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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

33rd meeting
Strasbourg, 3-6 December 2013

**DRAFT RECOMMENDATION ON THE RHONE STREBER
(*ZINGEL ASPER*) IN THE DOUBS (FRANCE) AND IN THE
CANTON OF JURA (SWITZERLAND)**

*Document
prepared by
the Directorate of Democratic Governance*



Convention on the Conservation
of European Wildlife and Natural Habitats

**Recommendation No. ... (2013) of the Standing Committee, adopted on ... December 2013,
on the Rhone streber (*Zingel asper*) in the Doubs (France) and in the canton of Jura
(Switzerland)**

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, acting under the terms of Article 14 of the Convention;

Having regard to the aims of the Convention to conserve wild flora and fauna and their natural habitats;

Pointing out that Article 1, paragraph 2, of the Convention calls on the Parties to give particular emphasis to endangered and vulnerable species;

Recalling that Article 3 of the Convention requires Parties to take steps to promote national policies for the conservation of wild flora, wild fauna and natural habitats, with particular attention to endangered and vulnerable species, especially endemic ones, and endangered habitats;

Pointing out that, in pursuance of Article 3, paragraph 2, of the Convention, “Each Contracting Party undertakes, in its planning and development policies and in its measures against pollution, to have regard to the conservation of wild flora and fauna”;

Recalling that Article 4 of the Convention stipulates that “Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in Appendices I and II, and the conservation of endangered natural habitats”;

Referring to the other provisions of the Convention relating to protection of habitats and conservation of species;

Having regard to Standing Committee’s Resolution No. 6 (1998) listing the species requiring specific habitat conservation measures;

Having regard to Resolution n° 8 (2012) on the national designation of adopted Emerald sites and the implementation of management, monitoring and reporting measures;

Having regard to the Council of the European Union’s Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) and to its Art.3 on the setting up of an European ecological network of special areas of conservation (Natura 2000 Network);

Recalling that the Doubs River, and *inter alia* its median part serving as a border between France and Switzerland, constitute an area of special conservation interest for Rhone streber (*Zingel asper*), a strictly protected species listed in Appendix II to the Bern Convention, and in Annex II of the Habitats Directive;

Taking into consideration the report drawn up by the expert after his on-the-spot appraisal [document T-PVS/Files (2013) 45];

Aware that the natural habitat of the Rhone streber (*Zingel asper*) in the Doubs River is continuing deteriorating and an increasing number of other protected species are seriously threatened;

Aware of the threats posed by the hydro power plants in the cross-border part of the Doubs and the “the Suisse loop” (*Châtelot, Refrain* and *La Goule*); also aware of the threats posed by wastewater treatment plants (WWTP), in particular in the canton of *Neuchâtel* (Switzerland) and the *Haut-Doubs* (France), presenting an important source of pollutants and needing urgent renewal measures;

Aware of the threats posed by existing watercourse barriers, in particular downstream of *Saint Ursanne* area (canton of Jura), obstructing the free passage of the Rhone streber (*Zingel asper*) and other fish species;

Aware of the threats from farm pollution which exceed the assimilation capacity of soils (*Critical load index*) affecting negatively the water quality in the Doubs river;

Taking note of the publication of the “Concept of protection of the Rhone streber” in Switzerland in 1999;

Further taking note of the results of the LIFE Rhone streber programme implemented in France in 1998-2001 and 2004-2010;

Acknowledging the publication of the National Action Plan to protect the Rhone streber in France and the subsequent establishment of a bi-national governance structure for the joint management of the cross-border Doubs (including the bi-national group on flow rate management) in 2011;

Recalling the entry into force of the revised federal legislation on water protection in Switzerland in 2011;

Welcoming the launching of the “Integrated project” on the Franco-Suisse Doubs lead by Saône-Doubs territorial authorities (EPTB) in 2012;

Noting the publication of the strategic plan on recovery of fish migration in Switzerland in 2012;

Stressing the need to take the additional measures warranted by the conservation requirements of the species and to adopt a more detailed and comprehensive approach to the cross-border issue,

Recommends France and Switzerland to:

1. Speed-up necessary measures for the maintenance or restoration, at a favourable conservation status, of the natural habitat and the population of the Rhone streber (*Zingel asper*) and other protected species for which the Emerald site CH02 - Clos du Doubs/Saint-Ursanne and the Natura 2000 site FR4301323 - *Basse vallée du Doubs* (and by extension Natura 2000 site FR4301291 - *Vallée de la Loue*) are classified;
2. Envisage more integrated management of the two protected areas (Emerald site CH02 - *Clos du Doubs/Saint-Ursanne* in Switzerland and the Natura 2000 site FR4301323 - *Basse vallée du Doubs* in France) aiming at by maintaining and restoring where appropriate, physicochemical and morphodynamic features of the Doubs River which are of major importance to the Rhone streber (*Zingel asper*) and other protected species;
3. Speed-up measures to reduce adverse effects of hydro power plants (*Châtelot, Refrain* and *La Goule*) on the fish habitat, in accordance with the legal obligations on minimum water flow and sluices, and in compliance with the engagements taken by the bi-national group on the flow rate management;
4. Examine the possibility of changing the management of the plants (*Châtelot, Refrain* and *La Goule*) to come under control of one single operator (instead of three separate ones at present);
5. Speed-up the implementation of legal provisions related to water quality in the Doubs River, in particular as regards the programme of renewal of older wastewater treatment plants (WWTP) – especially in the canton of Neuchâtel (Switzerland) and the Haut-Doubs (France) - and the measures against the river eutrophication;

6. Strengthen control of all pollutant emissions and discharges - including those resulting from farm activities - into the Doubs waters; increase specific controls for certain higher risk pollutants on a priority basis, with progressive reduction, phasing out, and/or cessation of emissions that represent particular threats to the Rhone streber (*Zingel asper*) and other fish species;
7. Collect and synthesize existing knowledge the Rhone streber (*Zingel asper*) in the Doubs; Improve the exchange of information for the purposes of proper co-ordination of research carried out in France and Switzerland, using *inter alia* knowledge and the expertise acquired through the *LIFE APRON* programme; strengthen transboundary co-operative research and field work with a view of defining effective cross-border strategy on conservation of the Rhone streber (*Zingel asper*) and other protected species;

Further recommends Switzerland to:

1. As a priority, re-establish connectivity among critical habitats for Rhone streber (*Zingel asper*), in particular in the Saint-Ursanne area, thus mitigating the impacts of the blockage of migration corridors upward and downward movements; seek solutions for restoring natural river dynamics in the Bellefontaine and Ocourt areas concerned by private micro-production of electricity;
2. Draw-up and implement national action plan or other relevant measures, as appropriate, preventing the Rhone streber (*Zingel asper*) from becoming extinct and providing for its recovery; such a plan should provide clear priorities for action, calendar for implementation and a coordination structure; it should take into account the results of assessment of the Emerald site the CH02 - *Clos du Doubs/Saint-Ursanne* as foreseen in the calendar for the implementation of the Emerald Network of Areas of Special Conservation Interest (2011-2020) [document T-PVS/PA(2010)8].
3. Consult the community representatives and associations when designing and implementing the plan or other relevant measures;
4. Promote education and general information on the need to protect the Rhone streber (*Zingel asper*) and other protected species and to conserve their habitats.