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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

32<sup>nd</sup> meeting  
Strasbourg, 27-30 November 2012

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**THE BERN CONVENTION'S CONTRIBUTION  
TO THE IMPLEMENTATION OF RELEVANT  
CBD DECISIONS AT EUROPEAN LEVEL**

**Contribution to the 11<sup>th</sup> Conference of the Parties (CoP)  
to the Convention on Biological Diversity (CBD)**

(Hyderabad, India, 8 - 19 October 2012)

**FINAL**

*Report prepared by  
the Directorate of Democratic Governance, Culture and Diversity*

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**CONFERENCE OF THE PARTIES TO THE  
CONVENTION ON BIOLOGICAL DIVERSITY**Eleventh meeting  
Hyderabad, India, 8-19 October 2012  
Item 5.2 of the provisional agenda \***THE BERN CONVENTION'S CONTRIBUTION TO THE IMPLEMENTATION OF RELEVANT  
CBD DECISIONS AT EUROPEAN LEVEL***Note by the Executive Secretary*

1. The Executive Secretary is pleased to circulate herewith, for the information of participants in the eleventh meeting of the Conference of the Parties, a document entitled "The Bern Convention's contribution to the implementation of relevant CBD decisions at European level". This document has been prepared by the Directorate of Democratic Governance, Culture and Diversity of the Council of Europe for consideration by the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention).
2. The document is being circulated in the form and the languages in which it was received by the Secretariat.

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\* UNEP/CBD/COP/11/1.

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## INTRODUCTION

### 1. THE BERN CONVENTION, A EUROPEAN BIODIVERSITY TREATY

The Convention on the Conservation of European Wildlife and Natural Habitats (CETS No. 104) is a Council of Europe binding treaty which was opened for signature in September 1979 in the Swiss federal capital, Bern. We shall refer to the Convention by its most common name "Bern Convention". It entered into force in August 1982 and counts, in 2012, with 50 Parties including 45 European States<sup>1</sup>, four African States (Burkina Faso, Morocco, Senegal and Tunisia) and the European Community.

The Bern Convention was the first international treaty to deal with all the aspects of nature conservation and thus it is not specialised like other treaties in this field, which aimed specifically at a type of habitat (e.g. the Ramsar Convention on Wetlands), a group of species (e.g. the Bonn Convention on Migratory Species), or a particular conservation problem (e.g. the Washington Convention on International Trade of Endangered Species).

The Convention on Biological Diversity (CBD), much like the Bern Convention, aimed to draw up an overall strategy for the conservation and sustainable use of wildlife and biodiversity and in this sense the Bern Convention can be mentioned as a precedent to the CBD.

While the Bern Convention's main limit is geographical, as its territory of application is constrained to Europe and a few states of northern Africa, its scope is broad and developed around three main aims: *a.* to conserve wild flora and fauna and natural habitats; *b.* to promote co-operation between States; *c.* to give particular attention to endangered and vulnerable species, including endangered and vulnerable migratory species (*cfr.* Art. 1 of the Bern Convention<sup>2</sup>).

The Bern Convention establishes very strict obligations for Parties on the protection of natural habitats and on the protection of a large number of species mentioned in its three appendices. More concretely, the Parties committed to:

- Promoting national policies for the conservation of wild flora and fauna, and their natural habitats;
- Having regard for conservation in regional planning policies and pollution control;
- Promoting education and information; and
- Encouraging and co-ordinate research related to the purposes of the Convention.

In addition, the Convention promotes co-operation of its Parties through a number of mechanisms, including the organisation of technical groups (called Groups of experts) and the adoption of recommendations, guidelines, codes of conduct and action plans.

The Convention is managed by a Conference of the Parties called "Standing Committee" which includes all Contracting Parties as well as observer States and organisations, both governmental and non-governmental, at the national and international level. It meets annually at the Council of Europe premises in Strasbourg and adopts recommendations concerning measures that should be taken to achieve the Convention's objectives and improve its effectiveness. It also monitors the implementation of the Convention and provides guidance on its further development. As non-governmental organisations participate very actively in Standing Committee meetings, the Committee has become a very important forum in Europe for discussion concerning issues of interest for European diversity.

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<sup>1</sup> These accounts for all European states with the exception of three: Belarus, San Marino and the Russian Federation.

<sup>2</sup> Available at the following web address:

<http://www.conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=104&CM=8&DF=14/02/2012&CL=FRE>

## **2. THE CONTRIBUTION OF THE BERN CONVENTION TO THE IMPLEMENTATION OF THE CBD PROVISIONS, WITH PARTICULAR FOCUS ON COP 10 DECISIONS**

At the 10<sup>th</sup> Conference of the Parties to the CBD, held in Nagoya, Japan, from 18 to 29 October 2010, a number of Decisions which are relevant to the Bern Convention were adopted, and namely:

- Decision X/2: Strategic Plan for Biodiversity 2011-2020
- Decision X/17: Global Strategy for Plant Conservation
- Decision X/18: International Year of biodiversity
- Decision X/20: Cooperation with other Conventions
- Decision X/29: Marine and coastal biodiversity
- Decision X/30: Mountain biological diversity
- Decision X/31: Protected Areas
- Decision X/33: Biodiversity and climate change
- Decision X/36: Forests biodiversity
- Decision X/37: Biofuels and biodiversity
- Decision X/38: IAS

### **2.1 Decision X/2 – Strategic Plan for Biodiversity**

In its Decision X/2, the Conference of the Parties to the CBD urged Parties to “*develop national and regional targets, using the Strategic Plan and its Aichi Targets, as a flexible framework, in accordance with national priorities and capacities and taking into account both the global targets and the status and trends of biological diversity in the country, and the resources provided through the strategy for resource mobilization, with a view to contributing to collective global efforts to reach the global targets, and report thereon to the Conference of the Parties at its eleventh meeting;*” and “*urged regional organisations to consider the development or updating of regional biodiversity strategies, as appropriate, including agreeing on regional targets, as a means of complementing and supporting national actions and of contributing to the implementation of the Strategic Plan for Biodiversity 2011-2020*” (...).

The provisions contained in the Bern Convention, together with the Resolutions and Recommendations of the Standing Committee which provide their interpretation and extend the reach of the Convention, form a tight tissue of international law and soft law which is coherent with many of the aims and objectives of the CBD Strategic Plan for Biodiversity.

Moreover, the Standing Committee to the Bern Convention, through the “*Bern Declaration on the conservation and sustainable use of biodiversity in Europe: 2010 and beyond*”<sup>3</sup> adopted by the Committee on the occasion of the 30<sup>th</sup> anniversary of the signature of the Convention:

- Reaffirmed the critical role played by the Bern Convention to facilitate the co-ordinated implementation of global biodiversity obligations in Europe, including relevant parts of the Convention on Biological Diversity; the Convention on Migratory Species and related agreements; and the Ramsar Convention on wetlands;
- Recognised “*the role of the Bern Convention to promote coherence in biodiversity policies across the Pan-European region and the African countries involved*”;
- Urged Contracting Parties, and invited Observer States “*to use the Bern Convention as a fundamental instrument to implement the global post-2010 targets*”.

Furthermore, at its 31<sup>st</sup> meeting, in November 2011, the Standing Committee instructed the Secretariat and the Bureau to continue identifying priorities to implement the CBD Biodiversity Strategic Plan under the Bern Convention focus and perspective in the years to come, particularly fostering European work on invasive alien species, adaptation of biodiversity to climate change, the setting up of

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<sup>3</sup> See: [http://www.coe.int/t/dg4/cultureheritage/nature/WCD/Declarations\\_en.asp#](http://www.coe.int/t/dg4/cultureheritage/nature/WCD/Declarations_en.asp#)

the Emerald network, the monitoring of Species Action Plans, the conservation of invertebrates and the management of large carnivore populations on the whole continent<sup>4</sup>. Document T-PVS (2012) 18, examining possible options for the further strategic development of the Bern Convention 2012-2020 taking into account the appropriate Aichi 2020 Biodiversity Targets, as well as the contribution by other international instruments (e.g. the EU Biodiversity Strategy), has been prepared in 2012 for possible endorsement by the Standing Committee at its 32<sup>nd</sup> meeting (Strasbourg, 27-30 November 2012). We refer to that document for more detailed information on the role of the Bern Convention in the implementation of the Aichi Targets.

## 2.2 Decision X/17 – Global Strategy for Plant Conservation

In its Decision X/17, the Conference of the Parties (CoP) to the CBD invited Parties and other Governments to “*Develop or update national and, regional targets as appropriate, and, where appropriate, to incorporate them into relevant plans, programmes and initiatives, including national biodiversity strategies and action plans, and to align the further implementation of the Strategy with national and/or regional efforts to implement the Strategic Plan for Biodiversity 2011-2020*”; it invited relevant international and regional organisations to: “*Endorse the updated Strategy and to contribute to its implementation, including by promoting common efforts towards halting the loss of plant diversity*” (...).

The Bern Convention set up a Group of experts on Plant conservation already in 1990, with the mandate of sharing experiences on the management and conservation of wild plants, as well as elaborating, and consequently monitoring, the implementation of guidelines and action plans for some species. The Group holds its meetings during *Planta Europa*<sup>5</sup> conferences. In 2008, the Standing Committee to the Bern Convention adopted the “*European Strategy for Plant Conservation (ESPC) 2008-2014*”, jointly prepared by the Council of Europe and the *Planta Europa* network. The objective of such actions is to provide a European framework for the development of work aimed at halting the loss of plant diversity in Europe. The implementation of the Strategy is monitored every three years. In 2011 the 6<sup>th</sup> *Planta Europa* Conference - organised in cooperation with the Bern Convention - reiterated the importance of the ESPC as a regional contribution to the updated CBD Global Strategy for Plant Conservation 2011-2020. However, the monitoring exercise revealed “*lack of significant progress with ESPC targets aimed at conserving plant diversity in production lands (target 6), through the sustainable use (target 12) and the lack of significant progress in capacity for plant conservation in Europe (target 15)*”. The “*Krakow Declaration on the Conservation of wild plants in Europe: Actions for wild plants*”<sup>6</sup>, adopted by the participants, identifies a series of fields where more concerted efforts are needed.

In addition, it could be useful to recall the “*Code of Conduct on Horticulture and Invasive Alien Plants*”<sup>7</sup>, prepared as a joint collaboration of the Bern Convention and the European and Mediterranean Plant Protection Organization (EPPO), and endorsed by the Standing Committee to the Convention in 2008. The Code consists in a set of guidelines that are directed to national plant protection organisations. A workshop was jointly organised by the Bern Convention and the EPPO (Oslo, Norway, June 2009) to monitor and improve the implementation of the provisions contained in the Code. As a result, a survey has been launched by EPPO and the EEA to take stock of the measures undertaken by Contracting Parties in this respect.

Cooperation with the EPPO continued in 2010, when a 2<sup>nd</sup> workshop on *Invasive Alien Plants in Mediterranean type regions of the world*, was organised in Trabzon (Turkey) from 2 to 6 August. The workshop’s conclusions noted that invasive alien plants are a major concern in the Mediterranean region and highlighted the need to promote awareness on this topic, encouraging the elaboration of priority lists

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<sup>4</sup> See for reference the « List of Adopted Texts and Decisions », document T-PVS (2011) Misc 1+2.

<sup>5</sup> *Planta Europa* is a network that brings together more than 77 members organisations from 35 European countries. It was established in 1995 as an international initiative focused on the conservation of wild plants and fungi as well as their habitats.

<sup>6</sup> See document T-PVS/Inf(2011)17.

<sup>7</sup> See document T-PVS/Inf (2008) 2.

for control and eradication; participants further invited European institutions to develop an early-warning and rapid response system and proposed that biofuel crops be subject to risk assessment.

Furthermore, it should be mentioned that a “*Code of Conduct on Botanical gardens and IAS*” is being drafted by the Group of Experts on IAS, to offer some guidance to all botanic gardens personnel in order to avoid new introductions and control the spread of IAS in their everyday work. The Code should be submitted to the Standing Committee for endorsement at its 32<sup>nd</sup> meeting, in 2012.

In addition, the Standing Committee also analysed, in 2009, the impact of climate change on plant species in Europe [see for reference document T-PVS/Inf (2009)9]. It concluded that given that baseline data were still far from complete, it was difficult to determine appropriate targets for action. It recalled the European Strategy for Plant Conservation (ESPC) as a relevant framework to address the issue of plant conservation in the face of climate change and identified a list of proposed actions for both *in situ* and *ex situ* conservation.

Finally regarding Fungi, the Bern Convention considers these as components of a specific kingdom with an extraordinary diversity. The Council of Europe has supported the conservation of the European macrofungi and its large component of biodiversity in a few conservation actions on the national and European level. More concretely, the Standing Committee to the Bern Convention adopted a specific recommendation on the conservation of Fungi, assorted by “Guidance for Conservation of Large Fungi in Europe”. A Draft Charter on Fungi-gathering and biodiversity will be submitted at the Standing Committee for endorsement at its 32<sup>nd</sup> meeting, in 2012.

### **2.3 Decision X/18 – International Year on Biodiversity**

In compliance with the provisions of Article 4 of the Enhanced memorandum of co-operation between the Secretariat of the CBD and the Secretariat of the Bern Convention, signed in Bonn (Germany) on 23<sup>rd</sup> May 2008, the Bern Convention has engaged a number of actions to celebrate the 2010 International year on biodiversity:

- The logo of the 2010 International year on biodiversity was displayed on top of the Bern Convention’s website, in both English and French. The logo of the Decade on Biodiversity (2011 – 2020) has also been posted on the Convention’s website ([www.coe.int/biodiversity](http://www.coe.int/biodiversity));
- The event “European Biodiversity Day” was organised at the Council of Europe on 28<sup>th</sup> April 2010 by the Council of Europe Conference of the INGOs, in cooperation with the Parliamentary Assembly and the Congress of Local and Regional Authorities, and with the support of the Bern Convention. To underscore their common objectives, the three Council of Europe institutional bodies signed a Joint Declaration entitled “*Working together for Biodiversity, Protection of Natural Areas and the Fight against Climate Change*”. The Declaration represent the renewal of the political commitment of the CoE Institutions to pursuing their action at Pan-European level to improve the state of biodiversity, protect natural areas, and fight against climate change.

A number of other events and technical meetings organised under the Bern Convention annual Programme of Activities were also the occasion to raise public awareness on the 2010 International Year of biodiversity including the Conference “*Post-2010 Biodiversity Vision and Target: the role of protected areas and ecological networks in Europe*” (26-27 January 2010, Spain); the Large Carnivore Initiative for Europe - Regional Caucasus Network (17-18 May 2010, Georgia); the 2<sup>nd</sup> International Workshop on Invasive Plants in the Mediterranean Type Regions of the World (2-6 August 2010, Turkey); and the annual meetings of the Groups of experts set under the Convention.

### **2.4 Decision X/20 – Cooperation with other Conventions**

In its Decision X/20, the CoP welcomed “*the initiative of the Executive Secretary to hold a retreat of the biodiversity related conventions and the agreement amongst Secretariats to consider the Strategic Plan for Biodiversity 2011-2020 as a useful framework that is relevant to all biodiversity-related*

*conventions” and “Invited the scientific advisory bodies of the biodiversity-related conventions and the Liaison Group of the Biodiversity-related Conventions to address at their future meetings options for enhanced cooperation, inter alia, with regard to work on cross-cutting issues, such as climate change, scientific criteria for the identification of ecologically or biologically significant areas in need of protection, and invasive alien species, in a manner consistent with their respective mandates, governance arrangements and agreed programmes of work and with a view to developing a coherent approach on these matters”.*

Since the signature of the Memorandum of Cooperation between the Bern Convention and the CBD, the Standing Committee and its Groups of experts systematically invite representatives of the CBD to attend and contribute to their meetings; they further analyse the Programme of Work and the Strategic Plan of the CBD in order to avoid duplication and ensure a consistent contribution to its aims, and prepare the Bern Convention own Programme of Activities taking into account the possibilities of cooperation with other Biodiversity related Conventions<sup>8</sup>.

## **2.5 Decision X/29 – Marine and coastal biodiversity**

In its Decision X/29 the CoP invites *“Parties, other Governments and relevant organizations to further integrate climate change-related aspects of marine and coastal biodiversity into relevant national strategies, action plans and programmes (...)”* and *“urges Parties and other Governments to achieve long-term conservation, management and sustainable use of marine resources and coastal habitats, and to effectively manage marine protected areas”* (...).

At its 31<sup>st</sup> meeting<sup>9</sup>, the Standing Committee to the Bern Convention adopted *Recommendation No. 152 on marine biodiversity and climate change*<sup>10</sup>, which was prepared by the Group of experts on Biodiversity and Climate Change particularly taking into account relevant CBD areas of work. The Recommendation targets all European marine biodiversity (including the Arctic) putting a particular emphasis on some of the specific threats, additional constraints, and effects of climate change on marine biodiversity, as well as on ecosystem services and their role in carbon sequestration, on the biodiversity of the overseas territories, and on invasive alien species. Specific guidance to be taken into account while implementing this recommendation are under preparation and will be analysed by the Standing Committee at its forthcoming meeting, on 27<sup>th</sup> – 30<sup>th</sup> November 2012.

Under the habitat point of view, it is worth to mention that particular efforts in the framework of the Bern Convention are currently concentrating on the identification of marine areas to integrate the “Emerald Network of Protected Areas”, so to contribute to Aichi Target 11 (*“by 2020 at least 10 per cent of coastal and marine areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes”*; see for more information sub-chapter 2.7 Protected areas, of this document).

Finally, it should be mentioned that the Standing Committee set up, in 2008, a Group of Experts on Island biodiversity, with the task of improving networking of conservationists on European Islands, analysing the threats to island biodiversity, fostering conservation work and proposing guidelines for national actions aimed to an improved protection of Island biodiversity. Furthermore, the Group should contribute to current work of the CBD on islands, integrating the Global Island Partnership (GLISPA) and promoting further work on IAS on islands in the seas surrounding Europe: the Baltic, Mediterranean and Black Seas and the Arctic and East Atlantic Oceans. During its three-years work the Group produced two main documents: a *“Charter on the Conservation and Sustainable Use of Biological Diversity on*

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<sup>8</sup> The Bern Convention has signed MoC also with the CMS, the European Environment Agency, IUCN and Planta Europa.

<sup>9</sup> Held in Strasbourg, on 29 November – 2 December 2011.

<sup>10</sup> See [http://www.coe.int/t/dg4/cultureheritage/nature/WCD/Rec2011\\_en.asp#](http://www.coe.int/t/dg4/cultureheritage/nature/WCD/Rec2011_en.asp#)

*European Islands*<sup>11</sup> and a “*List of priorities for conserving biodiversity in European islands*<sup>12</sup>”, both adopted by the Standing Committee in 2011 and elaborated taking into account the CBD Strategic Plan for biodiversity. These documents, without pretending to be comprehensive or exclusive, offer some guidelines on activities that are most necessary to ensure the fulfilment of the objectives of the Bern Convention, also serving as awareness instruments for biodiversity conservation and sustainable use on European islands.

## **2.6 Decision X/30: Mountain biological diversity**

In its Decision X/30 the CoP “*invites Parties, other Governments, relevant organizations and indigenous and local communities to collect and update information periodically, inter alia, for use in the thematic portal to monitor the changes and disseminate information on (...) direct and indirect drivers of change in mountain biological diversity, including, in particular, climate change and land-use change as well as tourism and sporting activities;*” (...) “*Invites Parties, other Governments, relevant organizations and indigenous and local communities to: (...) Establish effectively and appropriately managed protected areas in line with the programme of work on protected areas to safeguard the highest priority key biodiversity areas in mountain ecosystems; “Encourages Parties, other Governments, relevant organizations and indigenous and local communities, to address climate-change and adaptation and mitigation issues for mountain biological diversity, taking into account decision X/33 on the in-depth review of work on biodiversity and climate change (...)*”.

Although the provisions contained in the Bern Convention do not make distinction between mountain habitats and other natural habitats nor between mountain species in relation to other species, both the legal obligations derived from the Convention’s articles and the implementation of its work programme provide a very complete framework for the conservation of mountain specific biological diversity.

Article 4 of the Bern Convention provides that Parties shall take appropriate and necessary measures to ensure the conservation of endangered natural habitats (including natural and semi-natural forests) and requires Parties to have regard to the conservation requirements of such areas in their planning and development policies, so as to avoid or minimise as far as possible any deterioration of such areas. Articles 5, 6 and 7 of the Convention provide a very strong basis for legal protection of most of the vertebrate species that are under a certain degree of threat.

In December 2010 the Standing Committee to the Convention devoted a special attention to the issue of mountain biodiversity, particularly in relation to climate change. A report on the “*Impacts of climate change on mountain biodiversity*” [see for reference document T-PVS/Inf (2010) 8], prepared within the framework of the Convention by the Global Mountain Biodiversity Assessment, included a number of policy recommendations which were adopted by the Standing Committee through its “*Recommendation No. 145 (2010) on guidance for Parties on biodiversity and climate change in mountain regions*”. The recommendation includes some guidance and proposes specific actions to adapt to climate change, among which: the need to improve protected areas in mountains, as well as to re-evaluate the management goals accordingly; to creating connectivity; to enhancing existing incentive schemes promoting lower intensity land management and the development of greater landscape heterogeneity; reduce anthropogenic stresses; protecting key ecosystem features; rehabilitating ecosystems that have been lost or compromised; identifying *refugia* for recovery or as destinations for climate sensitive migrants; transplanting organisms from one location to another in order to bypass a barrier. (See also sub-chapter 2.9 – Forests and biodiversity, of this document).

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<sup>11</sup> See for reference document T-PVS(2011)25.

<sup>12</sup> See document T-PVS/Inf(2011)09rev.

## 2.7 Decision X/31: Protected Areas

In its Decision X/31 the CoP invites Parties to “*Enhance the coverage and quality, representativeness and, if appropriate, connectivity of protected areas as a contribution to the development of representative systems of protected areas and coherent ecological networks that include all relevant biomes, ecoregions, or ecosystems*”; “*Develop a long-term action plan or reorient, as appropriate, relevant existing plans (...) with a view to contributing to the implementation of the Strategic Plan for Biodiversity 2011-2020*” (...); “*Promote the application of the ecosystem approach that integrates protected areas into broader land and/or seascapes for effective conservation of biological diversity and facilitate, in accordance with their management objectives, sustainable use within protected areas*”. At Regional level, the CoP invites Parties to “*actively explore the potentially suitable areas for transboundary protected area cooperation and by effective means to create an enabling environment for transboundary cooperation in regards to planning and management practices, connectivity as well as to development across national borders*” (...). It further identifies a number of issues that need greater attention, among which we can recall climate change, the effectiveness of management, invasive alien species management, marine protected areas, and the restoration of ecosystems and habitats of protected areas.

The Bern Convention set up in 1996 a Group of Experts on Protected Areas and Ecological Networks which meets every year since, with the aim to promote action and research on ecological networks (in particular the Pan-European Ecological Network developed by the Council of Europe since 1996). Moreover, the Group provides assistance to Parties and Observer states in the setting-up of the Emerald Network of Areas of Special Conservation Interests (ACSI), an ecological network which will constitute a genuine framework, as well as a tool, for strategic cooperation at pan-European level, providing all participating countries with a single and flexible monitoring and coordination mechanism.

In order to ensure that the setting-up of the Emerald Network provides a significant contribution to the achievement of Aichi Target 11 the Standing Committee endorsed, in 2011, the “Calendar for the implementation of the Emerald Network (2011-2020)” [document T-PVS/PA (2010) 8 rev]. The Calendar is in fact an Action Plan which should ensure that, by 2020, the Emerald Network of Areas of Special Conservation Interest is fully operational, as well as able to guarantee the long-term survival of all species and habitats of European Interest; appropriate management, monitoring and reporting tools, compatible with those used under the EU NATURA 2000 Network, as well as clear procedures for updating data should also be put in place by the 2020 deadline. The Committee further adopted an updated Map of biogeographical regions for the European continent, and agreed to establish the status of “official candidate sites” for proposed Emerald sites delivered to the Secretariat.

After one year of implementation of the Emerald Calendar the Standing Committee to the Bern Convention has been able to adopt, at its 31<sup>st</sup> meeting in 2011, the first list of Candidate Emerald sites, including 1 280 areas within 9 countries; the total surface so far covered by the Network is of 94 425.9 km<sup>2</sup>; the sufficiency of the sites to ensure the substantial long-term survival of threatened species, endemic species, or any species listed in Appendices I and II of the Convention and their habitats will be assessed in 2014-2015. However, the Candidate Emerald sites are already subject to some specific obligations, as stated in *Recommendation No. 157 (2011) on the status of candidate Emerald sites and guidelines on the criteria for their nomination*. Through this Recommendation the Standing Committee ask Parties to take the necessary protection and conservation measures in order to maintain the ecological characteristics of the candidate Emerald sites and to ensure that, if and when appropriate, these measures include administrative, management or development plans corresponding to the ecological requirements for the long term survival of species and habitats present in the proposed Emerald sites.

In 2012, the Group of Experts continues to monitor the implementation of the Emerald Calendar 2020, supporting the development of a map of marine biogeographical regions for the European continent as well as contributing to the preparation of both management and reporting guidance for the Emerald sites taking into account new challenges as, for instance, climate change. While analysing environmental

fragmentation in Europe, the Group is also discussing possible actions to preserve and strengthen the existing linkages of landscape at Pan-European level.

With regards to Invasive Alien Species, it should be recalled that “European Guidelines on Protected Areas and IAS” are being prepared under the Bern Convention by the Group of experts on IAS. The guidelines aim to draw a set of key actions to be adopted in order to prevent and manage the threat of invasive alien species into protected areas at site, national and regional scale. These are addressed to support protected areas managers and decision makers in the mainstreaming of the IAS issue into all aspects of protected area management, as well as to those (e.g. authorities, politicians and funders) that can contribute to the enforcement of well planned and effective management programmes. The Guidelines will certainly be good tools for raising awareness on this threat. They will be submitted to the Standing Committee for endorsement at its 33<sup>rd</sup> meeting, in 2013.

Finally, a particular reference should be made to the European Diploma for Protected Areas (EDPA), set up in 1965 under the Bern Convention to acknowledge the outstanding value of awarded areas in terms of their biological, geological and landscape diversity. Diploma sites are reference territories for long term study of population and habitat changes, good managerial practice in the framework of sustainable development. Moreover, the Diploma is also a tool for solving and preventing problems relating to the protection of diploma-holding areas since a condition of the award and subsequent renewal of the EDPA is that the areas are managed in an exemplary manner. In 2011 the Group of Specialists in charge of the monitoring of the diploma sites has engaged into the analysis of proposals concerning the future of the award, including the role of diploma-holding areas as examples of good management in the implementation of the Aichi targets. Furthermore, the Group has worked to updating the database and the map of European Diploma sites, as well as analysing the different types of habitats and geographical regions already represented in order to identify any gaps and encourage new applications.

The Standing Committee to the Convention will examine and eventually adopt the relevant documents at its next meeting, in November 2012. (See also subchapters 2.5 – Marine and coastal biodiversity; 2.6 – Mountain biodiversity; 2.8 – Biodiversity and Climate Change; 2.9 – Forests and biodiversity; 2.11 – Invasive Alien Species).

## **2.8 Decision X/33: Biodiversity and climate change**

Decision X/33 includes guidance on *ways to conserve, sustainably use and restore biodiversity and ecosystem services while contributing to climate change mitigation and adaptation*, concerning - *inter alia* - the assessment of the impact of climate change on biodiversity, and ecosystem-based approaches for adaptation and mitigation (including *sustainable management, conservation and restoration of ecosystems, as part of an overall adaptation strategy that takes into account the multiple social, economic and cultural co-benefits for local communities; implementing ecosystem management activities, including the protection of natural forests, natural grasslands and peatlands, the sustainable management of forests considering the use of native communities of forest species in reforestation activities, sustainable wetland management, restoration of degraded wetlands and natural grasslands, conservation of mangroves, salt marshes and seagrass (...); Enhance the conservation, sustainable use and restoration of marine and coastal habitats that are vulnerable to the effects of climate change or which contribute to climate change mitigation*)(...).

In 2006 the Standing Committee to the Convention set up a Group of experts on Biodiversity and Climate Change “to exchange information and review the effects of climate change on the biological diversity covered by the Bern Convention, including species and habitats, protected areas, and ecological networks, in co-ordination with other biodiversity conventions and international organisations working on this issue, including the CBD and the European Commission, as well as with other institutions of the Council of Europe; to propose advice and guidance for use in developing appropriate adaptation and management policies and actions for the conservation of the biological diversity mentioned above, including key policies that impact on ecosystem goods and services; to present to the Standing Committee

specific proposals, guidance and/or recommendations to help Parties address the challenges of climate change in the implementation of the Convention and its objectives”<sup>13</sup>.

The Group held 7 meetings, covering topics including the vulnerability of Bern Convention species and habitats in a context of climate change; the spread of IAS and vulnerability of ecosystems to invasions; the impacts on amphibians and reptiles, on plant species, on invertebrates, and on migratory birds; protected areas and climate change in Europe; climate change and wildland fires, the impact of climate change on the biodiversity of European islands; addressing the impacts of climate change on biodiversity; marine biodiversity and climate change; conservation translocations.

In 2012 the Group of Experts continued to address the impacts of climate change mitigation and adaptation, with a particular focus on governance and sectoral policies. It produced guidance on marine biodiversity and climate change, taking into account relevant guidance under the CBD. It monitored the implementation by Contracting Parties of the guidance so far adopted on biodiversity and climate change, through the assessment of the voluntary reporting by the Parties. (See also sub-chapters 2.2 – Global Strategy for Plant Conservation; 2.5 – Marine and coastal biodiversity; 2.6 – Mountain biodiversity; 2.7 – Protected areas).

## 2.9 Decision X/36: Forest Biodiversity

In its Decision X/36 the CoP “*recognizes the importance of forest genetic diversity for the conservation and sustainable use of forest biodiversity, including in the context of addressing climate change and maintaining the resilience of forest ecosystems;*” (...) and “*invites Parties, other Governments, the members of the Collaborative Partnership on Forests, and other relevant organizations and processes to closely collaborate in implementing the expanded programme of work on forest biological diversity and the targets concerning forest biodiversity agreed upon in the Strategic Plan for Biodiversity 2011-2020*” (...).

As already mentioned in this document, habitat loss is mainly dealt by the Bern Convention through the implementation of its article 4, which pays the same attention to all natural habitats types. In the framework of Article 4 the Standing Committee, in 1989, requested Parties to identify, in the areas within their jurisdiction, the endangered natural habitats requiring specific conservation measures. These were first listed in 1996<sup>14</sup> and included a large number of forest types, including Beech forests, *acidophilous* Oak forests, mixed *thermophilous* forests, a number of types of Fir forests and Spruce forests, some types of mountainous Pine forests, Scots pine forests, Black pine forests, oro-Mediterranean Pine forests, etc. The list of habitats of special conservation interest is currently being updated in light of the work carried-out by the experts working at the setting-up of the Emerald Network protected areas. The revised list should be submitted to the Standing Committee for adoption in 2015.

In addition, it should be recalled that a number of recommendations and resolutions were adopted by the Standing Committee<sup>15</sup> for particularly protecting specific forest habitat types encouraging Contracting

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<sup>13</sup> Cfr. : Recommendation No. 122 (2006) on the conservation of biological diversity in the context of climate change; No. 135 (2008) on addressing the impacts of climate change on biodiversity; No. 142 (2009) on interpreting the CBD definition of invasive alien species to take into account climate change; No. 143 (2009) on further guidance for Parties on biodiversity and climate change; No. 145 (2010) on guidance for Parties on biodiversity and climate change in mountain regions; No. 146 (2010) on guidance for Parties on biodiversity and climate change in European islands; No. 147 (2010) on guidance for Parties on wildland fires, biodiversity and climate change; No. 152 (2011) on Marine Biodiversity and Climate Change.

<sup>14</sup> Cfr. : Resolution No. 4 (1996)

<sup>15</sup> Cfr. for reference : Resolution No. 16 (1976) of the Committee of Ministers on the deterioration of Mediterranean maquis; Recommendation No. 12 (1982) of the Committee of Ministers on alluvial forests in Europe; Recommendation No. 11 (1988) on ancient natural and semi-natural woodlands; Recommendation No. 25 (1991) on the conservation of natural areas outside protected areas proper; Recommendation No. 55(1996) on giving consideration to ZNIEFF (nature reserves of ecological interest for fauna and flora) in the development of projects

Parties to avoid any deterioration of these forest ecosystems, making appropriate inventories of their biological diversity, designating for protection most valuable woodlands. Moreover, Parties are encouraged to adopt sustainable forestry management policies, encouraging the return to conditions closer to the natural state and avoiding the substitution of natural woodlands by stands of fast-growing tree species.

Concerning forest species their conservation status is monitored by the relevant Groups of experts thanks to the adoption, by the Standing Committee, of several recommendations and targeted action plans (e.g. for saproxylic invertebrates, birds, forest large carnivores)<sup>16</sup>.

However, it should be noted that, at European level, the Ministerial Conference on Protection of Forests in Europe (MCPFE, now called “Forest Europe”) has held the leadership in governmental co-operation in this field. Last meeting of Forests in Europe (Oslo, Norway, June 2011) concluded with the decision of drafting a regional legally binding agreement on forests. The Bern Convention will not therefore follow these developments without necessary fixing specific targets in that field. (See also sub-chapters 2.6 – Mountain biodiversity; 2.7 – Protected areas).

## **2.10 Decision X/37: Biofuels and biodiversity**

In its Decision X/37 the CoP “*encourages Parties, other Governments and relevant organizations to address impacts of the production and use of biofuels on biodiversity and the services it provides*” (...).

In 2009 the Standing Committee to the Bern Convention addressed the issue of the invasiveness of biofuel crops and the potential adverse impacts to natural habitats and native species in Europe. The Committee adopted *Recommendation No. 141 (2009) on potentially invasive alien plants being used as biofuel crops*, which requests Parties to avoid the use as biofuel crops of species which are already recognised as invasive in the proposed planting region; screen for invasiveness new species and genotypes to be used as biofuel crops, carrying out the necessary risk assessments, including risk analysis of cross-pollination with wild relatives and habitat vulnerability; monitor for possible spread of biofuel crops into natural habitats and their effects on species and habitats protected under the Convention; wherever the species used as biofuel crop is proved to escape cultivation and have an effect on the natural environment, introduce appropriate mitigation measures to minimise its spread and impact on native biological diversity.

The monitoring of the implementation of this recommendation will be carried-out by the Bern Convention Group of Experts on IAS in due time.

## **2.11 Decision X/38: Invasive Alien Species**

In its Decision X/38 the CoP “*establishes an ad hoc technical expert group (AHTEG) to suggest ways and means, including, inter alia, providing scientific and technical information, advice and guidance, on the possible development of standards (...) to avoid spread of invasive alien species that current international standards do not cover, to address the identified gaps and to prevent the impacts and minimise the risks associated with the introduction of invasive alien species as pets, aquarium and terrarium species, as live bait and live food*”; and “*recognizing the threats to biodiversity of existing and potentially new invasive alien species, urges Parties and encourages other Governments to apply the*

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for the Biltzheim Forest and the areas of Niffer and the Petit Landau (France); Recommendation No. 96 (2002) on conservation of natural habitats and wildlife, specially birds, in afforestation of lowland in Iceland.

<sup>16</sup> Cfr.: “Charter on Invertebrates”, adopted by the Committee of Ministers of the Council of Europe in 1986 - Recommendation No. (1986)10; Several forest and mountain bird species Action Plans endorsed by the Standing Committee are monitored by the Convention’s Group of Experts on Birds; regular meetings of the Group of experts on Large carnivores produce and monitor reports, recommendations and guidance adopted for their conservation (e.g. Brown bear, the Wolf, the European lynx, the Iberian lynx, the Wolverine, the Wildcat and the Cantabrian bear).

*precautionary approach with regards to the introduction, establishment and spread of invasive alien species, for agricultural and biomass production, including biofuel feedstocks, and for carbon sequestration” (...).*

Article 11, paragraph 2.b, of the Bern Convention requires Contracting Parties “*to strictly control the introduction of non native species*”. In order to help interpret these obligations, the Committee of Ministers of the Council of Europe adopted in 1984 a specific recommendation<sup>17</sup> in which it recommended governments of member states to: prohibit the introduction of non-native species into the natural environment; authorise certain exceptions to the prohibition (on the condition of risk-evaluation studies); take steps to prevent accidental introductions; and inform other governments on introduction schemes or accidental introductions.

The action of the Bern Convention was marked by these four subjects, together with the enhancement of European cooperation in this field and the work aimed at adapting national legislations accordingly. In 1992 the Standing Committee to the Convention decided to create a specialised group of experts originally called “Group of experts on the legal aspects on introduction and re-introduction of wildlife species”, which met for the first time in March 1993.

During the early 2000’s the energy of the Group of Experts was largely devoted to the preparation and negotiation of a fundamental text to promote and guide European activities on Invasive Alien Species: the *European Strategy on Invasive Alien Species*<sup>18</sup>. This strategy was adopted soon after the adoption, by the 6<sup>th</sup> CBD CoP of “Guiding Principles for the prevention, introduction and mitigation of impacts of alien species that threaten ecosystems, habitats or species” (Decision VI/23). The Strategy follows these “guiding principles” but goes further into the action recommended. Further to its adoption, the Standing Committee asked Parties to draw up and implement national strategies on IAS. The regular monitoring of the implementation of the Strategy is carried out by the Group of Experts during its meetings.

Since the adoption of Decision X/38, the Bern Convention has complemented its work accordingly, with a series of targeted actions and initiatives, and namely:

- It has assisted some Parties in drafting national strategies on IAS, in view of their further monitoring by the Group of Experts;
- It has addressed and analysed the possible risks related to the use of potentially invasive plants as biofuels (see sub-chapter 2.10 of this document);
- It has addressed the issue of IAS and climate change noting, among others, that present definitions of IAS by the European Strategy on IAS might be interpreted in the sense that native species spreading to new areas because of climate change should be considered as alien species. To avoid such interpretation the Group decided to propose a recommendation<sup>19</sup> providing an interpretation of the term “alien species” for the purpose of the Strategy;
- It has tackled the issue of IAS in European islands, devoting Principle 4 of the “*Charter on the Conservation and Sustainable Use of Biological Diversity on European Islands*”<sup>20</sup> (endorsed by the Standing Committee at its 31<sup>st</sup> meeting in 2011), to the prevention, detection, eradication and control particularly in priority sites and to safeguard highly threatened species;

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<sup>17</sup> Cfr. : Recommendation No. (84)14 of the Committee of Ministers concerning the introduction of non-native species

<sup>18</sup> See document T-PVS/Inf (2004) 1 : European Strategy on Invasive Alien Species

<sup>19</sup> See : Recommendation No. 142 (2009) on interpreting the CBD definition of invasive alien species to take into account climate change

<sup>20</sup> Cfr.: document T-PVS/Inf08rev (2011)

- It has contributed to the work of the AHTEG, more particularly by preparing, and further updating, a “*Code of Conduct on Pet Animals and IAS*”<sup>21</sup>, which has been endorsed by the Standing Committee at its 31<sup>st</sup> meeting;
- It is currently working on the preparation of four new codes of conduct, and namely:
  - The European Code of Conduct for Botanic Gardens and IAS (to be submitted to the Standing Committee in 2012);
  - The Code of Conduct on Zoological Gardens and Aquaria, and IAS (to be submitted to the Standing Committee in 2012);
  - The European Guidelines on Protected Areas and IAS;
  - The European Code of Conduct on Hunting and IAS.

(For more information see also sub-chapters 2.2 - Global Strategy for Plant Conservation; 2.7 - Protected Areas; 2.8 - Biodiversity and climate change; 2.9 Forest biodiversity).

### 3. CONCLUSIONS

Over more than 30 years, the Bern Convention has produced extensive guidance and standards under different forms: many species actions plans, strategies, codes of conduct, over 150 recommendations, resolutions, etc. to help countries improve national policies and preserve their natural heritage, combining concrete and practical action on the conservation and management of key species and sites with more strategic instruments. In this sense, the Bern Convention plays a unique and complementary role to other biodiversity policy instruments, such as those developed at the global level by the CBD.

This broad coverage of relevant issues, leading to concrete guidance and strategic documents, together with the active partnerships and cooperation developed over the years with other biodiversity conventions, the scientific community, and non-governmental organisations, are some of the Convention’s strengths that continue to motivate European and other countries to join this multilateral environmental agreement since 1979.

Part of the Bern Convention’s “added value” has been to tackle complex and sensitive issues long before they were addressed in legally binding instruments across Europe, including sustainable hunting, conservation of invertebrates, invasive species, ecological networks, the linkages between biodiversity and climate change, and the special needs and vulnerability of European island biodiversity.

The Bern Convention will continue to play on its strengths in order to deliver added value to other existing biodiversity instruments to ensure a fruitful future for Europe’s natural heritage.

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<sup>21</sup> See document T-PVS/Inf(2011)01rev