



Strasbourg, 23<sup>rd</sup> November 2022

T-PVS/Agenda(2022)21

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

42<sup>nd</sup> meeting

Strasbourg, hybrid meeting, 28 November - 2 December 2022

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Opening of the meeting: 2.00 pm CET on Monday, 28<sup>th</sup> November 2022<sup>1</sup>

***DRAFT ANNOTATED AGENDA***

**PART I – OPENING**

**NB** *Delegations are kindly reminded that only written statements will be included in the meeting report. If you would like your viva voce statement to be included in the report, please use the [statement template](#).*

**1. OPENING OF THE MEETING AND ADOPTION OF THE AGENDA**

Relevant document: T-PVS/Agenda(2022)20– draft agenda of 42<sup>nd</sup> Standing Committee

The 42<sup>nd</sup> meeting of the Standing Committee to the Bern Convention will be opened by the Chair of the Committee, Ms Merike Linnamägi, at 2:00 pm on Monday, 28 November 2022. She will present the agenda of the meeting and request its adoption.

**DECISION:** The Standing Committee is invited to adopt the agenda.

**2. CHAIRPERSON'S REPORT AND COMMUNICATIONS FROM THE DELEGATIONS AND FROM THE SECRETARIAT**

Relevant documents: T-PVS(2021)28 – 41<sup>st</sup> Standing Committee meeting report  
T-PVS(2022)05, T-PVS(2022)20 – Reports of the two Bureau meetings in 2022

The Chair will report on the various achievements and issues at stake for the Bern Convention since the last meeting of the Standing Committee, the implementation of the Programme of Work 2022 and the work of the Bureau in 2022.

Contracting Parties are invited to report in writing on the implementation of the Bern Convention in their States.

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<sup>1</sup> Draft plan for the discussion of the agenda is available at the end of this document.

The Director of Democratic Participation, Mr Matjaž Gruden, will inform the Standing Committee about developments within the Council of Europe.

**DECISION:** The Standing Committee is invited to take note of the Bureau meeting reports and the information presented.

### 3. MODALITIES OF PARTICIPATION OF BELARUS IN THE WORK OF THE STANDING COMMITTEE

Relevant document: CM/Del/Dec(2022)1445/10.4 - Committee of Ministers' decisions of 5 October 2022 on the modalities for the participation of Belarus in open conventions

The Director of Democratic Participation, Mr Matjaž Gruden, will inform the Standing Committee of the Committee of Ministers' decisions (CM/Del/Dec(2022)1445/10.4) of 5 October 2022 concerning the modalities of participation of Belarus in open conventions, inviting each body representing all the Parties of treaties to which Belarus is a Party to decide, on the basis of its rules of procedure, on the modalities of participation of Belarus in that body and to consider measures which may include restrictions or limitations to the participation of Belarus. Contracting Parties will be invited to follow up on the Committee of Ministers decisions.

**DECISION:** Contracting Parties are invited to decide, on the basis of the Rules of Procedure to the Standing Committee, whether an effective functioning of the Standing Committee, in particular in view of the functions entrusted to it by Articles 13, 14 and 15 of the Convention, warrants a reconsideration of the modalities of participation of Belarus in the Committee, and on possible next steps.

## 4. FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION

### 4.1. Financing of the Bern Convention

Relevant documents: CM/Del/Dec(2022)1437/9.2 - Committee of Ministers' decision of 15 June 2022 to establish a Fund  
 CM/Del/Dec(2022)1446/9.1- Committee of Ministers' decision of 19 October 2022 to draft an amending protocol  
 Resolution No. 9 (2019) on the financing of the Bern Convention  
 T-PVS/Inf(2022)13 – Voluntary Contributions 2022  
 T-PVS(2022)01 - Report of 5<sup>th</sup> meeting of Intersessional Working Group on Finances  
 T-PVS(2022)27 - Report of 6<sup>th</sup> meeting of Intersessional Working Group on Finances  
 T-PVS(2022)02 - Proposal for Article 14 bis amending the Bern Convention and its draft Annex  
 T-PVS/Inf(2022)05 - Establishing a financial mechanism within the Bern Convention - Explicative note  
 T-PVS/Inf(2022)50 - Advantages and disadvantages and consequences of possible options  
 T-PVS/Inf(2022)51 - Concept note on the creation of a Fund for the Bern Convention  
 T-PVS(2022)28 - Draft Terms of Reference of the *ad hoc* Drafting Group of an Amending Protocol

The Chair will take stock of the voluntary contributions received for 2022.

The Chair will invite the Contracting Parties to consider the same scale of voluntary contributions as set by Resolution No. 9 (2019) for 2023.

The Chair will further invite the Contracting Parties to resume consideration of the options for setting up a sustainable funding mechanism for the Bern Convention. The Secretariat will present the state of play of the activities of the Intersessional Working Group on Finances. The Secretariat will inform the Standing Committee of the Committee of Ministers' decision of 19 October 2022 (CM/Del/Dec(2022)1446/9.1) entrusting the Standing Committee to prepare a draft Protocol amending the Bern Convention, setting up a mechanism of compulsory financial contributions, and to submit it to the Committee of Ministers for consideration with a view to its adoption. It will also inform the Standing Committee of the Committee of Ministers' decision (CM/Del/Dec(2022)1437/9.2) of 15 June 2022 to establish a Fund for the Bern Convention in order to collect voluntary contributions.

*4.1.1 Setting up of a financial mechanism – state of play*

*4.1.2 Next steps*

**DECISION:** The Contracting Parties are invited to:

- take note of the information presented;
- agree on the suggested scale of voluntary contributions for 2023 as set in Resolution No. 9 (2019);
- take note of the meeting reports of the Intersessional Working Group on Finances;
- take note of the Committee of Ministers' decision of 19 October 2022 entrusting the Standing Committee to prepare a draft protocol amending the Bern Convention;
- take note of the Committee of Ministers' decision of 15 June 2022 to establish a Fund for the Bern Convention;
- discuss and, if appropriate, endorse the Terms of Reference for an *ad hoc* Drafting Group of an Amending Protocol to elaborate a draft protocol amending the Bern Convention, elaborate its modalities of entry into force and functioning, and propose a scale of contribution for the consideration of the Standing Committee;
- mandate the Secretariat to call for nominations from Contracting Parties to participate in the *ad hoc* Drafting Group.

#### **4.2. Vision and Strategic Plan for the Bern Convention for the period to 2030 and contribution to the post-2020 global biodiversity framework**

Relevant documents: T-PVS(2022)04 - Report of 4<sup>th</sup> meeting of Working Group on a Vision and Strategic Plan  
T-PVS(2022)10 - Report of 5<sup>th</sup> meeting of Working Group on a Vision and Strategic Plan  
T-PVS(2022)21 - 8<sup>th</sup> draft of the Strategic Plan  
T-PVS(2021)14 - Vision for the Bern Convention for the period to 2030

The Chair of the Working Group on developing a Vision and Strategic Plan for the Bern Convention for the period to 2030, Mr Jan Plesnik, and the consultant Mr David E. Pritchard, who was charged with assisting the Group in elaborating the draft Vision and Strategic Plan, will inform the Standing Committee about the work of the Group, and present the 8<sup>th</sup> draft of the Strategic Plan. The Committee will be invited to exchange views on the current draft of the Strategic Plan.

**DECISION:** The Standing Committee is invited to:

- take note of the meeting reports of the Working Group on developing a Vision and Strategic Plan for the Bern Convention for the period to 2030 and the information presented;
- take note of the state of preparation of the draft Strategic Plan;
- discuss and, if appropriate, approve the targets of the 8<sup>th</sup> draft of the Strategic Plan;
- prolong the mandate of the Working Group to continue development of the Strategic Plan during 2023 with a view to a final Plan being presented to the 43<sup>rd</sup> Standing Committee for possible adoption.

#### **4.3. Case-file reflection**

Relevant documents: T-PVS/Inf(2022)27 – Case-File Reflection: Draft Guide of Procedures  
T-PVS/Inf(2022)28 – Case-File Reflection: Proposals for increasing the efficiency and effectiveness of the system  
T-PVS/Inf(2021)30 – Case-file system reflection: Secretariat memorandum

The Chair will recall the reason for this case-file reflection which was initiated in 2021: the overload of case-files for the Secretariat, Bureau and Standing Committee to deal with, the challenging processes, and the relevant timing alongside the vision and financing working groups, as well as general growing environmental awareness and the need to provide a useful resource for all stakeholders.

The Chair, together with the Secretariat, will present the two documents which were developed following the case-file reflection consultation with Bern Convention Contracting Parties and Observers, as well as extensive Bureau review during 2021 and 2022: the draft Guide of Procedures and the proposals for increasing the efficiency and effectiveness of the system going forward.

**DECISION:** The Standing Committee is invited to:

- discuss and, if appropriate, support the Guide of Procedures originating from the case-file reflection;

- take note of the proposals for increasing the efficiency and effectiveness of the system originating from the case-file reflection.

#### 4.4. Rules of Procedure - Possible modifications

Relevant documents: T-PVS/Inf(2022)29 - Proposed amendments to the Rules of Procedure of the Standing Committee  
T-PVS/Inf(2022)30 - Explanatory table of proposed amendments to the Rules of Procedure of the Standing Committee

The Chair, together with the Secretariat, will present the proposed amendments to the Rules of Procedure of the Standing Committee, which have been developed in consultation with the Bureau and the legal department of the Council of Europe. The main aim of the proposed amendments is to include a more explicit mention of the possibility to use digital technologies for the work of the Standing Committee, taking into account the lessons learnt from the pandemic experience, addressing procedural issues such as working methods, electronic voting and written consultations.

**DECISION:** The Standing Committee is invited to discuss and, if appropriate, adopt the proposed amendments to the Rules of Procedures of the Standing Committee.

## PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

### 5. MONITORING OF THE IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION

#### 5.1. Biennial reports 2017-2018 and 2019-2020 concerning exceptions made to Articles 4, 5, 6, 7 or 8

Relevant documents: T-PVS/Inf (2022)52 – Summary table of reporting under the Bern Convention  
Joint Note from the Secretariat of the Bern Convention and DG Environment on further instructions on reporting under Article 9 of the Bern Convention by EU MS

Article 9.2 of the Bern Convention requests Parties to report on the exceptions made to Articles 4, 5, 6, 7 and 8. The Secretariat will also recall the reporting procedure on exceptions granted under Article 9 of the Bern Convention for EU Member States, using the EU Habides + tool for reporting.

The Secretariat will provide an update on the development of a new Online Reporting System.

**DECISION:** The Standing Committee is invited to take note of the biennial reports and the information presented.

#### 5.2. Proposal for amendment: Downlisting of the wolf (*Canis lupus*) from Appendix II to Appendix III of the Convention

Relevant document: T-PVS/Inf(2022)45 – Pan-European assessment of the conservation status of the wolf

The Chair will recall that, in 2018, Switzerland proposed an amendment to the Appendices of the Convention in accordance with Article 17, paragraph 1, of the Bern Convention, to downgrade the wolf (*canis lupus*) from Appendix II (strictly protected fauna species) to Appendix III (protected fauna species). The 38<sup>th</sup> Standing Committee did not decide on the proposed amendment as Contracting Parties were not ready to take a position. Following a renewal of the request by Switzerland on 5 April 2022 and pursuant to Article 17, paragraph 2, of the Convention, the Standing Committee will be invited to re-examine the proposed amendment of the Appendices II and III.

The national delegation of Switzerland will be invited to present the proposal for amendment.

The Chair of the IUCN Large Carnivore Initiative for Europe (LCIE) will inform Parties of the conservation status of the wolf at pan-European level.

**DECISION:** The Standing Committee is invited to:

- take note of the pan-European assessment of the conservation status of the wolf prepared by the LCIE;
- examine the proposed amendment to downgrade the wolf from Appendix II to Appendix III of the Convention and, if appropriate, adopt the proposed amendment by a two-thirds majority of the Contracting Parties.

## **PART III – MONITORING OF SPECIES AND HABITATS**

### **6. MONITORING OF SPECIES AND HABITATS**

Contracting Parties will have the opportunity to report on specific conservation actions, upon previous request to the Secretariat and the Chair.

#### **6.1. Conservation of Birds: IKB and Group of Experts**

Relevant documents: T-PVS(2022)11 - Meeting report of 4<sup>th</sup> joint IKB/MIKT meeting  
T-PVS/Inf(2022)21\_rev - Instructions for additional narrative text to support Scoreboard submissions  
T-PVS/Inf(2022)18\_rev2 - Legislative Guidance relating to the illegal killing, taking and trade of wild birds  
T-PVS/Inf(2022)19\_rev3 - Model law provisions on illegal killing, taking, and trade of wild birds (IKB)  
T-PVS/Inf(2022)20\_rev - draft Methodology, guidance and common format for conducting socio-economic research into the motivations behind IKB  
T-PVS/Inf(2022)23\_rev - Recommendations for the development and implementation of national Action Plans against the Illegal Killing, Trapping and Trade of Birds  
T-PVS(2022)12 - Meeting report of 7<sup>th</sup> meeting of the Group of Experts on the Conservation of Birds  
T-PVS/Inf(2022)31 - Action Plan for river birds in the five-country Biosphere Reserve “Mura-Drava-Danube”

The Secretariat will inform the Standing Committee of the outcomes of the joint meeting of the Bern Convention Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (IKB) and the Convention on the Conservation of Migratory Species of Wild Animals (CMS) Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds (MIKT) in the Mediterranean, which took place in Valencia, in a hybrid format, on 7-9 June 2022.

The Secretariat will provide an update on the state of play of activities undertaken to implement the Rome Strategic Plan.

The Secretariat will provide information on the draft instructions for an additional narrative text to support Scoreboard submissions, as well as on the draft methodology, guidance and common format for conducting socio-economic research into the motivations behind IKB.

A representative of the CMS Secretariat will present a legislative guidance relating to IKB and the associated model law examples.

A representative of the CMS Secretariat will present the recommendations for the development and implementation of national Action Plans against IKB.

The outgoing Chair of the Group of Experts on the Conservation of Birds, Mr Rastislav Rybanic, will inform the Standing Committee of the outcomes of the 7th meeting of the Group of Experts, which took place in Valencia, in a hybrid format, on 9-10 June 2022.

A brief presentation on the Action Plan for river birds in the five-country Biosphere Reserve “Mura-Drava-Danube”, will be given by representatives of WWF Austria and REVITAL.

**DECISION:** The Standing Committee is invited to:

- take note of the report of the joint meeting of the Bern Convention Network of Special Focal Points on IKB and the CMS Intergovernmental Task Force MIKT and the information provided;

- discuss and, if appropriate, adopt the proposed instructions for additional narrative text to support Scoreboard submissions, and invite Contracting Parties and Observer states to provide additional narrative to support their Scoreboard submission;
- discuss and, if appropriate, endorse the legislative guidance relating to the illegal killing, taking and trade of wild birds and take note of the associated model law examples;
- discuss and, if appropriate, endorse the recommendations for the development and implementation of national Action Plans against the Illegal Killing, Trapping and Trade of Birds;
- take note of the draft methodology, guidance and common format for conducting socio-economic research into the motivations behind IKB;
- take note of the meeting report of the Group of Experts on the Conservation of Birds and the information presented;
- take note of the proposals by the Group of Experts on the Conservation of Birds for its future areas of work;
- take note of the Action Plan for River birds in the five-country Biosphere Reserve “Mura-Drava-Danube”.

## 6.2. Invasive Alien Species

Relevant documents: T-PVS/Inf(2022)35 - Guidance on communication and IAS  
 T-PVS/ (2022)15 - draft Recommendation on communication and IAS  
 T-PVS/Inf(2022)40 - Report on Alien Pathogens and Pathogens spread by IAS  
 T-PVS/Inf(2022)41 - Analysis of replies to questionnaire on relevant legislation of Bern Convention non- EU Contracting Parties on wildlife pathogens spread by alien species and on alien species affecting wildlife by acting as pathogens  
 T-PVS/ (2022)16 - draft Recommendation on alien pathogens and pathogens spread by IAS  
 T-PVS/Inf(2022)39 - Position paper on Invasive Alien Tree Species and Climate Change  
 T-PVS/ (2022)17 - draft Recommendation on Invasive Alien Tree Species and Climate Change

The consultant Mr Thomas Abeli will present the final draft of the Guidance on communication and Invasive Alien Species (IAS). The Secretariat will introduce the text of the draft Recommendation on communication and IAS.

The consultant Mr Riccardo Scalera will present the final draft of the report on alien pathogens and pathogens spread by IAS and an additional document analysing the replies to questionnaire on relevant legislation of Bern Convention non-EU Contracting Parties on wildlife pathogens and IAS. The Secretariat will introduce the text of the draft Recommendation on alien pathogens and pathogens spread by IAS.

The consultant Mr Giuseppe Brundu will present the final draft of the position paper on risks associated with the use of invasive alien tree species as a nature-based solution to mitigate climate change. The Secretariat will introduce the text of the draft Recommendation on invasive alien tree species and climate change.

**DECISION:** The Standing Committee is invited to:

- take note of the Guidance on communication and IAS;
- discuss and, if appropriate, adopt the draft Recommendation No. ... (2022) on communication and IAS.
- take note of the Report on Alien Pathogens and Pathogens spread by IAS, including the analysis of relevant legislation of non-EU Contracting Parties on wildlife pathogens and IAS;
- discuss and, if appropriate, adopt the draft Recommendation No. ... (2022) on alien pathogens and pathogens spread by IAS.
- take note of the position paper on risks associated with the use of invasive alien tree species as a nature-based solution to mitigate climate change;
- discuss and, if appropriate, adopt the draft Recommendation No. ... (2022) on invasive alien tree species and climate change.

### 6.3. Amphibians and Reptiles: Conservation of Marine Turtles

Relevant documents: T-PVS(2022)14 - Report of 2<sup>nd</sup> meeting of ad hoc working group for conservation of marine turtles  
T-PVS/Inf(2022)42 – Conservation of marine turtle nesting sites: a guidance tool

The Chair of the *ad hoc* Working Group on marine turtles' conservation, Ms Céline Van Klaveren-Impagliazzo, and the Secretariat will inform the Standing Committee about the state of play of the initiative to develop a guidance tool for the conservation of marine turtles in the Contracting Parties Cyprus, Greece and Türkiye, agreed upon by the 40th Standing Committee.

The consultants commissioned to assist in the implementation of the initiative and drafting of the guidance tool - Mr Paolo Casale, a marine turtle conservation expert, and Mr Ivica Trumbic, an expert on Integrated Coastal Zone Management and Maritime Spatial Planning - will present the first draft of the guidance tool.

**DECISION:** The Standing Committee is invited to take note of the draft guidance tool and to call on extra voluntary contributions to support the initiative.

### 6.4. Biodiversity and Climate Change

Relevant documents: T-PVS(2022)13 – Meeting report of the Group of Experts on Biodiversity and Climate Change  
T-PVS(2022)09 – draft revised Terms of Reference of the Group of Experts on Biodiversity and Climate Change

The Secretariat will inform the Standing Committee of the outcomes of the meeting of the Group of Experts on Biodiversity and Climate Change, which took place online on 23 May 2022, and present the revised Terms of Reference of the Group of Experts.

**DECISION:** The Standing Committee is invited to:

- take note of the report of the meeting of the Group of Experts on Biodiversity and Climate Change;
- examine and, if appropriate, endorse the draft revised Terms of Reference of the Group of Experts on Biodiversity and Climate Change.

### 6.5. Pan-European Action Plan for Sturgeons

Relevant document: T-PVS(2022)26 – Report of the first meeting of the National Focal Points for the Pan-European Action Plan for Sturgeons

The Chair of the National Focal Points for the Pan-European Action Plan for Sturgeons, Ms Salome Nozadze, and the Secretariat will inform the Standing Committee of the outcomes of the first meeting of the National Focal Points.

**DECISION:** The Standing Committee is invited to:

- take note of the report of the first meeting of the National Focal Points for the Pan-European Action Plan for Sturgeons;
- invite range Contracting Parties to engage and implement the suggested actions aimed to overcome obstacles and challenges to the implementation of the Pan-European Action Plan for the Conservation of Sturgeons.

### 6.6. Action Plan for the Eradication of the Ruddy Duck

Relevant documents: T-PVS(2022)18 – Report of Ruddy Duck Expert Meeting  
T-PVS(2022)24 - Progress report on the implementation of the Action Plan for the Eradication of the Ruddy Duck in the Western Palaeartic, 2021-2025

The Secretariat will recall the Action Plan for the eradication of the Ruddy Duck in the Western Palaeartic, 2021-2025, adopted at the 40th Standing Committee, and inform the Standing Committee of the expert meeting

on the implementation of the Action Plan, held online on 20 July 2022. Mr Peter Cranswick, technical expert of Wildfowl & Wetlands Trust (WWT), will report on the outcomes of the progress review of the implementation of the Action Plan for the eradication of the Ruddy Duck in Europe 2021-2025.

**DECISION:** The Standing Committee is invited to:

- take note of the report of the expert meeting on the implementation of the Action Plan for the eradication of the Ruddy Duck in the Western Palaearctic 2021-2025;
- take note of the outcomes of the progress review of the implementation of the Action Plan for the eradication of the Ruddy Duck in the Western Palaearctic 2021-2025.

## 6.7. Conservation of Large Carnivores

Relevant document: T-PVS/Inf(2022)54 - CMS draft range-wide strategy on the conservation of the Persian leopard (UNEP/CMS/CAMI/RS- PL1/Doc.2/Rev.2)

The Secretariat will inform the Standing Committee of the draft range-wide Conservation Strategy for the Persian Leopard that the Central Asian Mammals Initiative (CAMI) of the CMS, together with the IUCN/Species Survival Commission (SSC) Cat Specialist Group, is developing as part of its Programme of Work.

The Secretariat will further inform the Standing Committee of an expert conference on the lynx planned by the IUCN Cat Specialist Group for May 2023 in Germany.

**DECISION:** The Standing Committee is invited to take note of the draft CMS Range-Wide Conservation Strategy for the Persian Leopard and the conference on the lynx scheduled for 2023 by the IUCN Cat Specialist Group.

## 6.8. Conservation of Habitats:

### 6.8.1 *Emerald Network of Areas of Special Conservation Interest*

Relevant documents: T-PVS/PA(2022)07 - Meeting report of the Group of Experts on Protected Areas and Ecological Networks  
T-PVS/PA(2022)09 - draft list of candidate Emerald Network Sites  
T-PVS/PA(2022)10 - draft list of adopted Emerald Network Sites

The Secretariat will inform the Standing Committee of the outcomes of the meeting of the Group of Experts on Protected Areas and Ecological Networks which took place online on 15 June 2022. The Secretariat will further inform the Standing Committee of the recent proposals of Emerald Network sites and present the draft updated lists of officially nominated candidate and adopted Emerald Network sites.

**DECISION:** The Standing Committee is invited to:

- take note of the report of the meeting of the Group of Experts on Protected Areas and Ecological Networks;
- examine and, if appropriate, adopt the draft updated list of officially nominated candidate Emerald Network sites;
- examine and, if appropriate, adopt the draft updated list of officially adopted Emerald Network sites.

### 6.8.2 *European Diploma for Protected Areas*

Relevant documents: T-PVS/DE(2022)12 – Meeting report of the Group of Specialists on the European Diploma  
T-PVS/DE(2022)01 – List of the 2022 on-the-spot appraisal visits  
T-PVS/DE(2022)13 – List of areas which could benefit from an on-the-spot appraisal visit in 2023

The Chair of the Group of Specialists, Mr Jan Plesnik, will present the outcomes of the annual meeting of the group which took place online on 24 February 2022. The Secretariat will further inform on the on-the-spot appraisals which were foreseen for 2022.



**DECISION:** The Standing Committee is invited to:

- take note of the report of the meeting of the Group of Specialists;
- welcome the Resolutions adopted by the Committee of Ministers renewing the European Diploma of 7 areas;
- take note of the on-the-spot appraisal visits which could take place in 2023.

#### **6.9. Reporting under Resolution No. 8 (2012) on the conservation status of species and habitats**

Relevant document: T-PVS/PA(2022)08 - Meeting report of *ad hoc* Working Group on Reporting

The Chair of the *ad hoc* Working Group on Reporting, Mr James Williams, and the Secretariat will inform the Standing Committee of the outcomes of the two meetings of the *ad hoc* Working Group on Reporting which took place online on 15 June and 18 November 2022.

**DECISION:** The Standing Committee is invited to take note of the outcomes of the meetings of the *ad hoc* Working Group on Reporting.

### **PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS**

#### **7. SPECIFIC SITES AND POPULATIONS**

Relevant documents: T-PVS/Notes(2022)07 – Summary of open and possible case files  
T-PVS/Notes(2022)08 – Summary of complaints on stand-by and follow-up Recommendations  
T-PVS/Inf(2022)07 – Register of Bern Convention’s case-files

##### **7.1. Files opened**

- 2004/2: Bulgaria: Wind farms in Balchik and Kaliakra –Via Pontica

Relevant documents: T-PVS/Files(2022)63 - Government Report  
T-PVS/Files(2022)XX - Complainant Report

The parties to the complaint will be invited to present an update report.

**DECISION:** The Standing Committee is invited to discuss this case-file and decide on its possible follow-up.

- 2013/1 - North Macedonia: Hydro power development within the territory of the Mavrovo National Park

Relevant documents: T-PVS/Files(2022)58 - Government Report  
T-PVS/Files(2022)28 - Complainant Report

The parties to the complaint will be invited to present an update report.

**DECISION:** The Standing Committee is invited to discuss this case-file and decide on its possible follow-up.

- 2017/02: North Macedonia: Alleged negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Sites due to infrastructure developments - *on-the-spot appraisal*

Relevant documents: T-PVS/Files(2022)03 –Terms of Reference of the OSA  
 T-PVS/Files(2022)58 - Government Report  
 T-PVS/Files(2022)29 - Complainant Report

The parties to the complaint will be invited to present an update report.

**DECISION:** The Standing Committee is invited to discuss this case-file, including the lack of an on-the-spot appraisal which had been mandated at its 41<sup>st</sup> meeting, and decide on its possible follow-up.

- 2016/5 - Albania: Presumed negative impact of hydro-power plant development on the Vjosa river - *on-the-spot appraisal*

Relevant documents: T-PVS/Files(2022)01 –Terms of Reference of the OSA  
 T-PVS/Files(2022)26 - Government Report  
 T-PVS/Files(2022)19 - Complainant Report

The parties to the complaint will be invited to present an update report.

Further to the decision of the 41<sup>st</sup> Standing Committee to organise an OSA, the expert Mr Lazaros Georgiadis will present findings from the OSA organised jointly with AEWA and CMS on 29 August – 2 September 2022.

**DECISION:** The Standing Committee is invited to discuss this case-file and decide on its possible follow-up.

- 2016/4 - Montenegro: Development of a commercial project in Skadar Lake National Park and candidate Emerald site

Relevant documents: T-PVS/Files(2022)62 – Government Report  
 T-PVS/Files(2022)23 – Complainant Report

The parties to the complaint will be invited to present an update report.

**DECISION:** The Standing Committee is invited to discuss this case-file and decide on its possible follow-up.

- 1995/6 - Cyprus: Akamas peninsula

Relevant documents : T-PVS/Files(2022)64 – Government Report  
 T-PVS/Files(2022)48 – Complainant Report

The parties to the complaint will be invited to present an update report.

**DECISION:** The Standing Committee is invited to discuss this case-file and decide on its possible follow-up.

- 2010/5 - Greece: threats to marine turtles in Thines Kiparissias

Relevant documents: T-PVS/Files(2022)49 – Government Report  
 T-PVS/Files(2022)56 – Complainant Report  
 T-PVS/Files(2022)69 – NGO Archelon Report

The parties to the complaint will be invited to present an update report.

**DECISION:** The Standing Committee is invited to discuss this case-file and decide on its possible follow-up.

➤ 2012/9 - Türkiye: Presumed degradation of nesting beaches in Fethiye and Patara SPAs

Relevant documents: T-PVS/Files(2022)34 – Government Report  
T-PVS/Files(2022)40 – Complainant Report

The parties to the complaint will be invited to present an update report.

**DECISION:** The Standing Committee is invited to discuss this case-file and decide on its possible follow-up.

➤ 1986/8 - Greece: Recommendation No. 9 (1987) on the protection of *Caretta caretta* in Laganas bay, Zakynthos

Relevant documents: T-PVS/Files(2022)50 – Government Report  
T-PVS/Files(2022)57 – Complainant Report  
T-PVS/Files(2022)71 – NGO Archelon Report

The parties to the complaint will be invited to present an update report.

**DECISION:** The Standing Committee is invited to discuss this case-file and decide on its possible follow-up.

## 7.2 Possible files

➤ 2001/4 - Bulgaria: Motorway through the Kresna Gorge

Relevant documents: T-PVS/Files(2022)75 – Government Report  
T-PVS/Files(2022)74 – Complainant Report  
T-PVS/Files(2022)47 – Joint Government / Complainant Report

The parties to the complaint will be invited to present an update report.

**DECISION:** The Standing Committee is invited to discuss this case-file and decide on its possible follow-up.

➤ 2019/5: Türkiye: Habitat destruction in Mersin Anamur Beach

Relevant documents: T-PVS/Files(2022)32 – Government Report  
T-PVS/Files(2022)33 – Complainant Report

The parties to the complaint will be invited to present an update report.

**DECISION:** The Standing Committee is invited to discuss this case-file and decide on its possible follow-up.

➤ 2020/09: Bosnia and Herzegovina: Possible negative impact of hydro-power plant development on the Neretva river - *on-the-spot appraisal*

Relevant documents: T-PVS/Files(2022)02 – Terms of Reference of the OSA  
T-PVS/Files(2022)XX – Government Report  
T-PVS/Files(2022)22 – Complainant Report  
T-PVS/Files(2022)72 – Mission report of the OSA  
T-PVS(2022)25 - draft Recommendation on Possible negative impact of hydro-power plant development on the Neretva river

The parties to the complaint will be invited to present an update report.

Further to the decision of the 41<sup>st</sup> Standing Committee to organise an OSA, the expert Mr Gregory Egger will present the findings from the OSA held on 18-20 October 2022.

**DECISION:** The Standing Committee is invited to:

- discuss this case-file and decide on its possible follow-up;
- welcome the OSA mission report;
- examine and, if appropriate, adopt draft Recommendation No. ... (2022) on the possible negative impact of hydro-power plant development on the Neretva river.

### 7.3 Complaints on stand-by

- 2017/6: Iceland: Possible negative impact on Breiðafjörður Nature Reserve's authentic birch woods from new road infrastructure - *online advisory mission*

Relevant documents : T-PVS/Files(2021)02rev – Terms of Reference of the OSA  
 T-PVS/Files(2022)XX – Government Report  
 T-PVS/Files(2022)XX – Complainant Report  
 T-PVS/Files(2022)68 – Mission report of the online advisory mission  
 T-PVS(2022)22 - draft Recommendation on the possible negative impact on Breiðafjörður Nature Reserve and its surroundings from new road infrastructure

The parties to the complaint will be invited to present an update report.

Further to the decision of the 41<sup>st</sup> Standing Committee to organise an OSA, the expert Mr Radu Mot will present the findings from the online advisory mission held on 5-6 May 2022.

**DECISION:** The Standing Committee is invited to:

- discuss this case-file and decide on its possible follow-up;
- welcome the online advisory mission report;
- examine and, if appropriate, adopt draft Recommendation No. ... (2022) on the possible negative impact on Breiðafjörður Nature Reserve and its surroundings from new road infrastructure.

### 7.4 Follow-up of previous complaints and Recommendations

- Closed file No. 2011/4: Threat to the Mediterranean monk seal (*Monachus monachus*) in Türkiye

Relevant documents: T-PVS/Files(2022)55 - Government Report

The bi-annual follow-up to this Recommendation was decided by the Standing Committee at its 36<sup>th</sup> meeting when the file was closed. The national authorities of Türkiye will be invited to present their progress report.

**DECISION:** The Standing Committee is invited to take note of the progress report presented and, if appropriate, to decide on a possible follow-up.

- [Recommendation No. 169 \(2013\)](#) on the Rhone streber (Zingel asper) in the Doubs (France) and in the canton of Jura (Switzerland) in the framework of a case-file on stand-by 2011/5: France / Switzerland

Relevant documents: T-PVS/Files(2022)59 - Swiss Government Report (FR)  
 T-PVS/Files(2022)77 - French Government Report (FR)  
 T-PVS/Files(2022)73 – Swiss & French Complainant's Report (FR)

The follow-up of the implementation of this Recommendation, linked to a case-file on stand-by, takes place every two years at the Standing Committee meeting. The national authorities of Switzerland and France and the complainant NGO organisation will be invited to present their progress reports.

**DECISION:** The Standing Committee is invited to take note of the progress reports presented and, if appropriate, to decide on a possible follow-up.

## **PART V – COOPERATION AND COMMUNICATION ACTIVITIES AND PROGRAMME OF WORK 2022-2023**

### **8. INTERNATIONAL COORDINATION WITH OTHER MEAs AND ORGANISATIONS**

The Secretariat will inform of the coordination activities implemented throughout 2022 with other international MEAs and organisations.

**DECISION:** The Standing Committee is invited to take note of the information presented.

### **9. AWARENESS AND VISIBILITY**

The Secretariat will inform of the activities carried out to promote knowledge and understanding of the Bern Convention's actions for biodiversity conservation.

**DECISION:** The Standing Committee is invited to take note of the information presented.

### **10. DRAFT PROGRAMME OF ACTIVITIES AND BUDGET FOR 2023**

Relevant document: T-PVS(2022)19– Draft Programme of Activities and budget for 2023  
T-PVS/Inf(2022)38 – Calendar of meetings for 2023  
T-PVS/Inf(2022)44 - Reflection on possible biennial Standing Committee meetings

As a follow up to the Standing Committee decision of last year, namely for the Secretariat in consultation with the Bureau to further elaborate the reflection on the pros and cons of holding the Committee meeting only every two years, the Secretariat will report on the assessment results.

The Secretariat will further present a proposal for a draft programme of activities and budget for 2023.

Parties interested to volunteer for hosting the organisation of Groups of Experts meetings in 2023 are invited to inform the Standing Committee.

**DECISION:** The Standing Committee is invited to:

- take note of the reflection presented on the pros and cons of holding Standing Committee meetings only every two years;
- examine and, if appropriate, adopt the programme of activities and budget for 2023.

### **11. STATES TO BE INVITED AS OBSERVERS TO THE 43<sup>RD</sup> MEETING**

The Secretariat will recall that the following States have been invited to attend the 42<sup>nd</sup> meeting as Observers:

- A. Council of Europe Member States (invited automatically): San Marino.
- B. Non-member States: Egypt, Holy See, Jordan.

**DECISION:** The Standing Committee is requested to decide unanimously which non-member States to the Council of Europe shall be invited to attend the 43<sup>rd</sup> meeting of the Standing Committee.

## PART VI – OTHER ITEMS

### 12. ELECTION OF CHAIR, VICE-CHAIR AND BUREAU MEMBERS

Relevant document: T-PVS/Inf(2013)6 – Rules of Procedure of the Standing Committee

In accordance with Rule 18(e) of the Rules of Procedure “*The Chair, Vice-Chair and two additional Bureau members shall be elected at the end of each meeting. They shall execute their respective terms of office from their election onwards until the end of the meeting following the meeting where they were elected. Their terms of office may be renewed, but the total length of term of office shall not exceed four years or, as appropriate, the end of the first meeting following the expiry of this period of four years*”.

In accordance with Rule 18(f) of the Rules of Procedure “*Whenever the previous Chair is not available to serve in the Bureau, the Committee shall elect three additional Bureau members.*”

**DECISION:** The Standing Committee is invited to elect its Chair, Vice-Chair, and two Bureau members. If the previous Chair is not available to serve in the Bureau, the Standing Committee is invited to elect three Bureau members.

### 13. DATE AND PLACE OF THE 43<sup>RD</sup> MEETING

The Secretariat will make a proposal for the date and place of the 43<sup>rd</sup> meeting of the Standing Committee (28 November - 1 December 2023 in Strasbourg).

**DECISION:** In accordance with Rule 1 of the Rules of Procedure, the Standing Committee is invited to decide on the date of its 43<sup>rd</sup> meeting.

### 14. ADOPTION OF THE MAIN DECISIONS OF THE MEETING

**DECISION:** The Standing Committee is invited to adopt the main decisions of the meeting which, in accordance with Article 15 of the Bern Convention, will be forwarded to the Committee of Ministers of the Council of Europe for information.

### 15. CLOSING OF THE MEETING

DRAFT PLAN FOR DISCUSSION OF THE AGENDA

MORNINGS 9.00 am - 12.30 pm (CET)	AFTERNOONS 2.00 pm – 5.30 pm (CET)
<b>MONDAY 28<sup>th</sup> November</b>	
	<ol style="list-style-type: none"> <li><b>1. OPENING AND ADOPTION OF AGENDA</b></li> <li><b>2. REPORT FROM CHAIRPERSON &amp; COMMUNICATIONS</b></li> <li><b>3. MODALITIES OF PARTICIPATION OF BELARUS</b></li> <li><b>4. FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION</b> <ol style="list-style-type: none"> <li><b>4.1 Financing of the Bern Convention</b> <ol style="list-style-type: none"> <li><i>4.1.1 Setting up of a financial mechanism – state of play</i></li> <li><i>4.1.2 Next steps</i></li> </ol> </li> <li><b>4.2 Vision and Strategic Plan for the Bern Convention for the period to 2030 and contribution to the post-2020 global biodiversity framework</b></li> <li><b>4.3 Case-file reflection</b></li> <li><b>4.4 Rules of Procedure- Possible modifications</b></li> </ol> </li> </ol>
<b>TUESDAY 29<sup>th</sup> November</b>	
<ol style="list-style-type: none"> <li><b>5. MONITORING AND IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION</b> <ol style="list-style-type: none"> <li><b>5.1 Biennial reports</b></li> <li><b>5.2 Proposal for amendment: Downlisting of the wolf (<i>Canis lupus</i>) from Appendix II to Appendix III of the Convention</b></li> </ol> </li> <li><b>6. MONITORING OF SPECIES AND HABITATS</b> <ol style="list-style-type: none"> <li><b>6.1 Conservation of Birds: IKB and Group of Experts</b></li> <li><b>6.2 Invasive Alien Species</b></li> <li><b>6.3 Amphibians and Reptiles: Conservation of Marine Turtles</b></li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li><b>6.4. Biodiversity and Climate Change</b></li> <li><b>6.5 Pan-European Action Plan for Sturgeons</b></li> <li><b>6.6 Action Plan for the Eradication of the Ruddy Duck</b></li> <li><b>6.7 Conservation of Large Carnivores</b></li> <li><b>6.8 Conservation of Habitats</b> <ol style="list-style-type: none"> <li><i>6.8.1 Emerald Network of Areas of Special Conservation Interest</i></li> <li><i>6.8.2 European Diploma for Protected Areas</i></li> </ol> </li> <li><b>6.9 Reporting under Resolution No. 8 (2012) on the conservation status of species and habitats</b></li> </ol>

**WEDNESDAY 30<sup>th</sup> November****7. SPECIFIC SITES AND POPULATIONS****7.1 Files opened**

- 2004/2: Bulgaria: Wind farms in Balchik and Kaliakra –Via Pontica
- 2013/1: North Macedonia: Hydro power development within the territory of the Mavrovo National Park
- 2017/02: North Macedonia: Alleged negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Sites due to infrastructure developments - OSA
- 2016/5: Albania: Presumed negative impact of hydro-power plant development on the Vjosa river - OSA
- 2016/4: Montenegro: Development of a commercial project in Skadar Lake National Park and candidate Emerald site

**7.1 Files opened (continued)**

- 1995/6: Cyprus: Akamas peninsula
- 2010/5: Greece: threats to marine turtles in Thines Kiparissias
- 2012/9: Türkiye: Presumed degradation of nesting beaches in Fethiye and Patara SPAs
- 1986/8: Greece: Recommendation No. 9 (1987) on the protection of Caretta Caretta in Laganas bay, Zakynthos

**7.2 Possible files**

- 2001/4: Bulgaria: Motorway through the Kresna Gorge
- 2019/5: Türkiye: Habitat destruction in Mersin Anamur Beach
- 2020/09: Bosnia and Herzegovina: Possible negative impact of hydro-power plant development on the Neretva river - OSA

**THURSDAY 1<sup>st</sup> December****7.3 Complaints on stand-by**

- 2017/6: Iceland: Possible negative impact on Breiðafjörður Nature Reserve's authentic birch woods from new road infrastructure – OSA

**7.4 Follow-up of previous complaints and Recommendations**

- Closed file No. 2011/4: Threat to the Mediterranean monk seal (*Monachus monachus*) in Türkiye
- [Recommendation No. 169 \(2013\)](#) on the Rhone streber (*Zingel asper*) in the Doubs (France) and in the canton of Jura (Switzerland) in the framework of a case-file on stand-by 2011/5: France / Switzerland

*possible continuation of unfinished work*

**8. INTERNATIONAL COORDINATION WITH OTHER MEAS AND ORGANISATIONS****9. AWARENESS AND VISIBILITY****10. DRAFT PROGRAMME OF ACTIVITIES AND BUDGET FOR 2023****11. STATES TO BE INVITED AS OBSERVERS TO THE 43RD MEETING****FRIDAY 2<sup>nd</sup> December (9.30 am – 2.00 pm)****12. ELECTION OF CHAIR AND VICE-CHAIR, AND BUREAU MEMBERS****13. DATE AND PLACE OF THE 43<sup>RD</sup> MEETING****14. ADOPTION OF THE MAIN DECISIONS OF THE MEETING****15. CLOSING OF THE MEETING**