual countries would not be released and only the overall assessment would be published. She cited the relevant text from the adopted document at the Standing Committee (Recommendation No. 196 (2017) T-PVS (2017) 10).

88. Mr van den Berghe (EUFJE) said that signatories to the Aarhus Convention would be obliged to release information unless national security was at stake.
89. Ms Remmelts (Netherlands) said that there were some mistakes in the conclusions in the assessment regarding the Netherlands and asked whether these could be corrected. Ms Obretenova said that Parties were encouraged to give feedback and point out errors.
90. The Chair sought the sentiment of the meeting regarding the release of the raw data.
91. Øystein Størkersen (CMS Standing Committee) said that it was a fundamental principle that Secretariats should follow the mandate given by their Parties. Similar issues had arisen in other forums and the solution was for the Secretariat to seek specific authority to release data.
92. Mr Fuller (UK) said that there had been difficulties in entering data and it was not clear that all the information that Parties had tried to provide had been properly submitted. This could mean that there were differences between the raw data used for the scoreboard and the information Parties had intended to provide. Parties should see the raw data before a decision was made to share it.
93. Ms Remmelts (Netherlands) suggested that countries be consulted over the release of their data even though some of them were already publicly available. The Scoreboard was a voluntary process and she thought that, as the system was in its formative stages, it was too early to release the raw data.
94. Mr Andreotti (Italy) said that there were probably different sensitivities in each country, and the decision to release data should be agreed case by case.
95. Mr Innes (ENPE) recalled from the meeting in Malta either in plenary or in the working groups that there was a degree of sensitivity surrounding the release of data provided. Parties should not be deterred from participating and therefore no information should be released without their consent. The Scoreboard was meant as an incentive and not a “name and shame” mechanism.
96. Willem van den Bossche (BirdLife International) was interested to learn that there were five National Action Plans, as he was only aware of two. With some research, he would be able to find out about the other three, but it would be simpler if the information was released. The European Commission would base infringement action on other evidence, and it was unlikely that information in the Scoreboard would prompt such action.
97. Mr Spina (CMS Scientific Council) recognized that there were sensitivities but thought that openness was generally desirable. The Scoreboard was not meant to create rankings and negative comparisons, but Italy’s data showed that it was succeeding in improving its record on the IKB through multi-stakeholder cooperation.
98. The Chair said that the decision of the Bern Standing Committee had to be respected. Different options could be considered in the future and could be discussed under the next agenda item on Proposals for future assessments of the Scoreboard. For the next round a tick box could be included in the Scoreboard for Parties to give consent to disclosing their data.

99. Ms Obretenova said that some areas of uncertainty in the report structure were undermining efforts for progress. Some countries had not submitted returns, and the response rate might improve, if a French version were provided. Some returns had been delayed and others had gone astray. The Secretariats could be mandated to approach countries that had not provided data and ascertain what assistance was required.
100. The slides comprising Mr Gallo-Orsi's presentation can be found on the [meeting's dedicated webpage](#).

5.1 . Presentation from LIPU

101. Claudio Celada (LIPU) gave a presentation highlighting the role of NGOs in combating the IKB in Italy. For the completion of the Scoreboard, Italy has conducted a participative process, including national stakeholders. Mr Celada was presenting on behalf of the coalition of NGOs involved in the completion of the Scoreboard.
102. The TAP had been instrumental in shaping the Italian NAP, which had resulted in a range of actions. The NAP was managed by a steering group with two wings, one technical and one for policy. There was also an NGO forum, and key partners such as LIPU and WWF took the lead in different regions.
103. Many, if not all, of the suggestions made by NGOs had been taken up by the steering group, and Mr Celada encouraged other countries to follow this example.
104. It was unlikely that any system was perfect, so a process was needed to identify possible improvements. The Scoreboard was a tool to set priorities and recognize levels of urgency. It was a voluntary self-assessment tool.
105. Mr Celada described a case study in Sardinia, where the terrain was intact maquis, where four types of trap were set including mist nets and snares targeting thrush migration. The NGOs liaised closely with the law enforcement agencies, and, with their approval, activities on the ground to counter the IKB were publicized.
106. Poaching was an established tradition in some regions, and it was difficult to influence a mindset that considered tradition to be a positive thing, even though there were bad traditions.
107. Outreach work was conducted in conjunction with law enforcement agencies aiming at schools and communities. The message was geared to promoting biodiversity rather than criticizing hunters.
108. Work was also being done to remove traps. A downward trend had been observed in part because of NGOs on the ground doing the surveys but also because the conservation message was being understood and fewer traps were being set. Poaching did still remain a problem.
109. Mr van der Stegen (European Commission) asked whether the NGOs were cooperating with hunters. Mr Celada said that historically relations had been strained but the NGOs were trying to find common ground. Mr Spina (CMS Scientific Council) said that hunters were represented in the official forums and the participative process as well as the conservationists.
110. Mr van den Berghe (EUFJE) said that in Belgium NGOs had the legal status of parties civiles and could be called upon as experts to advise the judiciary. The resulting dialogue served to clarify many issues.

111. João Loureiro (Portugal) said that in Portugal there was a wide-ranging National Action Plan for nature protection, not one specifically targeting the IKB. Over the past two years, prosecutors had become more involved. The enforcement group covered many agencies and NGOs were asked to take part as experts. In Portugal the main problem was illegal trapping.
112. Zdeněk Vermouzek (BirdLife and Czech Republic) shared the experience of the Central European model over the past two and a half years of the anti-poisoning and IKB strategy. State authorities, National Parks and NGOs representing both environmentalists and hunters were working together.
113. Ms Crockford (BirdLife International) said that the Italian experience had been an inspiration transforming the country's image. More birds were reaching Northern Europe as a result of the progress made in Italy and the UK Sovereign Bases in Cyprus.
114. Charalampous Hadjistyllis (Cyprus) said that little tangible improvement had been observed over the past 20 years. New laws were in place and the practice now was no longer to take people to court but to impose fines on the spot which increased if they were not paid promptly. As well as maximum fines, there were now also minimum ones. There had been no change in the number of cases and judges needed to become more aware of the seriousness of the crime. There were many small-scale cases, but attention was turning to large-scale crime. The new laws had come into force in 2017 and were still bedding in, but it appeared that Cyprus was now on the right track.
115. The slides comprising Mr Celada's presentation can be found on the [meeting's dedicated webpage](#).

5.2 Proposal for future assessments of the Scoreboard

116. Mr Gallo-Orsi (Bern Convention Consultant) gave a presentation outlining some possible improvements to the Scoreboard. The system had only been used once, and changes could be made in the light of experience. However, he advised against large-scale changes as this would undermine the value of the first round in 2018 as a way of establishing baselines. He also conceded that for the first round there had been limited time since the Scoreboard had been adopted in December 2017 and the first assessment done in 2018. This resulted in an online form available only in one language and with a format rather different from that of the original document. This simplified format seemed to have caused some misunderstanding which would be avoided in a new on-line version.
117. Using the CMS Online Reporting System, maintained by the UN Environment World Conservation Monitoring Centre (WCMC), also used by the Bern Convention, would ensure more flexibility to tailor the online Scoreboard and would mean that the Scoreboard and CMS/Bern Convention National Reports would be based on the same system and users would become familiar with how it worked.
118. Online guidance could be developed to assist users and a space could be created on the Scoreboard for respondents to explain briefly the process used for completing the responses and the stakeholders consulted or involved.
119. A "save and retrieve" function could be added enabling the respondent to work on the response in several sessions. The system could also be enhanced to enable it to produce pdf versions, which could be printed out or shared as needed.
120. The functionality for the focal point to transfer part of the questions to other relevant experts would be available.

121. The structure and lay-out of the questions could be amended so that the hierarchy of the sections became more logical.
122. Mr van den Berghe (EUFJE) noted a problem with the Belgian report stemming from the complex constitutional arrangements in the country. The report submitted only related to the region of Wallonia. Other countries with federal systems might have similar problems and the Secretariats should decide which authorities were the best to approach.
123. Pierre Felten (Belgium) said that the Belgian report submitted was sent incomplete and a revised version would be submitted to include the other regions.
124. Mr Innes (ENPE) said that, as one idea behind the Scoreboard was to facilitate mutual support, Parties should be offered the option of commenting on innovations and the extent to which they proved successful.
125. David de la Bodega (SEO/BirdLife-CMS Preventing Poisoning Working Group) suggested that all consultees should be listed such as the Ministries of the Interior or Justice.
126. Mr Andreotti (Italy) said that a better database might improve record keeping and might make the situation appear worse as more cases were entered.
127. Mr Spina (CMS Scientific Council) said that several members of the Italian steering committee had taken on various tasks in completing the Scoreboard. The source of the information supplied for the Scoreboard might be an issue in deciding whether the data could be disclosed.
128. Mr Enzerink (FACE) commented that the discussion seemed to be on improving national processes rather than the Scoreboard per se. He supported the idea of providing a space for listing the sources of the information.
129. Mr Barbieri (CMS Secretariat) said that if the CMS Online Reporting System were used, then multiple respondents per country were possible. There had to be a single Focal Point to sign off and submit the report, but questions could be delegated.

6. IKB Beyond 2020 in Europe and the Mediterranean Region

130. Ms Obretenova (Bern Convention) gave a presentation on the proposed strategy. She explained the background and the process that led to the version of the strategy presented. A concept note for the period beyond 2020 had been prepared and a questionnaire had been sent to Parties and partners in 2018. The concept note and the questionnaire had also been shared with the MIKT Members and Observers by the MIKT Coordinator.
131. The replies received had been taken into account. Four Parties, one MIKT member and three observers including AEWA had replied.
132. The Strategy covered a 10-year time frame, and a mid-term review at five years was foreseen. The Strategy was ambitious and contained a restatement of commitment to the principle of zero-tolerance. Its six objectives covered understanding motivations, national legislation, enforcement, justice, preventing IKB and a last objective on relevance, efficiency, effectiveness, impact and sustainability of the strategy.
133. Ms Aguado (MIKT Coordinator) gave a presentation on document UNEP/CMS/MIKT3/Doc 6.3, a scoping paper entitled "Options for Collaboration on the post-2020 Strategic Framework for Eradication of Illegal Killing of Wild Birds under the Bern Convention SFPs Network and CMS MIKT" outlining the two options for the future shape of the Strategy and the corresponding timelines. The first option, Option A, envisaged a common strategy to be adopted by both Conventions, Option B was a continuation of the current scenario, where

each Convention had a guiding document to be implemented. The meeting was asked to agree which option it preferred in principle. If Option A was selected, the meeting would work on the version presented as a common document for both processes and the final version would be integrated into the CMS and Bern Convention decision-making processes, culminating in the 39th Bern Standing Committee (December 2019) and the CMS COP 13 (February 2020).

134. Mr Nemtsov (Israel) asked, as Option A contained a strategy to be adopted by two separate bodies, whether the CMS COP could make changes to a document adopted at the Bern Convention Standing Committee.
135. Ms Aguado explained that the CMS COP did not need to adopt the Strategy, as it was the case with the current MIKT POW, the Strategy would just be referred to in the Resolution.
136. Ms Obretenova said that the deadline for the submission of documents to the Bern Convention Standing Committee in December was November; therefore, the Strategy would need to be finalized by then.
137. Olivier Biber (CMS Landbirds Working Group) said that both options stated that the process belonged to both the Bern Convention and CMS. If the Strategy was adopted by the Bern Convention, some CMS Parties might object to a “rubber stamp” exercise.
138. Ms Crockford (BirdLife International) cited the examples of Species Action Plans, which were joint initiatives of the European Union, CMS or AEWA and the documents were adopted by the different decision-making bodies at different times. Those arrangements worked and Option A, which was straightforward, could be just as effective.
139. Nina Mikander (AEWA) said that there were precedents for adopting texts in different forums and MIKT had a clear mandate from the CMS COP to adopt a regional strategy. AEWA was also working on streamlining international processes. In her opinion, Option A was more straightforward.
140. François Lamarque (France) said that Option A was most consistent with the approach adopted since the first joint meeting. The financial implications should also be borne in mind given that the CMS and Bern Convention Secretariats would have to raise the requisite funds for whichever option was chosen.
141. Ms Obretenova informed the meeting that the joint efforts undertaken so far had already represented significant savings, such as the common implementation of the Scoreboard and the joint meetings.
142. Mr Andreotti (Italy) preferred Option A with a single document. Mr Fuller (UK) agreed that Option A was simpler and cheaper. Mr Vermouzek (BirdLife and Czech Republic), Mr van der Stegen (European Commission), Mr Loreiro (Portugal) and Mr Schmidt (Hungary) also supported Option A. Mr Moreno-Opo (Spain) also supported Option A and asked about the role of CMS in developing the Bern Strategy.
143. In response to the comments regarding coverage of the MIKT POW activities, Ms Aguado (MIKT Coordinator) said that the MIKT POW had been taken into account when drafting the proposed Strategy. In addition, CMS had been provided comments and contributed to the version presented at the meeting.
144. Mr Biber (CMS Landbirds Working Group) welcomed the apparent unanimous support for Option A. He feared that the Bern Convention Standing Committee could adopt the draft Strategy only for a force majeure to derail the process before the CMS COP.

145. The Chair commented on the good cooperation between CMS and Bern despite the fact that there was not a complete geographical overlap. The positive working relationship had helped find synergies. It was also clear that there was a strong majority for Option A.
146. Mr Gallo-Orsi (Consultant) said that as a common strategy the document would be modified to include the reference to the CMS MIKT and the transition should be started from the strategy to an implementable strategic plan, with objectives, indicators, targets and actions. The overarching goal proposed could be the reduction by half of incidents of the IKB. An open question was whether to count the total number of birds or take account of different species, and if the latter which species should be prioritized. The Scoreboard would provide a baseline.
147. Mr Lamarque (France) said that evaluating the reduction of the number of birds affected was difficult when some of the key countries did not provide data for the Scoreboard.
148. Mr Fuller (UK) said that it would be better to target specific species. In the UK there was only one species, whose conservation status was widely accepted to be significantly threatened by the IKB; other threats were of more concern to other species.
149. Ms Remmelts (Netherlands) pointed out that there were vast regional differences within the area covered and that the problem would not be solved by measuring birds.
150. Mr Özbahar (Nature Research Society) generally agreed with the approach proposed. Species' numbers varied, and the proportion of a species' population was more important than absolute numbers. Passerines and raptors were not comparable.
151. Mr Nemtzov (Israel) said that CMS used "conservation status" as a measure. He questioned the value of a target reducing the number of birds by 50 per cent and advocated moving away from purely numeric goals as numbers might not reflect the status.
152. Mr de la Bodega (SEO/BirdLife-CMS Preventing Poisoning WG) said that the aim should be to reduce the number of IKB incidents or crimes, as one crime could involve one or many birds.
153. Mr Schmidt (Hungary) preferred a goal specifying that each country reduce the number of birds illegally taken by half. For some species, even those categorized as "Least Concern" by the IUCN, the numbers were important and in the longer term these species were suffering unsustainable losses.
154. Ms Crockford (BirdLife International) urged that the debate over zero-tolerance as opposed to conservation impact should not be reopened as no level of IKB was acceptable. She advised against a species-specific approach.
155. Tassos Shialis (BirdLife Cyprus) agreed with Mr Özbahar on a mixed approach. Reducing the incidence of the IKB by 50 per cent was both ambitious and reachable, judging by the example of the UK Sovereign Bases where a reduction of 70 per cent had been achieved.
156. Ms Remmelts (Netherlands) said that for countries with low level of IKB, it would be better to focus on species and not on crimes.
157. Mr Innes (ENPE) said that he was interested in the extent of illegality. There was some crime in all countries, but the focus should be on the Mediterranean, with an estimated 24 million birds illegally taken and a further 2 million in the Middle East. There were risks if efforts were diffused to other areas, but the rest of the flyway should not be ignored.

158. Mr Størkersen (CMS Standing Committee) said that options could be discussed in the Working Groups.
159. Mr Fuller (UK) agreed with ENPE that the focus should be on hotspots of bird crime. The UK's devolved system meant that police and government could vary their response to address local IKB threats.
160. Mr Biber (CMS Landbirds Working Group) said that the aim of zero-tolerance was eradication. The aim should also be to have 70 per cent of countries with improved Scoreboard ratings after ten years, the period covered by the strategy. He also advocated having more than one mid-term review to motivate Parties to improve.
161. Mr Gallo-Orsi said that there were milestones and independent assessments at five and ten years, and there would be reports on the Scoreboard every three years, these were separate processes. He then announced arrangements for the three break-out groups, with Group 1 dealing with Objectives 1 and 2, Group 2 with Objectives 3 and 4 and Group 3 with Objective 5. The Secretariats would facilitate at each Group, but the Groups were asked to appoint their own rapporteur.
162. Ms Rimmelts (Netherlands) said that regional differences should be recognized and stressed that it was not just killing that was the problem. Taking and trade seem to be overshadowed. Mr Loureiro (Portugal) agreed.
163. Mr Gallo-Orsi agreed that some crime was being committed in Northern and Eastern Africa but said that trade issues might be better dealt with by CITES.
164. Ms Obretenova said that the Bern Convention was also concerned about the Caucasus as well, but the Mediterranean was the recognized hotspot.
165. Mr Lamarque (France) suggested adding a column on funding as the Southern Mediterranean needed financial assistance. Mr Gallo-Orsi said that funding fell to breakout Group 3.
166. Mr van den Bossche (BirdLife International) said that the definition of the IKB was broad. Funding was normally part of an NAP. Some countries had low levels of killing but key groups (pigeon keepers) persecuted raptors as their pigeons could be very valuable. BirdLife International's remit was global, and it was currently undertaking a situation analysis in South-East Asia. Europe was well covered with EU legislation and the European Court of Justice and the Bern Convention, but other regions did not have such infrastructure. At this forum, the focus was on the geographic range covered by MIKT and the Bern Convention's TAP.

Report back from Breakout Groups

167. The Chair called on the rapporteurs to report back on the discussion from the Breakout Groups after which a session of questions and answers would be held.

Group 1 on Objectives 1 (To understand the extent of and motivations behind illegal killing of birds) and 2 (To ensure that the illegal killing of birds is incorporated effective and efficiently in national legislation)

168. Daniel Heptinstall (UK) advised that some of the wording might need refinement but his report conveyed the essence of the discussion.
169. For Target 1.1 (the extent of illegal killing of birds is fully understood in each country covered by the scope of the strategy and monitored regularly) baselines needed to be explicitly stated as 2020 for all countries and reports should describe the scale of the problem and the changes occurring in each country. It should also be clarified how the Scoreboard was

meant to fit in as part of the monitoring and whether and to what extent it would have to be modified.

170. Mr Biber (CMS Landbirds Working Group) asked what methodology would be adopted. This was an open question and suggestions for the methodology would be developed in the course of next few months with the assistance of the Secretariats.
171. For Target 1.2 (the motivations behind the illegal killing of birds are fully understood in each country covered by the scope of the strategy and recommendations have been issued to address identified motivations), countries with the greatest needs should be prioritized.
172. For Objective 2 (to ensure that the illegal killing of birds is incorporated effectively and efficiently in national legislation), a decision was needed on how to measure coverage with a possible weighting for larger countries so that the percentage of the area covered rather than a percentage of the number of countries was taken into account. A list of the type of legislation that is to be analyzed should be specified.
173. While accepting that corrective actions might take years to implement, Mr Nemtzov (Israel) asked why a desk study to identify gaps should take two years.
174. Mr van den Bossche (BirdLife International) said that hunting laws, regulations and derogations were not so straightforward. The Lebanese review of hunting law had taken time.
175. For action 2.1.c (develop and/or revise national legislation, as necessary, in all countries where gaps were identified by 2030) it has been proposed to set the deadline as 2026. Mr Størkersen (CMS Standing Committee) doubted whether this deadline was feasible across the whole region. It was suggested that wording be added to the effect that where deadlines were not met, Parties should report on the progress made and reasons behind the delay.
176. Mr Innes (ENPE) asked what the terms of reference for the independent assessment were and whether the 2015 BirdLife International report would be the baseline and the model to be followed.
177. The Chair thanked the participants for their input and said that the Secretariats would produce a revised text incorporating the comments made.

Group 2 on Objectives 3 (Ensuring the law is implemented and enforced) and 4 (Ensuring efficient justice for IKB-related offences)

178. Mr van der Stegen (European Commission) said that there had been a long discussion on the nature of the document (guidance vs. prescriptions) and its taxonomic (all birds vs. migratory ones only) and geographical coverage, as well as on the feasibility (quantified targets or not?) of the actions envisaged.
179. Regarding Objective 3 (to ensure that effective and efficient enforcement of relevant legislation is undertaken), national plans could be a problem for countries with federal systems or devolved government such as the UK.
180. Ms Crockford (BirdLife International) found it strange that there was an apparent retreat from the principle of zero-tolerance, which governments had accepted. No Party could claim that the IKB did not happen and was not a problem, even if the scale varied greatly from country to country. Countries where incidence of the IKB was low might legitimately claim that they did not need a dedicated NAP.
181. Mr Nemtzov (Israel) stressed the importance of NAPs and relevant legislation and of enforcing them in an efficient way.

182. Mr Fuller (UK) did not believe that Parties were backing down from the zero-tolerance principle. The intention was rather to concentrate on the worst problem areas.
183. Mr Biber (CMS Landbirds Working Group) said that legislation should be enforced, and extra effort was needed in places where it was not.
184. Mr Spina (CMS Scientific Council) said that NAPs could be useful tools in identifying the most serious aspects of the IKB. The IKB should be accorded the appropriate level of attention and level of seriousness. Agencies should receive appropriate training and resources.
185. Mr Biber (CMS Landbirds Working Group) pointed out that where they existed, specialized law enforcement units dealt with a range of environmental and wildlife crime, not just IKB. There was also a wealth of expertise that could be made available to advise and support law enforcement agencies. He said that IMPEL, the European Union Network for the Implementation and Enforcement of Environmental Law, was working on a broad “green” pillar.
186. Mr Innes (ENPE) said that there was already an information exchange platform available. He raised the issue of the number of IKB events that were detected as against the number that were happening. Prosecutions could only happen when crime was detected, and suspects identified. He suggested a broad target without prescribing what the police should do. There was no “one size fits all” solution.
187. A new target had been proposed for 3.3 on engagement of the trained personnel. This target had not been further developed during the breakout group. Ms Jones (BirdLife International) proposed to send some text to the Secretariats in relation to ensuring proactiveness, engagement and responsiveness of officers.
188. With regard to Objective 4 (to ensure effective and efficient justice for IKB-related offences), it was important to speed up judicial processes and promote the possible use of administrative fines. Mr Gallo-Orsi suggested referring to the Scoreboard as many of the issues raised were covered by it and this would avoid reinventing the wheel. The European Commission was also working on guidance to EU Member States on how to address environmental crime.
189. Mr Fuller (UK) said that the Scoreboard would have to be revised, as it should reflect the strategy and not the other way around.
190. Mr Nemtzov (Israel) questioned the need to refer to the UNECE Aarhus Convention, as either Parties had signed it and were obliged to follow its provisions or, like Israel, were not signatories to it.

Group 3 on Objective 5 (To prevent the illegal killing of birds) and over-arching objective National Action Plans

191. Mr Nemtzov (Israel) said that all countries should have an NAP and the secretariats should develop guidance on the structure and how best to develop them. He advocated a regional approach where countries facing similar issues (such as North Africa and Eastern Europe) could liaise. NAPs should be in place by December 2021 with evaluation conducted over the course of the decade to ensure that the plans did not gather dust.
192. Regarding resources and funding, there were two options, the first being a single coordinated approach or the second each Party trying to raise funds itself.

193. Regarding the reporting on the implementation of the Strategic Plan, there was little support for an ad hoc reporting system, and the Scoreboard mechanism with some adjustment should be used.
194. Regarding Objective 5 (to prevent the illegal killing of birds), a Communication, Education and Public Awareness programme should be developed. It was reiterated that the common abbreviation IKB also covered illegal taking and trade of wild birds and not just illegal killing. It should also be stressed that legitimate hunting was not being targeted. The indicators and means of verification would be further developed after the meeting as the breakout group did not have time to elaborate this content.
195. Concerning Objective 6 (Ensuring relevance, efficiency, effectiveness, impact and sustainability of the Strategy through mid-term and ex-post assessments) it was decided that the actions under this objective could be better integrated under the other objectives and did not constitute a separate objective.
196. An over-arching objective on National Plans had been placed below the overarching long-term goal.
197. The Chair suggested that following the precedent of the Tunis Action Plan, and the Larnaca and Cairo Declarations, the strategy should be named after Rome, or even more specifically Castelporziano. There was support from the meeting towards naming the document the Rome Strategic Plan.

Agenda item 6 continued: IKB Beyond 2020 in Europe and the Mediterranean Region

198. As Mr Valentini was unable to attend the meeting on the third day due to travel, he was replaced by Eugenio Dupré as Chair of the meeting.
199. The Chair said that a redacted document had been circulated the previous evening by the Secretariats and participants were given the opportunity of familiarizing themselves with it.
200. Mr Barbieri (CMS Secretariat) explained that the document presented was the latest working draft and was not the final version, which would be adopted at a later date, once the document would have been circulated to MIKT members and SFPs for input. The Secretariats were seeking further input to revise the draft at this stage.
201. Ms Obretenova (Bern Convention) presented the document which was displayed on screen.
202. Mr Biber (CMS Landbirds Working Group) proposed restoring the original wording (eradicating) and deleting “bringing an end to” in the title. He was supported by Mr Spina, who commented that birds were dying because of human activity, much of it illegal, and a flyway approach was needed. He reaffirmed his support for the zero-tolerance approach.
203. Mr Innes (ENPE) said that he faced a dilemma because the IKB was a broad issue and the joint meeting dealt with Europe and the Mediterranean. The mandate that he had from ENPE only extended to the Mediterranean, he stressed that the momentum must be maintained on the Mediterranean Region.
204. Mr Schmidt (Hungary) said that Objective 1 (to understand the extent and motivations behind illegal killing of birds) had references to reporting and baselines but no mention of the Scoreboard. It was not clear why Objective 4.1 (the average period for initiation and conclusion of criminal proceedings in IKB cases is reduced) only applied to Hungary and the United Kingdom but not to other countries.

205. Mr Enzerink (FACE) said that he would prefer the title of the strategy to be meaningful. Naming it after the place where it was negotiated gave no indication of what it was about. A title referring to a joint initiative of the Bern Convention and CMS would be better.
206. Mr Heptinstall (UK) said that the target of reducing the incidence of the IKB by 50 per cent appeared to have been lost. Among the overarching principles were consultation and engagement with civil society, but he felt that some sections needed further discussion and would prefer Parties to address them before widening the discussion to include NGOs.
207. Ms Jones (BirdLife International) suggested being more specific about the geographic range covered by the strategy and agreed on the principle of inclusiveness.
208. Mr Fuller (UK) asked what the plan was for discussions in the run-up to the Bern Convention Standing Committee.
209. Ms Obretenova (Bern Convention) said that a draft would be sent out in the summer allowing two months to comment. A revised draft would be circulated after that. The absolute deadline was one month before the 39th meeting of the Bern Convention Standing Committee in December 2019. A draft in English would be issued first followed by French and Spanish versions.
210. Mr Moreno-Opo (Spain) said that he was content for the strategy to be named after Rome. However, regarding Target 4.2. (percentage of all criminal and administrative proceedings in IKB cases are concluded within one year and three months of initiation, respectively) he thought that the deadlines for processing cases were unrealistic because in Spain it frequently took a year for a case to reach court. Mr Loureiro (Portugal) agreed and found the suggested timeline challenging. He said that Objectives 4 a-c all needed measurable targets.
211. Mr Loureiro indicated that with regard to Target 4.3. (a core group of prosecutors and judges who deal with wildlife crime have received training in IKB-related aspects (50 per cent by 2025) would be complicated for countries that did not have specialized judges dealing with wildlife crime. Portugal was already undertaking training for the judiciary and prosecutors, as there were no specialist wildlife crime judges.
212. Mr Innes (ENPE) said that his organization had funding through the LIFE programme until 2020 and the ENPE members were allowed time from their governments. There was no guarantee of further funding and future participation depended on the willingness of governments to release staff. It was therefore difficult to commit concrete support but ENPE was always willing to do what it could. Some systems (such as Australia) had specialist environmental courts and there was pressure in the UK to adopt a similar system. Pressure had been applied for 30 years to no avail, so it fell criminal and magistrates courts to deal with wildlife crime, in competition with other cases and suspects sitting in remand.
213. Jessica Fenech (Malta) said that Objective 4.2 a on the percentage of all criminal proceedings (excluding appeals) in IKB cases concluded within one year from initiation was also a problem for countries with a reduced number of judges.
214. Mr Gallo-Orsi (Consultant) accepted that engaging with Ministries of Justice was not always simple. It was necessary to address the circumstances where a case reached court, but the outcome was disappointing. Sentencing guidelines were needed and workshops for judges should be organized.
215. Mr Fuller (UK) said that the time taken for cases to reach court was not a problem in the UK as it might be in other countries along flyways. Therefore, a strategy and scorecard that focused on indicators that were of concern for some Parties along the flyway risked not being relevant in others. Mr Lamarque (France) said that France like Portugal did not have

specialist environmental judges. He suggested that in those cases, where judges were not available an option could be to train enforcement agents. Mr Andreotti (Italy) provided the example of Italy where trainings for judges and prosecutors had been undertaken.

216. Concerning Target 4.3 (information on judicial processes and sentencing is publicly available in all countries) Ms Remmelts (Netherlands) said that this target was not possible for her country. Information on cases was available but it was difficult to excise cases relating to the IKB and suggested to include a note stating that this target was only for applicable countries. Mr van den Berghe (EUFJE) said that databases with such information either existed or were being set up. One of the initiatives of IMPEL was to create a database of processes.
217. Mr Vermouzek (Czech Republic) said that support to public access to judicial processes was needed if we wanted to ensure the zero-tolerance principle. A list of all past and current IKB cases would be useful.
218. Ms Mikander (AEWA) said that the Working Group 3 in which she participated had not spent much time on indicators and intended to consult wider with those with an understanding of influencing behaviour. A link needed to be made to NAPs.
219. Ms Crockford (BirdLife International) said that no target had been set for action 3.4 (the increase of the ratio of investigated incidents compared to reported incidents) and proposed some wording on law enforcement agencies. She also raised the question of relevant jurisdictional levels for addressing the IKB and said that more explanation of the term “appropriate and proportionate” would be helpful.
220. Ms Jones (BirdLife International) commented that law enforcement agencies tended to be reactive and it would be desirable for them to be more proactive too. She proposed to send some suggested text to the Secretariats.
221. Mr Gallo-Orsi referred to the Scoreboard and section 15 (Enforcement priority) recognizing the importance of the IKB.
222. Mr Fuller (UK) said that the Scoreboard should reflect the strategy rather than vice versa but Ms Obretenova (Bern Convention) pointed out that the Scoreboard had been drafted first. Ms Remmelts (Netherlands) said that the Scoreboard had been adopted for MIKT countries and was voluntary for the others, but Ms Crockford (BirdLife International) said that the map on page 6 of Scoreboard indicated that it applied to all Bern Convention and CMS MIKT Parties.

7. Budgetary Matters: funding for Activities to counter IKB

223. Ms Aguado (MIKT Coordinator) expressed gratitude to the European Commission for its generous support to the MIKT process that had made possible the establishment of the Task Force as well as the implementation of the POW to date.
224. Ms Obretenova (Bern Convention) said that the Bern Convention’s programme of work was heavily dependent on voluntary contributions to supplement the core Council of Europe budget, which was under severe pressure. How the Bern Convention carried forward this area of work would be decided by the Standing Committee in December 2019.
225. The Chair urged Parties to raise the issue of funding with their national governments.

8. Preparation of upcoming meetings

8.1 Preparations for the 39th Standing Committee Meeting of the Bern Convention

226. Ms Obretenova said that the Rome Strategic Plan would be the primary document discussed at the next Standing Committee of the Bern Convention, where it would be presented for

adoption. The deadline for the submission of documents to the meeting is 1 November 2019, one month ahead of the Committee meeting. She asked whether the meeting wanted to pass on a message to the Standing Committee.

227. Ms Crockford (BirdLife International) said that it should be stressed that it should be reiterated that zero-tolerance was one of the overarching principles of the strategy.
228. Mr Størkersen (CMS Standing Committee) said that the target of reducing the numbers of birds taken by 50 per cent should apply to all countries.

8.2 Preparations for CMS COP13: possible amendments to the Resolution and Decisions on illegal killing, taking and trade of migratory birds

229. Participants were referred to document UNEP/CMS/MIKT3/Doc.8/ T-PVS/Inf(2019)14 and CMS Resolution 11.16 (Rev.COP12) by the MIKT Coordinator. She explained the process to integrate the outcome of the meeting into the documents submitted for the consideration of the COP and next steps until COP13. It was expected that COP13 like COP12 would adopt a revised version of the original Resolution and that the three related decisions would be reviewed and updated to cover the new Rome Strategic Plan. The CMS Scientific Council was scheduled to meet in November 2019 to prepare for COP13 in February 2020.
230. Mr Innes (ENPE) stressed that the Mediterranean remained an area of particular concern needing additional support.
231. Ms Crockford (BirdLife International) suggested that the Resolution and Decisions relating to MIKT presented an opportunity for CMS Parties in other regions to endorse the principle of zero-tolerance. She provided the Secretariat with appropriate draft wording for inclusion (the Conference of the Parties to CMS commits to adopting a zero-tolerance approach to any deliberate illegal killing, trapping and trade of wild birds and to adopting a full and proactive role in fighting against these illegal activities). This text was based on similar passages in the Cairo Declaration under MIKT and the Larnaca Declaration under the Bern Convention.
232. Mr Barbieri (CMS) set out the possible process for reviewing and amending the COP documents and suggested that wider adoption of the principle of zero tolerance could be a recommendation of the meeting.
233. Mr Størkersen (CMS Standing Committee) said that BirdLife International's proposal should be noted and considered by the CMS Standing Committee in November.

9. Date and venue of next meeting

234. Ms Aguado (MIKT Coordinator) said that the Secretariats were aiming to schedule the next joint meeting in the third quarter of 2020. This would be after the CMS COP and would consider the second assessment of the Scoreboard. Any country wishing to host the meeting should let the Secretariats know.

10. Any other business

235. Ms Jones (BirdLife International) sought clarification of the decision regarding sharing the data provided for the Scoreboard among all MIKT participants (if not publicly) and questioned how MIKT participants could engage in the collective work of tracking progress on the strategic plan if the national Scoreboard results which might feed into the baselines were not shared.
236. Ms Aguado (MIKT Coordinator) said that for this iteration of the Scoreboard all Parties would first have the opportunity of reviewing how the data provided had been reflected in the Scoreboard and then be asked if they were happy for all sections to be shared. For future iterations national results could be shared with a potential option to opt out of publishing a particular section if necessary.

237. Mr Schmidt (Hungary) said that in much of Europe information concerning other areas of criminal activity were made public and he saw no reason for the IKB to be different.
238. Mr Moreno-Opo (Spain) said that the Spanish data would be reviewed but he foresaw no reason for not disclosing them.
239. The Chair confirmed that no data would be released in relation to this iteration of the Scoreboard without confirmation from Parties that it was all right to do so.

11. Closure of the meeting

240. After the customary expression of thanks to all those who had contributed to the successful organization and conduct of the meeting, the Chair declared proceedings closed.