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T-PVS/DE (2017) 1

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

**Group of Specialists on the European Diploma for
Protected Areas**

8 March 2017

Strasbourg, Palais de l'Europe, Room 6

**EXTRACT FROM THE LIST OF DECISIONS AND ADOPTED
TEXTS ON THE EUROPEAN DIPLOMA FOR PROTECTED
AREAS, AT THE 36TH MEETING OF THE STANDING
COMMITTEE OF THE BERN CONVENTION**

*Document prepared by the Directorate
of Democratic Governance*

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4.5.2. European Diploma for Protected Areas

a. Report of the meeting of the Group of Specialists on the European Diploma for Protected Areas, follow-up of decisions

Relevant documents: T-PVS/DE (2016) 4 – Report of the meeting of the Group of Specialists on the European Diploma for Protected Areas
T-PVS/DE (2016) 9 - Progress report on the fulfilment of the Resolution of the Committee of Ministers (2012)19 on the European Diploma to the Poloniny National Park
T-PVS/DE (2016) 5 – Report of the visit of the independent expert to Bialowieza National Park
T-PVS/DE (2016) 11 – Draft proposed amendment to Article 9, para.7, of the revised Regulations for the European Diploma for Protected Areas (CM/ResDip (2008)1)

The Committee examined the report of the meeting of the Group of Specialists, as presented by its Chair, Mr Jan-Willem Sneep, and thanked the Chair and the Group members for their work and dedication.

The Committee noted, in particular, that the Group had decided to postpone its decision on the possible withdrawal of the Diploma awarded to the Poloniny National Park (Slovak Republic) and welcomed the announcement by the Slovak authorities of the much anticipated adoption of a management plan for the Park.

The Committee also took note of the decision by the Group not to propose the renewal of the Diploma awarded to the Bialowieza National Park (Poland) as the government's new forest management plan was likely to have an adverse effect on the areas adjoining the National Park.

b. Draft proposed amendments to the revised Regulations for the European Diploma for Protected Areas (CM/ResDip (2008)1)

The Committee examined the amendments to the Regulations for the European Diploma for Protected Areas proposed by the Group of Specialists.

The Committee took note of Switzerland's proposal to add a new paragraph 7 to Article 9, stipulating that the renewal of the Diploma would be based on a review by the Group of Specialists of the annual reports submitted by the area authorities.

The Committee also noted the proposal by the NGO, Pro Natura – Friends of the Earth Europe, supported by Albania, to add a clause to paragraph 3 of Article 9 stipulating that all contributions by the stakeholders should be taken into account when drawing up the independent expert's terms of reference.

The Committee decided to propose the amendments to the Regulations for the EDPA for official adoption by the Committee of Ministers of the Council of Europe (see text in Appendix I).

Appendix 1

DRAFT PROPOSED AMENDMENT TO ARTICLE 9 OF THE REVISED REGULATIONS OF THE EUROPEAN DIPLOMA FOR PROTECTED AREAS

CM Documents

CM(2016)

...Meeting,2016
Sustainable Development

Standing Committee to the Bern Convention
Group of Specialists on the European Diploma for Protected Areas
(T-PVS/DE)

**Draft Resolution CM/ResDip(2016) ...
on the proposed amendment to Article 9, para.7, of the revised Regulations for the European
Diploma for Protected Areas (CM/ResDip (2008)1)**

(Adopted by the Committee of Ministers on ... 2016 at the ... meeting of the Ministers' Deputies)

The Committee of Ministers, under the terms of Article 15.a of the Statute of the Council of Europe,

Having regard to Resolution (65) 6 instituting the European Diploma, as amended by Resolution (98) 29 on the Regulations for the European Diploma for Protected Areas and Resolution **CM/ResDip(2008)1** on the revised Regulations for the European Diploma for Protected Areas;

Taking into consideration the proposal of the Group of Specialists on the European Diploma for Protected Areas at its meeting on 7 March 2016 to amend Article 9, para.7, of the revised Regulations for the European Diploma for Protected Areas providing for an automatic renewal of the award after its first renewal, which seems to contradict the standards of high quality required by the European Diploma;

Taking into consideration the decision of the Standing Committee to the Bern Convention to endorse the proposed amendment and to transmit it further to the Committee of Ministers;

Amends Article 9, para.7, of the revised Regulations for the European Diploma for Protected Areas (Resolution (2008) 1) as follows:

Present text of Article 9:

Article 9 – Extension of the period of validity of the Diploma

1. During the fifth year, unless the state concerned decides otherwise, the Committee or its Bureau shall consider extending the validity of the Diploma for a further ten-year period in the light, in particular, of the annual reports.

2. To this end, the Secretary General of the Council of Europe shall appoint an independent expert to carry out a fresh appraisal, particular attention being paid to information provided every year in the annual reports. The new appraisal is aimed at taking stock of the state and development of the area, having regard to the conditions and/or recommendations formulated previously, and proposing, as appropriate, new measures for the coming period. The working conditions for this expert shall be the same as those laid down for the expert who carried out the appraisal for the award of the Diploma. The expert will be accompanied by a member of the Secretariat if renewal raises any particular problems; otherwise the visit shall be made by the expert alone.

3. The independent expert's terms of reference shall be drawn up by the Group of Specialists. They shall take account, in particular, of the progress of action taken to comply with the conditions and/or recommendations in the resolution awarding the Diploma or the resolution renewing it on the previous occasion, and of the comments by the Group of Specialists and those set out in the annual reports.

4. The government concerned shall be invited to send a representative, at its own expense, to the meeting of the Group of Specialists, when the discussion on the renewal of the Diploma takes place.

5.a. After examining the expert's report and the findings of the Group of Specialists, the Committee or its Bureau will propose one of the following options to the Committee of Ministers:

- to extend the period of validity of the Diploma;
- not to renew the Diploma before certain conditions are met;
- not to extend the period of validity, which shall be tantamount to withdrawing the Diploma, in which case the Committee of Ministers shall inform the authorities directly responsible for the area concerned of the reasons for its decision, through the government.

5.b. If the Diploma is not renewed or its period of validity extended, the authorities responsible shall be requested to keep the Committee or its Bureau regularly informed of developments in the situation.

6. The decision concerning the renewal of the Diploma shall be taken by the Committee of Ministers by a two-thirds majority of the votes cast and a majority of the representatives entitled to sit on the Committee. It shall be the subject of a resolution.

7. After the first renewal, the Diploma will be automatically renewed every ten years, without any prior appraisal, except where there is an express request from the government of the country concerned or in the case of a recognised threat to the area.

* * *

New text of Article 9, para. 7:

After the first renewal, the Diploma may be renewed by the Committee of Ministers every ten years, on the basis of a review by the Group of Specialists of the annual reports submitted by the area authorities, without any compulsory prior appraisal.

New text of Article 9, para 3:

The independent expert's terms of reference shall be drawn up by the Group of Specialists. They shall take account, in particular, of the progress of action taken to comply with the conditions and/or

recommendations in the resolution awarding the Diploma or the resolution renewing it on the previous occasion, and of the comments by the Group of Specialists and those set out in the annual reports. In doing this, they shall take into account any relevant input supplied by stakeholders.