

**MEMORANDUM OF UNDERSTANDING
CONCERNING
CONSERVATION MEASURES FOR THE AQUATIC WARBLER
(*Acrocephalus paludicola*)**

among the competent authorities of

The Republic of Belarus

The Kingdom of Belgium

The Republic of Bulgaria

The French Republic

The Federal Republic of Germany

The Republic of Hungary

The Republic of Latvia

The Republic of Lithuania

The Kingdom of the Netherlands

The Republic of Poland

The Russian Federation

The Republic of Senegal

The Kingdom of Spain

Ukraine

The United Kingdom of Great Britain and Northern Ireland

The undersigned, acting on behalf of the respective authorities referred to above,

Aware of their international responsibilities to conserve the Aquatic Warbler, *Acrocephalus paludicola*, pursuant to the Convention on Biological Diversity (CBD) (Nairobi, 1992), which has recognised migratory species as a unique globally important component of biodiversity under the Convention on Migratory Species (CMS) (Bonn, 1979), and that CMS is the CBD lead partner in conserving and sustainably using migratory species over their entire migratory range;

Recalling that CMS calls for international co-operative action to conserve migratory species, and that CMS Article IV, paragraph 4 encourages CMS Contracting Parties to conclude Agreements - including legally non-binding administrative agreements - in respect of any population of migratory species;

Aware that the numbers of Aquatic Warbler have been reduced dramatically across its whole breeding range in recent decades, that it has become extinct as a breeding bird in eleven countries in the past hundred years and that, according to available scientific information, it now breeds in fewer than 40 sites in eight countries;

Understanding that the largest part of the world population is wintering in probably only a very few sites in sub-Saharan Africa;

Conscious of the fact that the Aquatic Warbler is an extreme habitat specialist and that the extent of the breeding, and probably also of the wintering sites, is therefore very restricted;

Concerned that the loss of wetlands is responsible for the decline in the numbers of the Aquatic Warbler;

Noting that a better knowledge of its biology, migration routes and wintering sites would assist in targeting conservation measures;

Further noting that the Aquatic Warbler is recognised as Vulnerable by IUCN-The World Conservation Union;

Recalling that the Aquatic Warbler appears on CMS Appendices I and II and has been identified as a priority species for concerted action by its Range States;

Realising that such actions must be taken immediately to prevent the disappearance of the remaining populations of the species;

Acknowledging their shared responsibility for the conservation and wise management of the Aquatic Warbler and the wetland habitats on which it depends, and the desirability of involving in common initiatives all Range States in the breeding and wintering grounds and along the migration route of the species;

DECIDE to work closely together to improve the conservation status of the Aquatic Warbler throughout its breeding, migrating and wintering range.

To that end, in a spirit of mutual understanding and co-operation, they will individually or collectively:

1. Provide strict protection for the Aquatic Warbler and identify and conserve the wetland habitats essential for its survival.
2. Subject to the availability of resources, implement in their respective countries the provisions of the Action Plan annexed to this Memorandum of Understanding as a basis for conserving all populations of the species. The Action Plan will aim to maintain the species of the Aquatic Warbler throughout its range and, in the medium to long term, to promote the expansion of the breeding population to other suitable areas. The Action Plan will include inter alia: (a) measures to protect the traditional breeding, staging and wintering areas of the Aquatic Warbler; (b) provisions to identify key sites for breeding, migrating and wintering of the Aquatic Warbler; (c) detailed proposals for monitoring, research and practical measures

for the rehabilitation of Aquatic Warbler populations; and (d) measures to prepare national action plans.

3. Assess the implementation of the Memorandum of Understanding, including the Action Plan, at regular meetings to be attended by representatives of each of the authorities concerned and persons or organisations technically qualified in the conservation of the Aquatic Warbler. Such meetings will be convened by the CMS Secretariat and will be hosted by and organised in collaboration with one of the Range States or the Co-operating Organisation.
4. Facilitate the expeditious exchange of scientific, technical and legal information needed to co-ordinate conservation measures, and co-operate with recognised scientists of international organisations and other Range States in order to facilitate their work conducted in relation to the Action Plan.
5. Designate a competent authority to serve as a contact point for the other signatories and communicate without delay the name and contact details of this authority (and any changes thereto) to the CMS Secretariat.
6. Provide to the CMS Secretariat at least every two years, by 31 March of the respective year, a report on implementation of this Memorandum of Understanding in each of the respective countries. The Secretariat will transmit to each of the Range States and the Co-operating Organisation all of the reports received, together with an overview report that it will compile on the basis of information at its disposal.

Final Provisions

7. This Memorandum of Understanding will be considered an agreement under CMS Article IV, paragraph 4, notwithstanding that it is not a legally binding agreement.
8. The Action Plan annexed to this Memorandum of Understanding is an integral part thereof.
9. The Memorandum of Understanding will take effect immediately for those five or more Range States that have signed it. It will remain open for signature indefinitely, and will become effective for each subsequent Range State on the date of signature. The Memorandum of Understanding will remain in effect indefinitely subject to the right of any signatory to terminate its participation by providing one year's written notice to all of the other signatories.
10. All Range States of the Aquatic Warbler will be eligible to sign this Memorandum of Understanding.
11. Nothing in this Memorandum of Understanding will be legally binding on any of the signatories either jointly or severally.
12. The Memorandum of Understanding, including the Action Plan, may be amended by a consensus of all the signatories.

13. The original text of this Memorandum of Understanding in the English language will be deposited with the CMS Secretariat, which will act as the Depositary.
14. The CMS Secretariat will provide Secretariat functions as outlined in this Memorandum of Understanding. It may use the services of any reliable organization.
15. The working language for all matters related to this Memorandum of Understanding will be English.

DONE at Minsk, Republic of Belarus, on the thirtieth day of April 2003 in a single copy in the English language.

**Amending Protocol to the Memorandum of Understanding concerning Conservation Measures
for the Aquatic Warbler (*Acrocephalus paludicola*)**

Pursuant to clause 12 of the agreement text, the Memorandum of Understanding concerning Conservation Measures for the Aquatic Warbler (*Acrocephalus paludicola*) is hereby amended by a consensus of the Signatories at the Second Meeting of the Signatories on 14 May 2010 as follows:

I. Extension of the geographical scope of the MoU

The geographical scope of the Memorandum is extended to cover the following seven additional range states: The Grand Duchy of Luxemburg, The Republic of Mali, The Islamic Republic of Mauritania, The Kingdom of Morocco, The Portuguese Republic, The Slovak Republic, The Swiss Confederation.

II. Adoption of a revised version of the Action Plan annexed to the MoU

The Action Plan Concerning Conservation Measures for the Aquatic Warbler (*Acrocephalus paludicola*) annexed to the Memorandum is replaced by the *International Species Action Plan for the Aquatic Warbler (Acrocephalus paludicola)* annexed to this Protocol.

The Signatory States, as certified by the signature of the Chairperson of the Second Meeting of the Signatories and a duly authorised representative of the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals, jointly decide to implement the provisions of the Memorandum of Understanding concerning Conservation Measures for the Aquatic Warbler (*Acrocephalus paludicola*) as amended by this Amending Protocol.

This Amending Protocol shall take effect immediately upon being signed in full.



Chairperson of the Second Meeting of the Signatories

Date: 14.05.2010

Name in block letters:

JAROSLAV KROGULEC



Agreements Officer, Secretariat to the Convention on Migratory Species

Date: 16/05/2010

Name in block letters:

MARCO BARBIERI