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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

36th meeting
Strasbourg, 15-18 November 2016

**PROPOSED AMENDMENT TO ARTICLE 9, PARA.7, OF THE REVISED
REGULATIONS FOR THE EUROPEAN DIPLOMA FOR PROTECTED
AREAS (CM/RESDIP (2008)1)**

*Document prepared by
the Directorate of Democratic Governance*

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.