COUNCIL OF EUROPE CONSEIL DE L'EUROPE

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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

28th meeting
Strasbourg, 24 - 27 November 2008

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REPORT

Document prepared by
the Directorate of Culture and Cultural and Natural Heritage

PART I – OPENING

1. Opening of the meeting and adoption of the agenda

Relevant documents: T-PVS (2008) 1 rev Draft agenda
T-PVS(2008)20 Annotated draft agenda

The Chair, Mr Jón Gunnar Ottósson (Iceland), opened the meeting and welcomed participants (see Appendix 1).

The Secretariat informed that document T-PVS (2008) 22 on "Draft Comments of the Standing Committee of the Bern Convention on Recommendation 1837 (2008) of the Parliamentary Assembly of the Council of Europe on "The fight against harm to the environment in the Black Sea" would be discussed under "Any other business" on Thursday morning. The agenda was adopted as set out in Appendix 2 to this report.

2. Chairman's report and communications from the delegations and from the Secretariat

Relevant documents: T-PVS (2008) 4 and 12 Reports of the Bureau meetings in March and September 2008

The Chair informed that the work programme for 2008 had been completed in conformity with the decisions taken the previous year, except for the activity on the contribution of the Convention towards meeting the 2010 target. However, a national workshop on IAS in Bulgaria, which had been included in this year's programme of work "subject to funding", was carried out in October 2008. He thanked the Secretariat for the work done in 2008 and informed the Committee of the two new Contracting Parties at this year's Committee meeting: Serbia and Armenia, and about the recent ratification of Bosnia and Herzegovina, which will become the 48th Contracting Party of the Bern Convention in early 2009. He underlined the importance of co-operation and synergies with other biodiversity conventions and partner organisations, such as the Convention on Biological Diversity (CBD) and the enhanced Memorandum of Co-operation between the Bern and the CBD Secretariats, signed in May 2008. In addition, he stressed the importance of the presence of the Executive Secretary of the CBD in our meeting, which highlights this renewed collaboration and reflects the reinforced ties between the global biodiversity convention and the Bern Convention, at a time when co-operation with other international conventions and organisations is also being reinforced. The Chair also mentioned the important coordination and exchange of information that is carried out in a regular basis with the European Commission through participation in the meetings of the EU Co-ordination Group for Biodiversity and Nature and, for the first time this year, also in the EU Nature Directors meeting hosted by the French Presidency in September 2008. He informed the Committee about some recent publications on the Bern Convention's activities and finally stressed the fact that the next couple of years will be critical for biodiversity conservation and sustainable use, as we approach the 2010 biodiversity target. He also mentioned that the Bureau and the Secretariat will endeavour to prepare a good 30th anniversary of the Bern Convention in 2009, as well as collaborate with others for a successful International Year of Biodiversity in 2010. The full version of the Chairman's Report can be found in the addendum to this report.

The delegate of Switzerland supported the organisation of events marking the 30th anniversary of the Bern Convention, especially as Switzerland will have the presidency of the Committee of Ministers of the Council of Europe from November 2009.

Mr Ahmed Djoghlaf, Executive Secretary of the CBD, welcomed the opportunity to address the Contracting Parties of the Bern Convention as the status of biodiversity and ecosystems is compromised and results in the loss of biodiversity and security of the planet, where the poorest will suffer most. He highlighted the Action Plan adopted at the Council of Europe's Warsaw Summit in 2005 and its call for sustainable development and quality of life. Mr Djoghlaf celebrated the signature of the enhanced Memorandum of Co-operation signed during COP-9 in May 2008 and some of the key areas for stronger co-operation such as climate change and biodiversity, invasive alien species, protected areas and island biodiversity. He also stressed the importance of the road-map for 2010

agreed at COP-9, with the full involvement of stakeholders. He further recognised the role of the Bern Convention in promoting the CBD objectives and the importance of Europe's biodiversity, and called for joint activities regarding both the International Day and the International Year of Biodiversity.

Mr Robert Palmer, Director of Culture and Cultural and Natural Heritage, welcomed participants and stressed the continuing difficult budgetary context in the Council of Europe, with zero growth for 2009, and warmly thanked Contracting Parties which have made substantial contributions in 2008, while making a call for increased support from Parties in the coming years. He welcomed the two new Contracting Parties and reported the interest shown by Georgia and Montenegro to carry out their internal procedures to join the Bern Convention in the near future. Mr Palmer thanked the Secretariat for their work during a very busy year and warmly welcomed the representatives of United Nations conventions attending the meeting. He stressed the importance of their presence in this meeting as a very important step on the Bern Convention's priority to establish closer institutional links with other Conventions as well as with the EU. He reiterated the critical importance of the next two years to assess progress and celebrate successes of the Bern Convention as it approaches its 30th anniversary as well as 2010. Finally, he called on all Contracting Parties, observers and partners to continue supporting the work of the Convention with their participation, commitment, contributions and spirit of co-operation.

PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

3. Monitoring of the implementation of the legal aspects of the Convention

3.1 Introductory reports: Serbia and Armenia

Relevant document: T-PVS/Inf (2008) 19 and .21 Introductory reports from Serbia and Armenia

The delegates from the two new Contracting Parties, Serbia and Armenia, presented their introductory reports to the Committee highlighting the legal, policy and institutional frameworks for nature conservation in their countries, as well as their biodiversity richness, the threats they face, and their ongoing activities and future objectives to improve nature conservation.

3.2 Implementation of the Convention in Bulgaria

Relevant document: T-PVS/Inf (2008) 18 Report on the implementation of the Bern Convention in Bulgaria

The consultant, Ms Clare Shine, presented her report on the implementation of the Bern Convention in Bulgaria. She highlighted the increased pressures on the country's best natural areas due to economic development and the resource constraints experienced by environmental authorities. However, she stressed the solid basis provided by the emerging new legal framework on nature conservation although the Ministry of Environment is rather isolated concerning the need for integration of biodiversity concerns into sectoral policies, due to economic pressures. Some of the major weaknesses identified were the current application of legislation on EIA and SEA; the need for capacity building and technical equipment, increased awareness of the judiciary, transparency and access to justice, as well as meaningful sanctions.

The delegate of Bulgaria thanked the Bern Convention for this initiative and congratulated the expert for her report, with the positive and not so positive aspects of the situation in her country. She mentioned that the recommendations included in the report will help the Bulgarian government to improve the current situation and that co-operation with other sectors must be taken at high level. She thanked the Committee, the Secretariat and the expert for their interest and support for nature conservation in Bulgaria.

The delegate of France, on behalf of the European Union and its member states, noted with interest this report and Bulgaria's engagement to improve the implementation of the Bern Convention, and offered the support of the EU and the Standing Committee.

The representative of Birdlife International welcomed the report and progress in nature conservation in Bulgaria but stressed that the country's natural sites face many threats. She proposed

that the Standing Committee considers offering broader expert support to prevent further damage, including the possibility of an expert workshop of a mission to Bulgaria in 2010, and involving other international organisations. The Bulgarian Birdlife partner, BPSP, offered to co-ordinate Bulgarian NGOs to prepare an overview of nature conservation threats in Bulgaria.

The representative of FACE also welcomed the report and asked for clarification regarding the reference to the chamois (*Rupicapra rupicapra*) as this species in included in Appendix III of the Bern Convention. He further stressed that the Bulgarian hunters association signed a national agreement with the Birdlife partner, after the EU agreement on sustainable hunting signed by the European Commission, Birdlife International and FACE in 2004.

3.3 Biennial reports 2005-2006 concerning exceptions made to Articles 4, 5, 6, 7 and ,8 and quadrennial reports 2001-2004

Relevant documents: T-PVS/Inf (2008) 23 Biennial Reports 2003-2004
T-PVS/Inf (2008) 22 Biennial Reports 2005-2006
T-PVS/Inf (2008) 26 General reports 2001-2004

In conformity with Article 9, paragraph 2, of the Convention, all Parties having made exceptions to Articles 4, 5, 6, 7 or 8 must present these exceptions in writing.

The Secretariat presented the biennial reports received.

The Committee took note of the reports submitted and invited the Contracting Parties which had not yet fulfilled this obligation to do so as soon as possible.

The Secretariat informed the Committee that it had also received general reports prepared on a voluntary basis.

The delegate of the Czech Republic reminded the Secretariat that their 2001-2002 report had also been sent and should be reflected in the list, as they asked for last year.

PART III –MONITORING OF SPECIES AND HABITATS

4. Monitoring of Species and Habitats

4.1 Invasive alien species

Relevant documents: T-PVS/Inf (2008) 3 Bern Convention action on invasive alien species in Europe
T-PVS/Inf (2008) 2 Draft Code of Conduct on horticulture and invasive alien plants
T-PVS (2008) 10 Draft Recommendation on the control of the water hyacinth (*Eichhornia crassipes*)
T-PVS (2008) 11 Draft Recommendation on the European Code of Conduct on Horticulture and Invasive Alien Plants
T-PVS (2008) 21 Report of the national workshop on IAS in Bulgaria (Sofia, 20-21 October 2008)

The Secretariat informed the Committee on the activities carried out on invasive alien species in 2008. The Convention organised a side-event held during CBD SBSTTA-13 on 18 February 2008, in Rome in which Bern Convention work was presented. A restricted group of experts also met in Rome and proposed that more work is devoted to IAS and climate change, IAS and Biofuels and Codes of conduct on companion animals and IAS. A national workshop on IAS was held in Bulgaria in 2008. The delegate of Bulgaria thanked the Convention for supporting the workshop. More work was planned for 2009, including a meeting of the Group of experts in Croatia (4-8 May 2009).

Ms Brunel (EPPO) presented the results of the EPPO/CoE workshop on "How to manage Invasive Alien Plants: The case studies of *Eichhornia crassipes* and *E. azurea*", held in Merida, Spain, on 2-4 June 2008.

The delegate of France, on behalf of the European Union and its member states, in the name of the European Union, supported the draft resolution but estimated that the prohibition of trade would be difficult to apply as internal EU regulation concerning trade and WTO trade treaties had to respected. Some modifications were included in the text.

The Standing Committee thanked the Spanish government for co-hosting the workshop (in Merida 2-4 June 2008) and EPPO for its valuable help and support.

The Standing Committee adopted the Recommendation No. 133(2008) on the control of the Water hyacinth (*Eichhornia crassipes*) as it appears in Appendix 3 to this report.

Ms Sarah Brunel (EPPO) presented the draft Code of Conduct on Horticulture and Invasive Alien Species prepared by Professor Vernon Heywood and herself, insisting on the need to collaborate with the horticultural industry to improve good practices and promote awareness on the problem.

The delegate of France, on behalf of the European Union and its member states, supported the adoption of the draft recommendation and proposed small technical modification to the Code, that were accepted. Norway has already proposed a national Code of Conduct and found the activity useful, supporting also the recommendation.

The delegate of the Slovak Republic informed the Committee of activities at the national level, mainly the publication of handbooks on invasive plant species, available online at: www.sopsr.sk.

The Standing Committee adopted the Recommendation No. 134 (2008) on the European Code of Conduct on Horticulture and Invasive Alien Plants as it appears in Appendix 4 to this report.

4.2 Group of Experts on the Conservation of Invertebrates

Relevant documents: T-PVS (2008) 6 Report of the meeting of the Group of Experts on the Conservation of Invertebrates
T-PVS/Inf (2008) 8 Compendium of national reports

The Group of Experts met in Kongsvold Mountain Lodge (Norway) on 23-25 June 2008.

The Secretariat presented the conclusions and results of the Group of Experts on the Conservation of Invertebrates, including the Group's plans to focus its future activities on the implementation and follow-up of the European Strategy for the Conservation of Invertebrates, adopted in 2006, as well as on increased co-operation with the Groups of Experts on IAS, and on Climate Change and Biodiversity, to further explore linkages and address those critical issues.

The Committee took note of the report of the meeting and warmly thanked the Norwegian government, in particular the Museum of Natural History and Archaeology in Trondheim, and the Directorate for Nature Management, for the efficient preparation of the meeting and the excellent hospitality provided. It further took note of the activities proposed by the Group for its future work; and thanked the government of Albania for their invitation to host the next meeting of this Group of Experts in 2010 or 2011.

4.3 Group of Experts on biodiversity and climate change

Relevant documents: T-PVS (2008) 2 Report of the second meeting of the Group of Experts on Biodiversity and Climate change (Seville, 13-15 March 2008)
T-PVS (2008) 15 Report of the third meeting of the Group of Experts on Biodiversity and Climate Change (Strasbourg, 11-12 September 2008)
T-PVS/Inf (2008) 5 rev. "A perspective on climate change and invasive alien species" by Ms Laura Capdevila-Argüelles and Mr Bernardo Zilletti
T-PVS/Inf (2008) 6 rev. "Climate change and the vulnerability of Bern Convention species and habitats", by Ms. Pamela Berry
T-PVS/Inf (2008) 12 rev. "Review of existing international and national guidance on adaptation to climate change: with a focus on biodiversity issues", by Mr Mike Harley
T-PVS/Inf (2008) 11 rev. "Climatic Change Impacts on European Amphibians and Reptiles", by Mr Klaus Henle

The Group of Experts met in Seville, Spain, on 13-15 March 2008, and in Strasbourg on 11-12 September 2008 .

The Chair of the Group of Experts for the past two years, Ms Caroline Cowan, presented the work of the Group of Experts on Biodiversity and Climate Change carried out in 2008, and including the draft recommendation submitted to the Standing Committee. She stressed the importance of the work carried out by this Group of Experts and the need to continue developing guidance on outstanding issues.

The delegate of France, on behalf of the European Union and its member states, welcomed the work carried out so far and supported the continuation of this Group of Experts, to be discussed under the

agenda item on the programme of activities for 2009. He informed the Committee of some minor changes and amendments to the draft recommendation which they would like to make as they are not substantial. He further proposed that the Group of Experts focuses its future work on the following proposed issues: restoration of wetlands; adaptation in coastal areas; corridors; possible conflicts due to biofuels and biodiversity loss, etc.

The delegate of Switzerland welcomed the work of this Group of Experts and expressed its intention to continue participation if the meetings schedule allows for it, as this prevented him from taking part in the 2008 meetings. He supported the continuation of this Group of Experts to become a permanent Group of Experts under the Bern Convention. He further made a proposal for replacing a term in the French version of the draft recommendation.

The delegate of Germany made a proposal to amend the draft recommendation and add text referring to the link between climate change and human survival, and the increased risk of conflicts, as well as adding 'wetland in areas increasingly threatened by drought' to the list of most vulnerable habitats.

The representative of Birdlife International also proposed some additions to the draft recommendation, to be considered by the Standing Committee provided that they get the support of a Contracting Party.

The Committee took note of the reports of the two meetings held in 2008 and thanked the Migres Foundation for the extremely efficient preparation of the meeting held in Seville in March 2008.The Committee took note of the proposals by the Group for its future work and agreed to extend its mandate to become a regular Group of Experts under the Bern Convention. It further agree to ask Parties to keep the Committee informed of any relevant measures on this issue at the national, regional and local levels, as well as on information regarding the outcome of those measures.

The Committee examined, amended and adopted recommendation No. 135(2008) on addressing the impacts of climate change on biodiversity as it appears in Appendix 5 to this report.

4.4 Draft European Action Plan for the Conservation of the Common hamster (*Cricetus cricetus)*

Relevant documents T-PVS/Inf (2008) 9 Draft European action plan for the conservation of the Common hamster (*Cricetus cricetus*)
T-PVS (2008) 18 Draft recommendation on improving the conservation of the Common hamster (*Cricetus cricetus*) in Europe

The consultant, Dr Ulrich Weinhold, presented the draft European action plan for the conservation of the Common hamster (*Cricetus cricetus*).

The secretariat presented the draft recommendation.

The delegate of France, on behalf of the European Union and its member states, stressed the need for urgent action for this species as it faces a worrying decline. He stated that the EU did not want to delay the adoption of a recommendation on this important issue even though the draft action plan could be further improved and completed, due partly to the fact that there is no Group of Experts for small mammals and therefore there has not been enough time to discuss the draft action plan in depth. He further proposed some amendments to the preambular part of the draft recommendation.

The delegate of Germany agreed in principle but expressed his country's reservation to this draft recommendation as it is a matter of competence at the Lander level.

The representative of IUCN proposed adding a reference to the need to improve the research on this species as there is still a lack of clarity about the demographic constraints on this species.

The Committee agreed to complete the draft action plan by 1st March 2009, with updated national data for the Common hamster.

The delegate of the Slovak Republic suggested to use the results of national reports submitted in 2007 in accordance with Article 17 of the Habitats Directive, as the Common hamster is listed in Appendix IV of this Directive. This data is available at: http://biodiversity.eionet.europa.eu/article17

The Committee examined, amended and adopted recommendation No 136(2008) on improving the conservation of the Common hamster (*Cricetus cricetus*) as it appears in Appendix 6 to this report.

4.5 Large carnivores/hervibores

Relevant documents: T-PVS/Inf (2008) 17 Guidelines for Population Level Management Plans for Large Carnivores
T-PVS/Inf (2008) 20 Report of the Workshop "Development of a Conservation Strategy for the Balkan Lynx" (Peshtani, FYROM, 3-4 June 2008)
T-PVS (2008) 17 Draft recommendation on population level management of large carnivore populations

The Secretariat outlined the work on large carnivores carried out in 2008. Results of the meeting on conservation of Lynx species in Europe held in Orleans (France) on 18-19 October 2008 were presented.

Ms Manuela von Arx, from IUCN's Species Survival Commission's Cat Specialist Group, presented the results of the workshop held in Peshtani, ("the former Yugoslav Republic of Macedonia"), on 3-4 June 2008. Several delegates expressed their support for this activity and wished that more work on Large Carnivores be carried out in the region.

The Standing Committee took note of the meetings held.

The Secretariat informed the Committee on the results of a pan-European conference on "Population level management of large carnivores" held in Postojna, Slovenia, on 10-11 June 2008.

Mr John Linnell, one of the consultants of the European Commission, presented the report "Guidelines for Population Level Management Plans for Large Carnivores", stressing the need to co-operate among countries sharing large carnivores populations.

The Secretariat presented the draft recommendation.

The delegate of France, on behalf of the European Union and its member states, expressed the commitment of the Union to conservation of large carnivores and the need to collaborate in the conservation of shared populations.

The delegate of France made some proposals of modifications.

The delegate of Switzerland supported the proposal by France to stress the need to "take account of best practices" in the management of populations of large carnivores.

The delegate of Norway supported the recommendation as modified by France and expressed reserves to some paragraphs of the report, specially one stating that all segments of a (shared) population should have positive trends and not just the population as a whole.

The Committee adopted the Recommendation No. 137(2008) on "Population Level Management of Large Carnivores Populations" (Appendix 7 to the report).

4.6 New European Strategy for Plant Conservation (2008-2014)

Relevant documents: T-PVS/Inf (2008) 14 European Strategy for Plant Conservation (2008-2014): A sustainable future for Europe
T-PVS (2008) 13 Draft recommendation on the European Strategy for Plant Conservation 2008-2014

The Secretariat gave the powerpoint presentation prepared by Plantlife International as their representative could not travel to Strasbourg for the meeting.

The Committee examined and adopted the recommendation No.138(2008) on the European Strategy for Plant Conservation 2008-2014 (see Appendix 8 to this report).

4.7 Wind energy and nature conservation: Progress report

Relevant document: T-PVS/Inf (2008) 16 Minutes of the meeting of the ad hoc Working Group on Wind Energy and Nature Conservation (Brussels, 10 July 2008)
T-PVS/Inf (2008) 27 Update on work of Ad Hoc Working Group for Development of Guidelines on Wind Energy and Nature Conservation

The Secretariat introduced this issue and explained the background leading to the third meeting of this Ad Hoc Working Group, held in Brussels in July 2008.

The delegate from the European Commission updated the Committee on the progress made in the preparation of guidelines on wind energy and nature conservation. He stressed the importance of the fact that the future guidelines will be agreed by all Commission services and pointed out the need for a strong strategic approach in planning for wind energy. He further referred to the need to improve procedures and promote examples of good practices, and the hope that they will be able to present the guidance at next year's meeting of the Standing Committee once they are finalised.

The Secretariat informed delegates about the EUROBATS publication of "Guidelines for consideration of bats in wind farm projects" and made available some copies for distribution.

The Committee welcomed this information and expressed its desire to continue being associated with this work s that the guidelines also receive the input of non-EU countries.

4.8 Habitats:

- Ecological networks: Emerald Network progress, PEEN

Relevant document: T-PVS (2008) 19 Report of the meeting of the Group of Experts on the Emerald Network of Areas of Special Conservation Interest

Following the presentations of the work done in 2008, the draft programme of work for 2009 and the results of the 13th meeting of the Group of Experts, presented by the Chair of the Group of Experts, the Secretariat and the consultant, the Standing Committee:

- welcomed the results obtained further to the completion of the CARDS/Emerald programme in six countries in South-East Europe with the financial support of the European Environment Agency: the programme represented substantial progress, particularly in scientific terms;
- approved the three-year project for the development of the Emerald Network in the South Caucasus and in central and eastern Europe, as part of a programme carried out jointly with the European Union to identify potential Emerald Network sites in Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine and the European part of the Russian Federation;
- welcomed the progress made with the Emerald Network pilot project programme, particularly in Armenia, Norway and Switzerland;
- endorsed the conclusions proposed at the technical co-ordination meeting in Strasbourg on 27 March 2008 (which was attended by the Chair of the Group of Experts, the Chair of the Standing Committee of the Bern Convention, the Emerald Network consultant and the Secretariat) in connection with the procedure for approval, by the Standing Committee, of sites proposed by States for inclusion in the Emerald Network;
- requested that the criteria for the selection and approval of sites be submitted to the Standing Committee for discussion and approval at its next meeting;
- agreed, in response to an official request from the Croatian government, to adapt the map of Emerald Network biogeographical regions for Croatia, while taking account of the comments expressed by the Hungarian delegation at the meeting of the Group of Experts in October 2008;
- noted with satisfaction that Turkey wished to take steps to introduce the Emerald Network, following the pilot project organised in 2000;
- took note with satisfaction of the offer from the RAC/SPA to contribute to the Emerald Network, particularly in connection with marine sites;
- agreed to a specific assistance visit to Senegal to finalise the pilot project in that country;
- took note of the progress with preparations for a European conference on protected areas and ecological networks scheduled to be held in Spain in January 2010 to mark the start of the events for European Biodiversity Year; the conference, to be held under the auspices of the Spanish Presidency of the European Union and during the Swiss Chairmanship of the Council of Europe Committee of Ministers, should form part of Europe's regional efforts to implement the Convention on Biological Diversity;
- endorsed the list of members suggested by the Group of Experts to prepare the conference;

- approved the extension of the terms of reference of the Group of Experts to include Council of Europe activities concerning protected areas and ecological networks, and endorsed its programme of activities and budget for 2009, taking note of the proposals put forward.

The delegate of Norway stressed the need for further development of habitat types under the Emerald Network. He further highlighted that the classification of habitat types under the Emerald Network should be harmonised with the EU lists.

The Committee expressed its appreciation for the European Commission's funding and collaboration concerning the project to develop the Emerald Network in the Caucasus.

The Committee closed this item of the agenda by unanimously and enthusiastically congratulating Ms Hélène Bouguessa on her commitment and her work, which had been of fundamental importance to the success of the Emerald Network.

- **European Diploma of Protected Areas: Progress report**

Relevant documents: PE-S-DE (2008) 18 Report of the meeting of the Group of Specialists Areas of the European Diploma of Protected Areas (Strasbourg, 17-18 March 2008)
T-PVS/DE (2008) 1 Award and Renewals of the European Diploma of Protected Areas – Adopted texts

.The Secretariat recalled that this activity was placed under the Bern Convention last year and briefly introduced the report of the meeting of the Group of Specialist on the European Diploma held on 17 and 18 March 2008, whose recommendations were sent to the Bureau meeting in late March 2008, and then forwarded to the Committee of Ministers of the Council of Europe, for adoption in July 2008.

The Chair of the Group of Specialists, Mr Oliver Biber, presented the report's highlights, including the new award, renewals, and application for the European Diploma, as well as two non-renewals for parks (in Poland and Belarus), which are pending subject to the fulfilment of certain conditions linked to the preparation of management plans currently under development. He further informed of changes to the rules of procedures so that the European Diploma will be renewed every ten years, and stressed the importance of Parties' engagement and participation in the meetings of the Group of Specialists.

The delegate of the Czech Republic asked for information on the follow-up of the meeting of the Group of Specialists regarding a letter that needs to be sent out to the Czech authorities. The Secretariat will inform the Czech delegation about this issue as soon as possible, and also about the date of the on-the-spot visit in Bile Karpaty.

The delegate of the Slovak Republic referred to the Resolution adopted for the renewal of the European Diploma awarded to the Poloniny National Park, following the visit of an independent expert. She welcomed the expert's report but regretted the lack of consultation with her government about the draft resolution, and expressed reserves about the fulfilment of certain conditions included in the resolution.

PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

5. Specific sites and populations

5.1 Files opened

- **Ukraine: Building of a navigable waterway in the Bystroe Estuary (Danube delta)**

Relevant documents: T-PVS/Files (2008) 3 rev. Summary of case files
T-PVS/Files (2008) 11 Report of the on-the-spot appraisal visit

This case concerns the excavation of a shipping canal in Bystroe estuary of the Danube delta in Ukraine, which is likely to affect adversely both the Ukrainian Danube Biosphere Reserve – the most important of Ukraine's wetlands – and the whole Danube delta dynamics. A first phase of the project was conducted in 2004.

In 2004 the Standing Committee adopted Recommendation No.111 (2004) on the proposed navigable waterway through the Bystroe estuary (Danube Delta), inviting Ukraine to suspend works, except for the completion of phase 1, and not to proceed with phase 2 of the project until certain conditions were met.

In April 2005 Ukrainian authorities organised a workshop on the ecological monitoring of phase 1 of the project, held in Odessa. At the Standing Committee's meeting in 2005, the Ukrainian delegate reported that the dredging of the delta had been stopped and the environmental impact assessment was being reviewed to make it more comprehensive.

In 2006, the Ukrainian government informed the Secretariat that all work carried out was part of phase 1 and that the extent of the work under phase 2 would be adjusted on the basis of a new plan and environmental monitoring data. An international meeting concerning the sustainable development and management of the Danube delta was held in Odessa in February 2006, with the participation of ICPDR, UNESCO, the Ramsar Convention, the Bern Convention Secretariat and the European Commission. A follow-up meeting to be held in Tulcea (Romania), was announced but no further information has been received.

The Standing Committee meeting in 2006 decided to leave the file open and asked Ukraine to provide to the Committee the EIA, including the compensatory measures foreseen.

The Ukrainian government reported in 2007 concerning the implementation of Recommendation No. 111 (2004) and including project works; EIA; compensation and mitigation measures; monitoring; public participation; and international co-operation. The Ukrainian authorities annexed a table listing the activities taken by Ukraine during 2007 in the framework of the Ukrainian Danube-Black Sea Navigation Route Restoration Project.

In 2007, the Standing Committee agreed to request all the documentation mentioned by the delegate of Ukraine, including the EIA and compensatory measures. It further decided to keep the file open and carry out an on-the-spot visit in 2008. The Ukrainian delegation agreed to the on-the-spot visit.

The Bureau met on 5 September 2008 and agreed that a new recommendation on this case file is not necessary.

The main conclusion of the visit was that there had been no major changes on the ground since 2004 and that the monitoring had not been as performant as required and that there were still important concerns in respect to the possible environmental impacts of phase I of the project. A full EIA was not yet available.

During the visit Ukrainian authorities informed the international delegation that they had decided to repeal the final decision to proceed with phase II of the project and take the necessary steps to undertake a full EIA following international standards so as to comply with obligation under the Bern Convention, the ESPOO Convention and other relevant convention and commitments.

The delegate of Romania felt that there were still many actions that had to be undertaken to fully comply with the decision of the ESPOO Convention and the Bern Convention recommendation, particularly concerning the EIA of phase I and on ecological compensation measures. A full EIA for phase II was also a priority.

The Committee thanked Ukraine for facilitating the on-the-spot appraisal, expressed its satisfaction with the repealing of the final decision to proceed with phase II of the project, and with the decision to carry out a proper EIA that may permit a decision compatible with Ukraine's international obligations. The Committee noted that there were still reasons for concern, urged Ukraine to fully implement Recommendation No. 111 (2004) – particularly concerning the need of the EIA – and requested Ukraine to send a report to the next meeting of the Bureau in spring.

The file is kept open.

- Cyprus: Akamas Peninsula

Relevant documents: T-PVS/Files (2008) 3 rev. Summary of case files
T-PVS/Files (2008) .. Report by Government
T-PVS/Files (2008) 9 Report by the NGOs

This case concerns plans for tourist development in the Peninsula of Akamas, with detrimental effect on an ecologically valuable area with many rare plant and animal species protected under the Convention.

This case was first discussed at the 16th meeting of the Standing Committee in 1996. Two on-the-spot appraisals were carried out in 1997 and 2002 and a recommendation adopted in 1997 (Recommendation No. 63 (1997) on the conservation of the Akamas peninsula in Cyprus and, in particular, of the nesting beaches of *Caretta caretta* and *Chelonia mydas*).

In 2005, the Cyprus delegate informed the Standing Committee that the Council of Ministers had taken a decision on a proposal regarding the management of the Akamas Peninsula, which needed to be debated by Parliament. The Standing Committee decided to keep the file open so that the final approval of that government proposal and the implementation of protection measures for the area could be verified.

In 2007, the Cyprus delegation confirmed to the Standing Committee that the Council of Ministers had approved a Management Plan for the Akamas Peninsula to protect nesting beaches of the two turtle species. They reported that: no developments were permitted on coastal areas; there was a programme to exchange private property in this area for public land; permits for safaris had been frozen; and that the species to be protected are those to be in designated areas under the Birds and Habitats Directives. He added that the Limni site was included in an area approved by their Council of Ministers to be proposed as a Natura 2000 site and therefore did not need to be discussed with this case.

The delegate of Cyprus informed the Committee that a new management plan for the area was being prepared, aiming at a protection of marine turtle areas and inclusion in Natura 2000 of all areas of high natural interest. The beach of Limni and its surroundings should not be included in the discussion, as it has another plan. The plan in elaboration will take account of the needs of development of the villages, because otherwise it will not have local acceptance and will not be easy to implement.

The delegate of the European Commission confirmed recent contacts with Cyprus authorities to advance to a prompt identification of Natura 2000 areas. Designation of sites in the Akamas peninsula is expected in the coming weeks.

The representative of Terra Cypria said that not only the coast and the beaches or marine turtle nesting are important, the whole peninsula has important natural values worth protection, as was requested in Recommendation No. 63 (1997), which also concerns Limni. She was not very confident of the outcome of the management plan which had not even defined the limits of the area covered. She feared that political consideration would win the day and the plan will accept much more tourism development than environmentally acceptable. The critical matter is to keep the whole area free from massive development, not just to protect a few small Natura 2000 areas.

The representative of MEDASSET supported this approach and reminded the failure of the Convention to find a good solution in Zakynthos.

The Committee acknowledged progress in the preparation of the management plan and wished that the final decision respect Cyprus obligations under the Convention. The Committee asked Cyprus to send the plan as soon as it was made, wished that the area of Limni gets also adequate protection and asked Cyprus to fully implement Recommendation No. 63 (1997), create a National Park and ensure the maintenance of the ecological integrity of the area, applying the ecosystem approach to the Akamas peninsula, including Limni.

The file is kept open.

- **Bulgaria: Project to build a motorway through the Kresna Gorge**

This case concerns a motorway crossing an area of high biological diversity. It was examined by the Standing Committee in 2002, when it adopted Recommendation 98 (2002) "on the project to build a motorway through the Kresna Gorge (Bulgaria)", inviting the Bulgarian government to abandon plans to enlarge the current road and look for more suitable alternatives, compatible with Bern Convention obligations.

In 2004, the Standing Committee decided to open a file in order to stimulate the Bulgarian government to further implement Recommendation No. 98 (2002).

In 2005, a decision was taken by the Ministry of Regional Development and Public Works (MRDPW) to prepare a new detailed EIA report. A decree of the Ministry of the Environment and Water (MoEW) was approved on 14 November 2005, prohibiting certain activities which could have adverse consequences for the site, such as the building of hydro-electric power stations. In 2005, the Standing Committee welcomed the adoption of this decree and decided to keep the file open.

In 2006, the Bulgarian delegation informed the Standing Committee that a new EIA had been initiated, in consultation with all the partners concerned. All variants would be studied, including the proposal from NGOs, and specific requirements had been formulated. The European Commission delegation informed the Standing Committee that a complaint had been lodged with the Commission concerning this project. The Standing Committee decided to keep this file open.

In 2007, the Bulgarian authorities informed that the EIA report was being prepared and would be publicly discussed, including consideration by Bulgaria's High Ecological Expert Council. The Standing Committee welcomed the forthcoming finalisation of the EIA and agreed to keep the file open until the final decision on this project is taken, with positive encouragements for the Bulgarian government.

The delegate of Bulgaria informed that the EIA Decision for the construction of the Struma Motorway had been issued after intensive consultations. He added that the Bulgarian government considered that the parts of Recommendation 98 (2002) concerning the stages of preparation and the quality of the EIA Report have been fulfilled, as well as the determination of the motorway route in the Kresna gorge, carried out with the collaboration of relevant institutions, NGOs and scientists. He further informed the Committee that the decision to avoid the Gorge had been taken, including measures to mitigate the negative impacts in Natura 2000 sites.

The delegate of Norway stated that this is a good example of the ability of the Standing Committee to assist Parties in certain cases. He encouraged the use of native species in the revegetation measures to be taken.

The delegate of the European Commission congratulated the Bulgarian authorities for the efforts undertaken and proposed to keep the case file open until the constructions works are completed in order to monitor mitigation measures.

The delegate of the Slovak Republic stressed the importance of lessons to be learned about mitigation measures from national reports submitted in the context of case files and follow-up of recommendations.

The representative of Birdlife International welcomed the progress made and supported keeping the file open until the end of the construction works.

The Committee recognised the positive development of this case and agreed to leave the file open. It requested the Bulgarian government to report on progress made to the next meeting of the Standing Committee in 2009.

- **Bulgaria: Wind farms in Balchik and Kaliakra – Via Pontica**

This case concerns the building of the windfarms in Bulgaria, at Balchik and Kaliakra, on the Black Sea coast and in particular on the Via Pontica which is one of the main migratory routes in Europe for soaring birds.

An on-the-spot visit was carried out in September 2005, on the basis of which the Committee adopted Recommendation No. 117 (2005), asking the Bulgarian government to reconsider its decision to approve the proposed wind farm in Balchik in view of its potential negative impact on wildlife and taking account of Bulgaria's obligations under the Convention.

In 2006, the Bulgarian government informed the Secretariat that it did not intend to review the decision approving the wind farm project. The Secretariat received information from NGOs on a similar case involving plans to build 129 windmills 20 kms away from Balchik, between the town of Kavarna and the Kaliakra Cape.

At its 26th meeting, the Standing Committee decided to open a new case file and organised an on-the-spot appraisal, with the approval of the Bulgarian government.

In 2007, another on-the-spot visit was carried out by the Bern Convention, joined by the Executive Secretary of the UN Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA). The expert stressed the importance of Via Pontica as the most important flyway in Europe and the need to apply the precautionary principle and address the cumulative impacts of the increasing number of windfarm projects in this area. At its 27th meeting, the Standing Committee adopted Recommendation No. 130 (2007) "on the windfarms planned near Balchik and Kaliakra, and other wind farm developments on the Via Pontica route (Bulgaria)".

In June 2008, the European Commission opened an infringement procedure against Bulgaria because of insufficient designation of 6 sites as SPAs under the Bird Directive, one of which is the Kaliakra IBA.

The delegate of Bulgaria reported about legislative reforms to bring the country's laws in line with the Birds, Habitats, and EIA Directives. He informed the Committee about the number of wind turbines approved since 2005, inside and outside Natura 2000 sites, which include 136 approved with EIA and 633 without EIA, as this assessment is not required for single installations. He further stressed that the management plans for relevant Natura 2000 sites are being developed in consultation with NGOs and will be adopted by the Council of Ministers in December 2008. He further informed that a one-year moratorium on new wind farm constructions in the Kaliakra site has just been agreed. The Ministry will survey and map the breeding colonies of high conservation status, and they will assess the cumulative impacts of construction projects, as new methodological guidance has been developed to assess projects, including windfarms.

The delegate of France, on behalf of the European Union and its member States, recognised the difficulties faced by the Bulgarian authorities and encouraged them to continue efforts in the light of the progress made.

The delegate of the European Commission welcomed the positive news but stated that the Commission will carry out its duties under the EC Treaty. However, he recognised the challenge for Bulgaria to meet EU renewable energy targets while complying with environmental legislation. He further added that the designation of the area will fill some of the gaps identified in the biogeographic seminar.

The representative of Birdlife International stated that action from the Bulgarian government is arriving late as damages are already occurring. She regretted that they have not been given the real mortality data held by the Government and asked for stopping windfarm constructions as there are over a thousand windfarms in this region, mostly allowed as single installations and therefore without EIA. She proposed that Bulgaria be asked to provide a detailed action plan on the implementation of the Standing Committee recommendations in the next three months.

The Committee agreed to keep the case file open and asked the Bulgarian government to send to the Secretariat the information mentioned in their oral report, and report on progress in 2009.

- **France: Habitats for the survival of the Common Hamster (*Cricetus cricetus*) in Alsace (France)**

In 2006, the Secretariat of the Bern Convention received a complaint from the Association "*Sauvegarde Faune Sauvage*" expressing its concern over the insufficient measures aimed at ensuring

the maintenance of the habitats needed for the survival of the Common Hamster.

At the 27th meeting of the Standing Committee, the French delegation presented the range of measures taken, including a restoration scheme approved by the *Conseil national de la protection de la nature* (National Nature Conservation Board), under which 3,000 hectares of priority action areas had been designated for the farming of crops beneficial for the hamster. The Standing Committee decided to open a case-file, not calling into question the efforts already made by the authorities, but wanting to highlight the urgent need for action in the field.

In 2008, the French authorities reported on the following issues:

- Identification of priority action zones;
- Contracts with farmers;
- Definition of the "specific environment" for the Common hamster;
- Breeding in captivity and strengthening of populations;
- Consideration of the Common hamster in land use planning documents;
- Hamster populations in 2008;
- Status of implementation of the action plans;
- Agricultural measures; and
- Future perspectives.

The delegate of France reported on the concerted approach taken with the involvement of national and local authorities, NGOs and farmers, to safeguard the Common hamster of Alsace, as measures taken have been subject to numerous negotiations and consultations with relevant partners. She reported on the progress made in population levels and provided information on the three main measures taken: the strengthening of populations (including captive breeding and releases); the restoration of suitable habitats (including agri-environment measures and favourable crops); and the control of urban development in the priority areas, in collaboration with local stakeholders.

The delegate of the European Commission informed about the infringement procedure open last year and appreciated the progress made. He further informed that the European Commission will be meeting with French authorities in early 2009 to discuss and evaluate the measures taken and the proposed actions regarding the Common hamster.

The representative of CERPEA regretted that 100 municipalities have been removed from the area considered of historical distribution of the species. He claimed that the definition of the hamster's "specific environment" is very restricted, which prevents its application, and asked for continued monitoring of this case file as progress is insufficient.

The representative of *Sauvegade Faune Sauvage* stated that there has been a 50% decline of the species' population in France. He considered that the reference year to establish the historical presence of the species should be 1990. He further asked for all relevant sites to be protected from development, and for the case file to remain open.

The representative of *France Nature Environment* stated that the three priority action zones are not fully dedicated to the conservation of the species and they are in any case insufficient. He added that the populations need to be reinforced and that further work on the impacts of urban development needs to be carried out. He also asked for the file to remain open.

The delegate of Germany proposed to organise a workshop on the hamster in 2010, in the framework of the Bern Convention. The proposed workshop would aim at exchanging information and help the conservation of the species.

The Committee agreed to keep the file open. It asked the European Commission to report back to the Bureau on the meeting to be held in early 2009. It further asked the French government to report on progress to the next meeting of the Standing Committee in 2009.

5.2 Possible Files

- Italy: Implementation of Recommendation 123 (2007) on limiting the dispersal of the Grey squirrel (*Sciurus carolinensis*) in Italy and other Contracting Parties

Relevant documents: T-PVS/Files (2008) 3 rev. Summary of case files
T-PVS/Files (2008) 5 Report of the on-the-spot appraisal (13-14 May 2008)

In 2007, the Standing Committee asked the bureau to examine the possibility of opening a file for a possible breach of the Convention by Italy on this case. The Committee proposed that an on-the-spot appraisal be carried out in collaboration with central and regional conservation authorities. The Italian authorities agreed to this visit, carried out in May 2008.

The expert, Mr Bernardo Zilletti, reported on the visit and his main conclusions were that the presence of the American grey squirrel in Italy is a serious threat for the survival of the protected native Red squirrel, and that this expansive trend has the full potential to turn the invasion into a continental problem, where France and Switzerland would become the next countries to be invaded. However, the expert stressed that this could still be avoided if certain urgent measures are taken, such as monitoring, eradication, a trade ban, and public awareness.

The delegate of Switzerland expressed his concern for the spread of the invasion and for the absence of an Italian representative at the meeting. He urged Italy's national and regional authorities to take the necessary measures rapidly in order to improve the situation. He supported the recommendations included in the experts' report except the setting up of a specific task force, and proposed to add a request to the Italian government to report to the Bureau on measures taken before its first meeting in 2009.

The delegate of Germany shared the concerns expressed by Switzerland and wondered about the propagation of the species in the Alpine region and the possible advantages of promoting the hunting of the species in Italy.

The delegate of Croatia shared similar concerns and urged Italy to take urgent measures.

The delegate of the United Kingdom urged the Committee to open a file and shared his country's experience in dealing with invasive alien species, expressing understanding for Italy's circumstances and difficulties. He stressed the importance of fully explaining the situation to the general public to avoid opposition, and underlined that the time for action is now.

The delegate of France, on behalf of the European Union and its member states, shared the views expressed and reminded the Committee that recommendations must be addressed to the Italian government as Contracting Party to the Convention, and not to the regions.

The representative of IUCN regretted the decision not to include hunters in the removal of Grey squirrels from Italy, in view of hunter contributions to eradication of Grey squirrels and Ruddy duck in the UK. He wondered about the reluctance to Italian authorities to act and whether it is due to a shortage of funding or about fears about public opinion. He offered the help of the IUCN to help move public opinion.

The Committee agreed to open a case file and decided that a new Recommendation from the Committee was not necessary. Instead, it asked the Secretariat to write to the Italian government with the following list of actions recommended by the Committee, asking them to report to the Bureau before its first meeting in March 2009:

- To produce an agenda detailing short, medium and long term actions oriented to eradicate the American grey squirrel, as well as periodic reports in order to facilitate the follow-up of the implementation of the previous Recommendations from the Standing Committee.
- To give, without delay, a clear and public support to the Regione Lombardia for the programme of monitoring and eradication of the American grey squirrel in Lombardy. Particular emphasis should be put on aspects dealing with the eradication.
- To promote regional collaboration among Piedmont and Lombardy in order to undertake common actions in the Ticino Valley.

- To put forward urgently the decree prohibiting the trading and keeping of the American grey squirrel.
- To give legal protection to the responsible/executors of the mitigation measures .
- To strengthen the national legal framework concerning alien and invasive alien species in order to facilitate management initiatives.
- To investigate urgently: whether the Region has competence to put forward a decree to prohibit the trade of the American grey squirrel independently from the Ministry of the Environment; and whether the current national and regional legal framework is suitable to undertake actions.
- To implement the measures for *Sciurus carolinensis* approved by regional decree n. 7/4345/ from Lombardy in 2001.
- To build appropriate co-operation with provinces in order to eradicate the American grey squirrel in the Lombardy and Piedmont regions so that the American grey squirrel is managed in the Ticino valley and other bordering areas.

- Norway: Windfarms in the Smøla Archipelago

Relevant documents: T-PVS/Files (2008) 3 rev. Summary of case files
T-PVS/Files (2008) .. Government report
T-PVS/Files (2008) 18 NGO report

This case concerns the establishment of two wind farm complexes in the Archipelago of Smøla, in an area of importance for the nesting of White-tailed Eagles.

At its 21st meeting, the Standing Committee decided not to open a file on this case but asked Norway not to authorise the second phase of the wind farm project before assessing the results of the first one. The case was raised again at the 26th Standing Committee meeting in 2006.

In 2007, the Norwegian government reported on actions undertaken after the licence to build the windmills in the Smøla Archipelago was issued in December 2000, including a review by the Norwegian Institute for Nature Research (NINA) addressing the long-term effects of the windmills on the White-tailed eagle, including reduced breeding population; increased adult mortality; reduced breeding success; and increased juvenile mortality. The Committee decided to keep this issue as a possible case file and asked Norway to submit annual reports to the Standing Committee, with the possibility of undertaking an on-the-spot appraisal in 2009, which had the agreement of the Norwegian delegation.

The delegate of Norway apologised for the late report sent due to data gathering, and informed the Committee about the project being carried out by NINA, until 2010-2011, as well as about several mortality surveys. He indicated that there are over 2400 pairs of breeding White-tailed Eagles, that trends are positive, and that they await for the final project results to address mitigation issues. He further informed that the authorities hoped that information from the research project could be used to consider future shutdown of windmills for a shorter period during the spring and autumn migrations.

The representative of Birdlife International called for the on-the-spot appraisal to be carried out in spring 2009 (ideally in April) and stressed the urgency of this visit as the annual mortality caused by windmills is now twice the natural rate, and also due to the fact that the full impact on the local population will only become apparent in future years. She also expressed concern about the potential cumulative effect of the continuing proliferation of wind farms within the Norwegian range of the White-tailed Eagles.

The Committee agreed to organise the on-the-spot appraisal in 2009 and ask Norway to prepare an annual report to next year's Standing Committee meeting.

5.3 Complaints in stand-by

- France: Protection of the European Green Toad (*Bufo viridis*) in Alsace

Relevant documents: T-PVS/Files (2008) 3 rev. Summary of case files
T-PVS/Files (2008) .. Government report
T-PVS/Files (2008) .. NGO Report

A complaint was lodged in 2006 by the Association BUFO (*Association pour l'étude et la protection des amphibiens et reptiles d'Alsace*) focusing on threats to the Green toad's few remaining habitats in Alsace. It specifically targeted shortcomings in the impact studies carried out for a major bypass and urban development projects, and a project for the construction of a leisure complex.

In 2007, the report from the French government confirmed that the environmental impact study carried out in connection with certain projects at Molsheim, Eckbolsheim, Wittenheim, Mulhouse and Strasbourg had neither confirmed nor disproved the presence of Green toads. The French delegation confirmed to the Standing Committee that the national authorities had taken the necessary action to protect existing populations. An action plan was being prepared for the Green toad and for the Common spadefoot (*Pelobates fuscus).* The Standing Committee acknowledged the efforts made by the French Government to preserve the species, but asked for more information in 2008.

The delegate of France informed the Committee about the preparation of a restoration plan for the Common Spadefoot (*Pelobates fuscus*) and the Green toad (*Bufo viridis*) at the initiative of the regional authorities, and which will be operational in 2009. This plan will associate the regions of Centre, Corsica and Alsace.

The representative of *Sauvegarde Faune Sauvage* stressed the important decrease of the species in Alsace due to development pressures.

The representative of *Societas Europea Herpetologica* (SEH) informed that the populations in Corsica are considered a different species which means that the only populations of *Bufo viridis* in France are in Alsace, and that the SEH has proposed a number of measures to be included in the restoration plan concerning the need for collaboration with relevant stakeholders at all levels, the need to monitor the plan once it is adopted, and to prevent road projects in the region which could damage this species.

The Committee agreed to keep this file as a complaint in stand-by and asked the French government to report next year on the restoration plan and other measures taken

- Sweden: Natterjack (*Bufo calamita*) population on the coastal island of Smögen

Relevant documents: T-PVS/Files (2008) 3 rev. Summary of case files
T-PVS/Files (2008) 13 Government report

In December 2007, the Secretariat received informations from the Chair of the Bern Convention's Group of Experts on Amphibians and Reptiles concerning the threat presented by a residential housing project in Hasselösund Väster, Smögen, to the northernmost population of the worldwide distribution of the Natterjack toad (*Bufo calamita*), a species listed in Appendix II of the Bern Convention.

The Swedish authorities informed that an inventory report on natural values had been conducted, clearly showing that the area has very high values in its western part, where the breeding pools of the Natterjack are situated. Strong advice is given in the report to refrain from building houses on this part with regard to the loss of the Natterjack population, and to establish compensatory and restoration measures if houses are to be built in other parts of the area. The Swedish government reported that the advice from the inventory report was acknowledged in the EIA.

In September 2008, the Chair of the Group of Experts on Amphibians and Reptiles informed about the unsatisfactory situation concerning this project, which could destroy high value land as well as small ponds important for the species. He stressed that the species is in bad conservation status and therefore a partial habitat destruction would not be acceptable.

The delegate of Sweden informed that the decision regarding the plan for the residential housing project has been appealed to the County Administrative Board of Västra Götaland and in the meantime, the plan has come to a halt pending the outcome of the decision by that County

Administrative Board. He added that there is a national action plan for the species, whose revised version will be published in 2009, and that a 10-year monitoring programme was initiated in 2006. The delegate further regretted the lack of detailed information from the Chair of the Group of Experts on Amphibians and Reptiles regarding this complaint.

The representative of *Societas Europea Herpetologica* (SEH) welcomed that the project has been stopped and stressed the high ecological importance of this population in Sweden and therefore the negative impact of a possible habitat loss caused by this project.

The Committee agreed to ask the Bureau to discuss the future status of this complaint in light of the outcome of the pending appeal, and to ask the Chair of the Group of Experts on Amphibians and Reptiles for further detailed information on this complaint.

5.4 Follow-up of selected recommendations from previous meetings

Relevant documents: T-PVS/Files (2008) 10 Government report on the follow–up of Recommendation No. 95 (2002)
T-PVS/Files (2008) 12 Government report on the follow–up of Recommendation No. 96 (2002)
T-PVS/Files (2008) 8 and 15 NGO reports on the follow-up of Recommendation No. 108 (2003)
T-PVS/Files (2008) 2 and 2 rev. Government reports on the follow-up of Recommendation No. 113 (2004)
T-PVS/Files (2008) 17 NGO report on the follow–up of Recommendation No. 113 (2004)
T-PVS/Files (2008) 4 Government report on the follow-up of Recommendations No. 129 (2007) and No. 131 (2007)

- **Recommendation No. 95 (2002) on the conservation of marine turtles in Kazanli beach (Turkey)**

This file concerns the second most important nesting beach of Green turtles (*Chelonia mydas*) threatened by pollution from a chrome factory, erosion, greenhouses and some tourism activity.

The delegate of Turkey noted the commitment of his government to solve the problem, a proof of which is that greenhouses were removed and some illegal houses were demolished, lights on the beach screened and chemical waste discharge and erosion monitored. The sewage treatment plants work well now and turtle nesting is well monitored. The plan to treat and eventually to remove the hazardous solid waste of the chromium factory is working well. The jetty was removed. Turkey kept its commitment to marine turtle conservation and will soon organise near Kazanli a 3rd National Sea Turtle Symposium.

The representative of MEDASSET congratulated Turkey for the progress in fieldwork and monitoring of the beach, noting improvement in the cleaning of the beach and in the demolition of some buildings. However erosion continues and an overall engineering study is absolutely necessary to find appropriate solutions to stop beach erosion. The problem of the chrome factory persists as plans to deal with the solid toxic waste of the chrome factory have yet to start being implemented.

The Director of RAC-SPA (UNEP-MAP) referred to the Barcelona Convention's MED-POL commitment regarding help offered to governments to combat pollution and thanked governments and NGOs for their collaboration on this matter.

The Committee took note of the information presented

- **Recommendation No. 96 (2002) on conservation of natural habitats and wildlife, specially birds, in afforestation of lowland (Iceland)**

This issue concerns some projects of afforestation in Iceland where areas affected were of interest as bird sites.

The delegate of Iceland explained that afforestation in Iceland is carried out in accordance with afforestation plans that should be revised every 10 years. Although no strategic EIA on afforestation policy or plans has been carried out, a revision of the plan in 2009 should give the opportunity to carry out strategic EIA. The Nature Conservation Strategies for 2009-2013 and 2004-2008 include several areas of high biological value including areas of plant and bird protection. Iceland has approved a new strategy on the protection of biological diversity. In the near future, mapping of habitat types of lowland areas in Iceland and the implementation of the Emerald Network will take place. In addition,

Iceland is working on the designation of three new Ramsar sites. An Advisory Board in afforestation has been established, including government institutions on nature conservation and NGOs.

The representative of Birdlife International noted that 2009 was a critical year as the 10-year plan on afforestation (from 1999) is to be subject to a review. More key sites for birds need to be protected.

Most on-going afforestation (5M trees planted) is being done without a strategic EIA and few or more partial EIAs, resulting in a loss of habitats for bird. A national Strategic Environmental Assessment is a priority, as well as to advance in the designation of sites of importance for birds.

The Committee took note of the information presented.

Iceland agreed to report back to the Committee in 2009.

- **Recommendation no. 108 (2003) on the proposed construction of the "Via Baltica" (Poland)**

The 'Via Baltica' - part of the EU-funded TINA ('Transport Infrastructure Needs Assessment') transport network in Central and Eastern Europe - will be an expressway running from Warsaw to Helsinki. It will pass through Poland, Lithuania, Latvia, Estonia and Finland.

The "Via Baltica" project raised several problems regarding the protection of natural areas, according to the report of the independent expert prepared after an on-the-spot visit in 2003, which included consideration of the Knyszynska Forest and the Raspuda Valley.

In 2006, the Polish delegation informed the Standing Committee that the strategic environmental assessment (SEA) was due to be finalised by the end of 2006, and reported that NGOs had been involved in the process

In December 2006, the European Commission officially opened legal infringements procedures against the Polish Government and in March 2007, Poland was taken to the European Court of Justice (ECJ) over the planned construction of the Augustow bypass and the Wasilkow bypass, due to the damage they would cause to natural areas of European importance.

In 2007, the Secretariat received an NGO report informing about the construction of two sections of road no. 8 and warned about damage to key wildlife sites, including the pristine Rospuda Valley in the Augustow Primeval Forest, habitats of a large number of species such as Lesser-spotted Eagle, White-tailed Eagle, White-backed Woodpecker and Capercaillie.

The Polish government reported that more than 40 variants of the route had been determined and submitted to detailed analysis and tests, and three recommended variants plus the S8 road planned were being consider. These variants would be assessed including, mitigation activities, compensation opportunities and monitoring, including evaluation of the implementation costs. The studies would be subject to formal public consultation under EIA procedure.

At the 27th meeting of the Standing Committee, the Polish delegation informed the Committee that the SEA had been completed in mid-November 2007 and that they were preparing public consultations. They stressed that the results of the SEA would decide the final route of this trans-European transport corridor and that no choice had been made yet, as this depended on the results of the public consultation

In March 2008, the Polish General Directorate of National Roads and Motorways informed that the work to determine the course of Transport Corridor I was underway and had not been concluded.

The Secretariat informed about the apologies received from the Polish government for not attending this meeting, as their environmental authorities have just been reorganised. The Polish government also communicated that comprehensive Strategic Environmental Assessment and Environmental Impact Assessment reports, comprising 40 alternatives and variants, are on the final stage and that the route of the Via Baltica will be designed pursuant to the SEA.

The representative of Birdlife International drew the Committee's attention to the limited implementation of the Recommendation No. 108 (2003). She stressed that although the SEA process has been finished, there is no clear commitment by the Polish Government to use the results of the SEA as the basis for the decision about the route of Via Baltica. She mentioned that the project has been given a new name: 'Via Carpatia' and asked the Committee to urge the Polish Government to give a

strong commitment that they will use the results of the SEA to make the Via Baltica route decision and some indication of the timescale for this.

The Committee agreed that the absence of a Party from a meeting where specific files or recommendations related to them are on the agenda should not benefit them. It therefore decided to keep this issue on the agenda for next year and contact the Polish authorities accordingly.

- **Recommendation No. 113 (2004) on military antenna in the Sovereign Base Area (Akrotiri, Cyprus)**

In 2007, the Standing Committee had regretted the absence of a delegation from the United Kingdom, and also that the UK report on this issue had been received too late to distribute it.

Several update reports were received in 2008 informing about progress on each of the paragraphs of Recommendation 113 (2004).

The delegate of the United Kingdom informed about flyway monitoring and a fly-path study on collisions. He added that the co-operation between the Sovereign Base Authorities (SBA) and the Cyprus government is good and that any development proposals with likely significant impact on proposed SPA and SAC sites will be subject to proper assessment in line with SBA laws.

The representative of Birdlife International called for the UK to report again next year due to a deterioration in the situation although she welcomed some progress. She regretted that a formula for monitoring to quantify the bird collision risk caused by the antennae cannot be agreed and further stressed the problem of poaching.

The representative of Terra Cypria expressed concern for recent plans by the Cyprus authorities to install a desalinisation plant near Akrotiri, in agreement with the SBA, without proper assessment.

The delegate of Cyprus highlighted the good co-operation with the SBA authorities and stressed that the SBA authorities implement EIA legislation in line with EU rules even though the SBA area is not part of the EU.

The UK agreed to report back to the Committee in 2009.

- **Recommendation No. No. 118 (2005) on the protection of the Hermann tortoise (*Testudo hermanni*) in the Massif des Maures and Plaine des Maures localities (Var, France)**

In 2005, the Standing Committee adopted Recommendation No. 118 (2005) on the protection of the Hermann tortoise in the Massif and Plaine des Maures, including a request to the French government to use a more global management concept for the areas concerned for this species, and to reject the new application for an extension of the Balançan waste storage centre.

In 2006, the Standing Committee took note of additional information provided by France on delimitation of the Natura 2000 reserve and the biotope protection decree, and reserved the right to re-examine this issue and open a file in the light of the information that would be presented, including the examination of detailed maps.

In 2007, the French authorities informed of a global strategy for the conservation of this species in the French PACA region (Provence, Côte d'Azur) and in Corsica. This global strategy – which is not an action plan – includes a restoration plan for the specie and its habitats. The French authorities stated that the government was willing to take intensive action to protect the species and its habitats and confirmed the implementation of a global strategy for their conservation, including a restoration scheme. The Standing Committee deemed positive the information supplied by the French authorities and agreed that the French delegation should provide further information in 2008, both to report on the implementation of Recommendation No. 118 (2005) and on the matters raised during this meeting (LGV; Balançan waste storage centre; ecological corridors linking the reserve with other populated areas outside it; and state of progress of the restoration scheme), and also to take stock of the progress achieved and of the results of the projects presented.

In 2008, the French government reported on the classification of the *plaine des Maures* as a national nature reserve; on the national restoration plan for the Hermann tortoise; and the consideration of ecological corridors linking various population outside the planned nature reserve.

The delegate of France informed about the current status of the procedure for establishing a national nature reserve, which is expected to be completed by early 2009. He further informed that the restoration plan is currently undergoing inter-ministerial consultation and this procedure will also be completed in the coming days, so both measures will soon be completed.

The representative of *Societas Europea Herpetologica* (SEH) showed his satisfaction with the measures taken and informed about a project proposal on this species to get EU Life funding.

The Committee welcomed these informations and the near completion of the measures undertaken by France for the conservation of the Tortue d'Hermann.

- **Recommendation No. 129 (2007) on the construction of a dam and hydro-electric power station in Lesce on the Dobra River (Croatia)**
- **Recommendation No. 131 (2007) on the Planned Motorway Vc across the Drava Marshlands in Slavonia (Croatia)**

Concerning Recommendation No. 129 (2007), in August 2008 the Croatian authorities reported on the implementation of this Recommendation, stating that the project of building a dam on the river Dobra was far advanced, it is a governmental priority in regards to electricity needs, and therefore there was no option to withdraw the decision to authorise the construction of the dam. All phases of the construction have valid documentation, including protection measures and approvals by the competent authorities. Croatian Electricity Company, the investor, has agreed to finance an expert study for species and habitats and a detailed monitoring program towards mitigating or compensating the negative effects of the hydroelectric power station in Lešće. The expert studies will cover the whole year cycle and, based on the preliminary reports submitted after the first six months, further construction works and the filling of the accumulation lake will be determined.

Concerning Recommendation No. 131 (2007), the Croatian authorities informed in 2008 that Croatian Motorways have agreed to finance additional research and monitoring of the Drava Marshlands. The project proposal for the expert study (site visit, monitoring program, mitigation measures) covers species and habitats in the area of the planned motorway, including Appendix II and III species (White-tailed eagle, Black stork, Ferruginous duck, Yellow-bellied toad and Fire-bellied toad). The additional mitigation and compensation measures during and after construction will be based on the results of this expert study, in accordance with the recommendations of the Bern Convention, as well as the monitoring programme, which is planned for before and during the construction period, in order to provide evidence of the effects of the construction process on species and habitats, and resulting in mitigation measures.

The delegate of Croatia further informed about recent updates of their EIA laws which will prevent any similar situations like those at the origin of Recommendation 129 reoccurring in the future as EIAs are now only valid for a period of two years.

The Committee took note of the information presented.

- Illegal killing of birds in Mediterranean Parties

Relevant Documents: T-PVS/Inf (2008) 16 Report by the NGO on illegal trapping, killing and trade of birds (Cyprus)
T-PVS/Inf (2008) 25 Information note from the Secretariat

The issue of the illegal killing of birds in Cyprus and more widely, the illegal capture of birds in Mediterranean Parties, was discussed at the Standing Committee meeting in November 2007, at the initiative of some Contracting Parties. The Standing Committee considered that trapping should be examined on a pan-Mediterranean basis, and decided to revisit its Recommendation No. 5 (1986) "on the prosecution of persons illegally catching, killing or trading in protected birds". The Standing Committee agreed to ask Birdlife International and concerned states to send reports, to consult with the Chair of the Group of Experts on the Conservation of Birds, and to request the Bureau to decide on future action.

The Secretariat presented document T-PVS/Inf (2008) 25 and noted that there had been not great enthusiasm from Parties to report on this issue, so that no conclusions could be drawn, except that illegal killing of birds is still going on in some parts of the Mediterranean where implementation of national legislation is weak.

The representative of Cyprus said that the illegal killing and consumption of birds was difficult to eradicate because it is based on traditional practice. Government services are doing their best and the illegal killing is being phased out, even if it will take some time.

The representative of the European Commission said that the Commission would continue to monitor the situation and encourage Cyprus authorities to better implement obligations under EU directives.

The representative of BirdLife International said that following a resurgence in bird trapping levels in the past two years, now is the time to open a case file. This is necessary to generate the political will to crack down on the restaurants serving illegally trapped birds. This is widely acknowledged as the only way to eradicate illegal trapping.

The representative of Terra Cypria felt the government was not doing enough to pursue the restaurants where birds are offered for sale. The practice should not be seen as something traditional at all, and will not disappear without strong law enforcement.

The Committee took note of information presented and expressed its concern of the apparent lack of progress in Cyprus and many other Mediterranean states. The Committee asked the Bureau to discuss new possible ways of tackling the problem.

5.5 The case-file system: Reminder on the processing of complaints and new on-line form

Relevant Document: T-PVS (2008) 7 The case-file system: Reminder on the processing of complaints and new on-line form

The Secretariat presented the document prepared on the basis of the related report presented to the Standing Committee in 2007.

The delegate of Slovakia asked the Secretariat to ensure that enough information was provided to treat a complaint.

The Committee agreed to take up the two recommendations included in the report: to register complaints following the chosen model; and to make available an on-line complaint form in the Bern Convention's website.

PART V – STRATEGIC DEVELOPMENT OF THE CONVENTION

6. Strategic development of the Convention

6.1 Strengthened co-ordination and co-operation with the CBD: Implications for the future work of the Convention - Follow-up to CBD COP-9

Relevant documents: T-PVS/Inf (2008) 24 Information note on the CBD COP-9, including the signature of the enhanced MoC with the CBD Secretariat

The Secretariat presented the information note on this issue, which included the full text of the Memorandum of Co-operation with the CDB Secretariat, the press release on the signature issued by the CBD Secretariat, and a summary outlining key outcomes of CBD COP-9 (Bonn, May 2008) for those Decisions relevant for the work of the Bern Convention. The Secretariat further informed that a meeting with the CBD Secretariat would be held early in 2009 to discuss a joint work programme between the two Conventions, including joint activities marking the 30th anniversary of the Bern Convention in 2009, and the 2010 International Year of Biodiversity.

The Committee took note of these informations and asked to be kept informed of these discussions.

6.2 Two new MoC: CMS and IUCN

The Secretariat informed the Committee of the contacts held with IUCN to update the Agreement between the Council of Europe and IUCN (dating from 1962) to enhance co-operation between both organisations. It is expected to be concluded in 2009.

The Secretariat informed of the progress of a Memorandum of Co-operation between the Secretariat of the Convention and the Secretariat of the Convention on the Conservation of Migratory Species of

Wild Animals (CMS or Bonn Convention) and its agreements, to be concluded in the coming weeks. It will permit to improve work synergies on a number of species of common concern.

The Chair welcomed the presence at the meeting of Mr Robert Hepworth, Executive Secretary of the CMS. Mr Hepworth recalled his previous position as UK member of the Standing Committee and noted that both conventions had been signed in 1979 and since, have developed a good co-operation, in particular regarding European bats (the first agreement under the Bonn Convention), marine mammals – both conventions joined forces to launch ACCOBAMS – and migratory waterbirds covered by AEWA (Action plan were made by the Bern Convention for some of the species, including the Slender-billed curlew, still a critically endangered species. Recently sturgeons had been a field of common work, as well as the impact of IAS on migratory species.

He hoped the Memorandum would help improve and enhance common work.

The delegate of France, on behalf of the European Union and its member states, welcomed this improved synergy between the Bern Convention, CMS and IUCN.

The representative of Birdlife International made a plea for the slender-billed curlew, inviting all Parties to participate in relaunched concerted action for the species, especially the urgent search to find the remaining population so it can be protected.

The Committee took note with interest of the information presented.

6.3 Draft Programme of Activities for 2009

Relevant document: T-PVS (2008) 8 Draft Programme of Activities for 2009

The Secretariat presented a proposal of activities for the year 2009, prepared following discussions at the Bureau.

The delegate of Switzerland asked for the calendar of meeting for 2009 to be prepared taking account of other relevant international biodiversity meetings to avoid overlapping, and to circulate it as soon as possible. In addition, he asked about the procedure which would be followed if not enough voluntary contributions were received to fulfil the annual programme of activities.

The delegate of Slovenia proposed adding to the 2009 programme of activities the preparation of a European Charter on Angling and Biodiversity, following on the interest and support that the European Charter on Hunting and Biodiversity has received. He added that this activity would also be in line with CBD principles and activities and the ongoing co-operation between the two Conventions.

The representative of IUCN welcomed this proposal and referred to the motion approved at the IUCN World Conservation Congress in Barcelona supporting the European Charter on Hunting and Biodiversity and similar initiatives in other sectors, such as angling. He added that such a Charter would be fully complementary to the recently adopted FAO Code of Practice on Recreational Fisheries as both documents would have a different scope and nature.

The representative of the European Environment Bureau (EEB) proposed exploring the possibility of developing a Memorandum of Co-operation with the Ramsar Convention as both treaties have areas of overlap.

The Committee agreed to incorporate this additional activity, subject to funding, and adopted its programme of activities for the year 2009, as amended (see Appendix 9).

6.4 States to be invited as observers to the 29th meeting

The Committee decided unanimously to invite the following States to attend its 29th meeting: Georgia, Russia, San Marino, Montenegro, Algeria, Belarus, Cape Verde, Holy See, Kazhakstan, Kyrghystan, Mauritania, Tajikistan, Turkmenistan, and Uzbekistan.

6.5 Amendment of the Rules of Procedure of the Standing Committee: Proposal from Norway

Relevant document: T-PVS (2008) 14 Amendment of the Rules of Procedure of the Standing Committee: Proposal from Norway

The delegate of Norway presented their proposal to amend the Rules of Procedure of the Standing Committee, which aims at increasing the transparency of the elections procedure and engaging further the Contracting Parties in the selection of candidates for the Bureau. He mentioned that the issue of geographical representation could be removed from the proposal, given the reduced size of the Bureau, but he proposed to kept it in mind.

The delegate of France, on behalf of the European Union and its member States, thanked Norway for this proposal and welcomed the opportunity to discuss increased transparency and harmonised rules. He expressed satisfaction with the work carried out by current and past Bureau members, and proposed to take more time to reflect on this important issue by placing it n the agenda of the next Standing Committee meeting and asking the Bureau to discuss options and engage with Parties in 2009 so that concrete proposals can be made at the next meeting of the Standing Committee.

The delegate of Norway agreed with this proposal and asked for this issue to be placed earlier in the agenda of the 29th meeting of the Standing Committee.

The Committee agreed to ask the first Bureau meeting in 2009 to discuss possible options for the composition and elections of Bureau members, including the proposal by Norway. The changes proposed by the Bureau will be communicated to Contracting Parties after that meeting so that they have time to react and send comment before the second Bureau meeting in September 2009. The Committee agreed to place this agenda item in the first day of the 29th meeting of the Standing Committee.

PART VI- OTHER ITEMS

7. Election of Chairman and Vice-Chairman

The Committee re-elected Mr Jón Gunnar Ottósson as Chair.

The Committee re-elected Mr Jan Plesnik as Vice-Chair.

8. Date and place of the 29th meeting

The Committee decided on the date of its 29th meeting: 30 November – 3 December 2009.

The delegate of Switzerland announced to the Committee the possibility, currently under discussion, to host the 29th meeting of the Standing Committee in the city of Bern, in the framework of the 30th anniversary of the signature of the Bern Convention. Contracting Parties will be informed of the place of the 29th meeting as soon as possible.

The delegate of France asked the Secretariat to check that the dates chosen do not clash with any other important meeting of international biodiversity conventions.

9. Adoption of the report

In accordance with Article 15 of the Convention, the Committee adopted its report, which will be submitted to the Committee of Ministers.

The Committee agreed to continue including in the report an annex with the list of Parties having made voluntary contributions in 2008. In addition, a reference to the overall financial situation of the Convention at the end of the year will be added to the report.

10. Any other business

The Committee adopted the draft comments on Recommendation 1837 (2008) of the Parliamentary Assembly of the Council of Europe on "The fight against harm to the environment in the Black Sea" (see Appendix 10).

The delegate of France thanked the Secretariat for the work carried out during the meeting.

The delegate of Slovenia thanked Hélène Bouguessa for her hard work on the Emerald Network and gave her a “Diploma” signed by the “Friends of the Bern Convention”.

APPENDICES TO THE REPORT

Appendix 1

List of participants

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Appendix 2

AGENDA

PART I – OPENING

1. Opening of the meeting and adoption of the agenda

2. Chairman's report and communications from the delegations and from the Secretariat

PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

3. Monitoring of the implementation of the legal aspects of the Convention

3.1 Introductory reports: Serbia and Armenia
3.2 Implementation of the Convention in Bulgaria
3.3 Biennial reports 2005-2006 concerning exceptions made to Articles 4, 5, 6, 7 or 8 and quadrennial reports 2001 2004

* Items for information:
  - T-PVS/Inf (2008) 19 and 21 Implementation of the Bern Convention in Serbia and Armenia
  - T-PVS/Inf (2008) 18 Implementation of the Bern Convention in Bulgaria
  - T-PVS (2008) 4 and 12 Bureau Reports
  - T-PVS/Inf (2008) 22, 23 Biennial Reports

PART III – MONITORING OF SPECIES AND HABITATS

4. Monitoring of Species and Habitats

4.1 Invasive plant species: Draft Code of Conduct on Horticulture and Invasive Alien Plants; and EPPO/CoE Workshop "How to manage invasive alien plants? The case studies of *Eichhornia crassipes* and *Eichhornia azurea*" (2-4 June 2008, Mérida, Spain) – Draft Recommendations
4.2 Group of Experts on the Conservation on Invertebrates – Progress report
4.3 Group of Experts on Biodiversity and Climate Change – Draft Recommendation
4.4 Draft action plan for the conservation of the Common hamster (*Cricetus cricetus*) in Europe – Draft Recommendation
4.5 Large carnivores/herbivores: Report from the Balkan Lynx Conservation Strategy Workshop (Peshtani, FYROM, 3-4 June 2008) and Report from the Pan European Conference on Population-level Management Plans for Large Carnivores (Postojna, Slovenia, 10-12 June 2008) – Draft Recommendation
4.6 New European Strategy for Plant Conservation 2008-2014: Draft Recommendation
4.7 Wind energy and nature conservation: Progress report
4.8 Habitats
- Setting up of ecological networks: Emerald Network progress
- European Diploma of Protected Areas: Progress report

* Items for information:
- T-PVS/Inf (2008) 16 Report of the 3rd meeting of the ad hoc Working Group on Wind Energy and Nature Conservation (Brussels, 10 July 2008)
- PE-S-DE (2008) 18, Report of the annual meeting of the Group of Specialists on the European Diploma of Protected Areas (Strasbourg, 17-18 March 2008)

PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

5. Specific sites and populations

5.1 Files opened:

- Ukraine: Building of a navigable waterway in the Bystroe Estuary (Danube delta) On-the-spot appraisal
- Cyprus: Akamas Peninsula
- Bulgaria: Project to build a motorway through the Kresna Gorge
- Bulgaria: Windfarm in the Balchik and Kaliakra areas (Via Pontica)
- France: Habitats necessary for the survival of the common hamster (*Cricetus cricetus)*

5.2 Possible File:

- Italy: Implementation of Recommendation No. 123 (2007) of the Standing Committee, on limiting the dispersal of the Grey squirrel (*Sciurus carolinensis*) in Italy and other Contracting Parties – On the spot appraisal and draft decision
- Norway: Windfarms in Smøla Archipelago

5.3 Complaints on stand-by:

- France: Conservation of the European Green Toad (*Bufo viridis*) in Alsace
- Sweden: Natterjack toad (*Bufo calamita*) population on the coastal island of Smögen

5.4 Follow-up of selected recommendations from previous meetings:

- Recommendation No. 95 (2002) on the conservation of marine turtles in Kazanli beach (Turkey)
- Recommendation No. 96 (2002) on conservation of natural habitats and wildlife, specially birds, in afforestation of lowland (Iceland)
- Recommendation no. 108 (2003) on the proposed construction of the "Via Baltica" (Poland)
- Recommendation No. 113 (2004) on military antenna in the Sovereign Base Area (Akrotiri, Cyprus)
- Recommendation No. No. 118 (2005) on the protection of the Hermann tortoise (*Testudo hermanni*) in the Massif des Maures and Plaine des Maures localities (Var, France)
- Recommendation No. 129 (2007) on the construction of a dam and hydro-electric power station in Lesce on the Dobra River (Croatia)
- Recommendation No. 131 (2007) on the Planned Motorway Vc across the Drava Marshlands in Slavonia (Croatia)

<u>Illegal killing of birds in Mediterranean Parties</u>

- Recommendation No. 5 (1986) on the prosecution of persons illegally catching, killing or trading in protected birds

5.5 The case file system: Reminder on the processing of complaints and new on-line form

PART V – STRATEGIC DEVELOPMENT OF THE CONVENTION

6. Strategic development of the Convention

6.1 Strengthened co-ordination and co-operation with the CBD: Implications for the future work of the Convention. Follow-up to CBD COP-9
6.2 Two new Memoranda of Co-operation: CMS and IUCN
6.3 Draft Programme of Activities for 2009
6.4 States to be invited as observers to the 29th meeting
6.5 Amendment of the Rules of Procedure of the Standing Committee: Proposal from Norway

* Items for information:
Signature of the enhanced Memorandum of Co-operation with the Secretariat of the CBD, at COP-9

PART VI- OTHER ITEMS

7. Election of Chairman and Vice-Chairman

9. Date and place of the 29th meeting

10. Adoption of the report

11. Any other business (items for information only)

Appendix 3

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 133 (2008) of the Standing Committee, adopted on 27 November 2008 on the control of the water hyacinth (*Eichhornia crassipes*)

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, in accordance with Article 14 of the Convention,

Having regard to the aim of the Convention to conserve wild fauna and its natural habitats;

Recalling that under Article 11, paragraph 2.*b* of the Convention, each Contracting Party undertakes to strictly control the introduction of non-native species;

Recalling that under Article 8.*h* of the Convention on Biological Diversity, each Party undertakes to prevent the introduction of, control or eradicate those alien species which threaten ecosystems, habitats or indigenous species;

Recalling that Article 22.*b* of the EU Directive (92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora requires the Member States to "*ensure that the deliberate introduction into the wild of any species which is not native to their territory is regulated so as not to prejudice natural habitats within their natural range or the wild native fauna and flora and, if they consider it necessary prohibit such introduction*";

Bearing in mind Recommendation No. R 14 (1984) of the Committee of Ministers of the Council of Europe to Member states concerning the introduction of non-native species;

Recalling Recommendation No. 57 (adopted on 5 December 1997) of the Standing Committee, on the introduction of organisms belonging to non-native species into the environment;

Recalling that Recommendation No. 57, recommends that Contracting Parties prohibit the deliberate introduction within their frontiers or in a part of their territory of organisms belonging to non-native species for the purpose of establishing populations of these species in the wild, except in particular circumstances where they have been granted prior authorisation by a regulatory authority, and only after an impact assessment and consultation with appropriate experts has taken place;

Recalling Decision VI/23 of the Convention on Biological Diversity and its annexed Guiding Principles for the prevention, introduction and mitigation of impacts of alien species that threaten ecosystem, habitats or species;

Recalling Recommendation No. 99 (2003) of the Standing Committee on the European Strategy on Invasive Alien Species (IAS);

Considering that the introduction of organisms belonging to non-native plants may initiate processes which can cause serious harm to biological diversity, ecological processes or economic activities and public life;

Recalling Recommendation No. 126 (2007) of the Standing Committee, on trade in invasive and potentially invasive alien species in Europe, which recommends parties to carry out eradication of invasive alien plants which are not widespread and represent a threat at the regional scale, such as *Eichhornia crassipes* (listed in Appendix 2 of that recommendation as an example of alien plant species with a high capacity of spread and/or a very limited distribution);

Recalling the EPPO recommendation to regulate the species based on a Pest Risk Analysis (PRA) (see EPPO datasheet, EPPO PRA record and PRA record on the species);

Recalling the draft EPPO Standard PM9 (in press) on National Regulatory Control Systems for *Eichhornia crassipes;*

Considering that the species introduced into the territory of a State can easily spread to neighbouring States or entire regions and that the damage which may be caused to the environment of other States gives rise to the liability of that State;

Noting the conclusions of the workshop co-organised by the European and Mediterranean Plant Protection Organisation (EPPO) and the Council of Europe "How to manage invasive alien plants: the case study of *Eichhornia crassipes* (Mérida, Spain, 2 to 4 June 2008), which pointed out that:

- *Eichhornia crassipes* is recognized as one of the most invasive alien plants in the world. It has huge detrimental economic impacts: it is a threat to agriculture, plant health, the environment, public safety, recreation activities, water quality and quantity, and human health;
- the main pathway of introduction is intentional introduction as an ornamental aquatic plant for ponds and aquaria;
- this species has not reached its geographical distribution limits and presents a threat for Southern and South-Eastern countries of the EPPO region.

Recommends that Contracting Parties:

1. taking into account existing risk analysis concerning *Eichhornia crassipes*, introduce measures, where appropriate, to restrict or prohibit the deliberate introduction, sale, export, import and trade, planting, possession, and transport of *Eichhornia crassipes*;
2. monitor introduced populations wherever present, sharing information with other states, the European Environment Agency, the Standing Committee to the Convention and the European and Mediterranean Plant Protection Organization concerning the progress of the species, so as to facilitate preventive measures, early detection and rapid response in all European and Mediterranean states;
3. for Parties where the species is present, urgently draft a national plan to control and, if feasible, eradicate the species taking into account the measures found in Appendix I of this recommendation, presented as suggested guidelines for national measures, as well as the draft EPPO standard on National regulatory control systems for *Eichhornia crassipes*.
4. Spain and Portugal and other interested Parties meet annually to discuss the problem in the appropriate framework.

The Committee further invites observer states to the Convention to apply the measures above.

Appendix 1

Suggested national measures for a control/eradication plan for *Eichhornia crassipes*

National measures

The Workshop suggested the following recommendations concerning national measures:

- Cooperation between the relevant bodies at the national level (e.g. representatives from government departments for water management, agriculture, management of the environment, research, and representatives from other relevant sectors) should aim at establishing a national action plan against *E. crassipes*.

The National Action Plan should include:

Preventive monitoring

- The establishment of an early warning system in areas in which the species has not been detected so as to be able to act speedily when it is done. Technical officers and other appropriate public within the country should be involved and trained to recognize and report the species.
- The conducting of an annual delimiting survey (according to the International Standard for Phytosanitary Measures no. 6 "Guidelines for surveillance"). This survey will aim to determine:
  - areas in which outbreaks are limited and where eradication may be considered,
  - areas where management measures aiming at limiting plant impacts and preventing its spread to other areas have to be undertaken.

Communication

- The establishment of communication / awareness programme for the public, the horticultural sector and those responsible for management and use of waterbodies likely to be infected.

Eradication

- The establishment of a well financed eradication / containment programme in infested areas, with regular up-checks on its success.

The management measures recommended for infested areas described in the draft EPPO standard on National regulatory control systems for *Eichhornia crassipes*, and they may include, as appropriate mechanical control, chemical control, hydrological control and biological control. It is also recommended that an eradication strategy may examine the possibility of using a combination of the methods above, in an integrated control approach.

(See EPPO PM9 and other enclosed references)

References

EPPO (2008) Datasheet on *Eichhornia crassipes. EPPO Bulletin/Bulletin OEPP.*

EPPO Website on the Workshop held on *Eichhornia crassipes*:

http://archives.eppo.org/MEETINGS/2008_conferences/eicchornia_workshop.htm

EPPO (2008) PRA report on *Eichhornia crassipes*

EPPO (2008) PRA record on *Eichhornia crassipes*

EPPO PM9 (in press) National Regulatory Control System for *Eichhornia crassipes*.

IPPC (1997) ISPM n°6 Guidelines for surveillance. FAO, Rome. 8 p.

https://www.ippc.int/servlet/BinaryDownloaderServlet/13717_ISPM_6_E.pdf?filename=1146657977529_ISPM6.pdf&refID=13717

Appendix 4

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation

of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 134 (2008) of the Standing Committee, adopted on 27 November 2008, on the European Code of Conduct on Horticulture and Invasive Alien Plants

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, in accordance with Article 14 of the Convention,

Having regard to the aim of the Convention which is notably to ensure the conservation of wild flora and fauna, by giving particular attention to species, including migratory species, which are threatened with extinction and vulnerable;

Recalling that under Article 11, paragraph 2.*b* of the Convention, each Contracting Party undertakes to strictly control the introduction of non-native species;

Recalling Decision VI/23 of the 6th Conference of the Parties of the Convention on Biological Diversity, on Alien species that threaten ecosystems, habitats or species, and the definitions used in that text, as well as the conservation guidelines of the Africa-Eurasian Migratory Waterfowl Agreement;

Recalling its Recommendation No. 99 (2003) on the European Strategy on Invasive Alien Species,

Noting the need to co-operate with all the actors involved in horticulture (both public and private sectors) in the prevention on new invasive alien plants into the territory of the Convention,

Referring to the European Code of Conduct on Horticulture and Invasive Alien Plants [document T-PVS/Inf (2008) 2];

Recommends that Contracting Parties:

1. draw up national codes of conduct on horticulture and invasive alien plants taking into account the European Code of Conduct mentioned above;
2. collaborate as appropriate with the horticultural industry and in particular with managers of public spaces (such as municipalities) in implementing and helping disseminate good practices and codes of conducts aimed at preventing release and proliferation of invasive alien plants;
3. keep the Standing Committee informed of measures taken to implement this recommended;

Invites Observer States to take note of this recommendation and implement it as appropriate.

Appendix 5

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 135 (2008) of the Standing Committee, adopted on 27 November 2008, on addressing the impacts of climate change on biodiversity

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

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

Recalling that Article 2 of the Convention requires Parties to take requisite measures to maintain the populations of wild flora and fauna at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic requirements;

Recalling that Article 4 of the Convention requires Parties to take appropriate measures to ensure the conservation of the habitats of wild flora and fauna species as well as of endangered natural habitats; and give particular attention to the protection of areas of importance for migratory species;

Recalling the 2003 Kyiv Resolution on Biodiversity, which includes the commitment to '*halt the loss of biological diversity at all levels by 2010*', as adopted by Environment Ministers and Heads of delegation from 51 countries in the Pan-European region;

Recalling the 2004 Strasbourg Declaration on the role of the Bern Convention in the preservation of biological diversity;

Recalling the 2005 Millennium Ecosystem Assessment and its finding that "unprecedented increased efforts" are needed to achieve the 2010 biodiversity target at national, regional and global levels;

Recalling further the Belgrade Declaration from the 6th Ministerial Conference "An Environment for Europe" (10-12 October 2007), stating that the loss of biodiversity remains an environmental challenge which all governments of the UNECE region are committed to continue addressing as biodiversity decline and the loss of ecosystem services continue;

Having regard to the 4th Assessment of the Intergovernmental Panel on Climate Change (IPCC), its Synthesis Report and Summary for Policymakers, approved in November 2007;

Recognising that wild flora and fauna constitute a natural heritage of aesthetic, scientific, cultural, recreational, economic and intrinsic value that needs to be preserved and handed on to future generations;

Recognising also that climate change affects biological diversity in the territory covered by the Convention, including species, habitats and the Areas of Special Conservation Interest of the Emerald Network;

Recognising further that conserving and halting the loss of biodiversity is essential for any strategy to adapt to and mitigate climate change;

Recalling the European Strategy on Invasive Alien Species, as climate change affects the abundance and spread of invasive alien species and the vulnerability of ecosystems to invasions;

Recalling the European Strategy for the Conservation of Invertebrates and the need to apply it in a changing climate, which requires increased flexibility and effort to monitor invertebrate populations and communities;

Having regard to relevant Council of Europe's legal and policy frameworks such as the Bern Convention, the Pan-European Biological and Landscape Diversity Strategy (including its key component: the Pan-European Ecological Network), the European Landscape Convention, the European Conference of Ministers responsible for regional planning (CEMAT), and the EUR-OPA Major Hazards Agreement;

Having regard also to relevant Recommendations and Resolutions from the Council of Europe's Parliamentary Assembly and Congress of Local and Regional Authorities (such as Assembly Recommendation 1823 (2008) on 'Global warming and ecological disasters', Resolution 1406 (2004) on 'Global warming: beyond Kyoto'; and Congress Recommendations 231(2008) on 'Climate change: Building adaptive capacity of local and regional authorities', and 232 (2008) on 'Biodiversity policies for urban areas');

Recalling CBD COP Decision VIII/30 which encourages the development of rapid assessment tools for the design and implementation of biodiversity conservation and sustainable use activities which contribute to adaptation to climate change, particularly in vulnerable countries and regions;

Recalling also CBD COP Decision IX/16, which urges Parties to enhance the integration of climate change considerations related to biodiversity in their implementation of the Convention, including identifying vulnerable regions, subregions and ecosystem types; assessing the threats and likely impacts of climate change; and taking appropriate actions to address and monitor the impacts of climate change, and the impacts and opportunities from climate change mitigation and adaptation activities as they relate to biodiversity;

Recalling further CBD COP Decision IX/18 on the role that protected areas and their connectivity play in addressing climate change, and Decision IX/4 which recognises the links between climate change and the impacts of invasive alien species;

Having regard to the EC communication on "*Halting the loss of biodiversity by 2010 – and beyond. Sustaining ecosystem services for human well-being*", noting particularly its associated targets and actions related to supporting biodiversity adaptation to climate change; and the 2007 Commission Green Paper on "*Adapting to climate change in Europe – options for EU action*";

Recalling the "Message from Reunion Island" issued at the conference "The European Union and its Overseas Entities: Strategies to Counter Climate Change and Biodiversity Loss", July 2008) and the exceptional importance of the biodiversity of the EU's Overseas Countries and Territories and Outermost Regions in comparison with continental Europe, and their vulnerability to climate change;

Recognising the need to adapt conservation work to the challenges of climate change so as to minimise its impact on the species and natural habitats protected under the Convention;

Bearing in mind that uncertainties surrounding the precise nature of future climate change and its impacts on biodiversity should not delay practical conservation action;

Recognising the need to take account of the five-year Nairobi work programme (2005-2010) on impacts, vulnerability and adaptation to climate change, adopted by Parties to the UN Framework Convention on Climate Change (UNFCCC);

Recognising the need to co-operate with the Convention on Biological Diversity, the Convention on Migratory Species and its related agreements (CMS Resolution 8.13 and AEWA Resolutions 3.17 and 4.15), the Ramsar Convention on Wetlands (Resolution VIII.3 on climate change and wetlands), and the need to co-ordinate efforts regarding CBD COP Decisions VIII/30 and IX/16 on biodiversity and climate change;

Recognising the need to address the impacts of climate change on migratory birds and other migratory species and, in this respect, recalling CMS Resolution 8.13 on climate change and migratory species, which calls upon Parties to implement adaptation measures to reduce the foreseeable adverse effects of

climate change on migratory species and encourages the initiation of international research projects on migratory species and their habitats in order to better understand these effects;

Recognising the particular challenge to address the impacts of climate change in the marine and coastal environment and recalling the need to co-operate with the Barcelona Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean, as well as with other regional seas conventions in Europe (OSPAR, Baltic, Black Sea);

Recalling Recommendation No. 122 (2006) of the Standing Committee on the conservation of biological diversity in the context of climate change , adopted on 30 November 2006;

Welcoming and bearing in mind the following expert reports "*Conserving European Biodiversity in the Context of Climate Change*" by M.Usher [document CO-DBP (2005) 3 rev]; "*Climatic change and the conservation of European biodiversity: Towards the development of adaptation strategies*" by B. Huntley [document T-PVS/Inf (2007) 3]; "*Climate change and the vulnerability of Bern Convention species and habitats*", by P.Berry [document T-PVS/Inf (2008) 6 rev]; "*Climatic change and the conservation of migratory birds in Europe: Identifying effects and conservation priorities*" by M.Ferrer, I.Newton and K.Bildstein [document T-PVS/Inf (2008) 1 rev]; "*A perspective on climate change and invasive alien species*" by L.Capdevila-Argüelles and B.Zilletti [document T-PVS/Inf (2008) 5 rev]; "*Climate Change Impacts on European Amphibians and Reptiles*" by K. Henle *et al.* [document T-PVS/Inf (2008) 11 rev]; and "*Review of existing international and national guidance on adaptation to climate change with a focus on biodiversity issues*" by M. Harley and N. Hodgson [document T-PVS/Inf (2008) 12 rev];

Recommends Contracting Parties to the Convention and invites Observer States to:

1. Address and communicate, as a matter of urgency, the impacts of climate change on biological diversity and its conservation;
2. Raise awareness of the link between biodiversity and climate and emphasis the large potential for synergies when addressing biodiversity loss and climate change in an integrated manner; including socio-economic effects;
3. Encourage the elaboration of climate change adaptation activities for biodiversity, taking account of the suggested measures listed in the guidance set out in the Appendix to the present Recommendation; and
4. Continue to engage in the development of further guidance to implement the Convention.

APPENDIX

Guidance

This guidance draws on the expert reports commissioned by the Council of Europe and discussed by the Group of Experts on Biodiversity and Climate Change at its meetings in 2007-2008. The conclusions and recommended actions provided stem from six separate expert reports and discussions by the Group of Experts, which should be completed and updated in the future, and including potential revision of the current recommendations as well as additional recommendations for other groups of species.

Measures that may be considered as appropriate for addressing the impacts of climate change on biodiversity, for the purposes of the application of the Convention, are listed for consideration by Contracting Parties. These measures are offered as examples of action that may be taken by authorities at all levels of governance to address this issue. Other complementary measures may be identified by governments as equally appropriate to their particular circumstances and concerns.

The effects of climate change on ecosystems are complex. The impacts of a changing climate on the species and habitats protected by the Bern Convention may differ widely, depending on the species and the interactions with other species and/or their habitats, as well as according to location. The effects that climate change adaptation measures in other sectors can have on species and habitats should also be considered in order to avoid further unforeseen impacts.

I. Vulnerability to climate change

Vulnerability, as defined by the Intergovernmental Panel on Climate Change (IPCC), incorporates the concepts of exposure, sensitivity and adaptation, and it is usually a combination of these that lead to vulnerability. Species are already vulnerable to decreases in their abundance and range but on a short-time scale (1-10 years), climate change will increasingly contribute to longer-term stresses and exacerbate the current drivers of bioiversity loss. Climate change is not an isolated factor, and an integrated approach is needed in order to understand how interacting factors contribute to vulnerability.

There is abundant evidence from observations and monitoring that climate change is already impacting species and habitats, and, for some, this is leading to increased vulnerability. There is little direct information on the attribution of sources of this vulnerability but the majority of the observed responses are consistent with those expected from climate change.

Most of the very limited evidence for the potential impacts of climate change on Bern Convention species and habitats is inferential and based on monitoring and observations of responses to current climate change, expert knowledge and modelled projections. A picture of species' vulnerability can begin to be drawn, but this information base needs to be further developed, as the nature of the threatened status of many species suggests that climate change will only compound the situation.

This section includes proposed actions and measures based on the work done so far under the Bern Convention (see reports "*Climate change and the vulnerability of Bern Convention species and habitats*", by P. Berry; "*Climatic change and the conservation of migratory birds in Europe: Identifying effects and conservation priorities*" by M. Ferrer, I. Newton and K. Bildstein, and "*Climate Change Impacts on European Amphibians and Reptiles*" by K. Henle *et al.*).

Proposed actions[1]:

1. There is a need for action in all sensitive areas in Europe, including South Eastern Europe, the Mediterranean and central European regions, but there is urgency to address the impacts of climate change on the species and habitats of those areas consistently projected as being most vulnerable in Europe: the Arctic (including parts of Scandinavia and Greenland); mountain regions; coastal zones (including the Baltic and parts of the Mediterranean); and island habitats and wetlands in areas increasingly threatened by drought**.** The terrestrial ecosystems considered especially affected by

[1] These recommended actions are drawn from the report by P.Berry "Climate change and the vulnerability of Bern Convention species and habitats", document T-PVS/Inf (2008) 6 rev.

climate change (and found in Europe) are: tundra, boreal forest, mountain and Mediterranean-type ecosystems, salt marshes and sea-ice biomes, and the Arctic region.

2. Given the threatened status of many species included in the Bern Convention, and their level of endemicity and rarity, take measures to build up population numbers.

3. Further develop and improve the information base on the vulnerability of Bern Convention species and habitats based on all the components of vulnerability (i.e. exposure, sensitivity and adaptive capacity).

4. As mitigation and adaptation are both aimed at reducing vulnerability to climate change, consider adaptation strategies to reduce species loss, and assess mitigation activities and measures in terms of their potential to contribute to or reduce vulnerability of species and habitats.

5. Take care that adaptation and mitigation measures conform with biological diversity conservation principles. Bear in mind that adaptation strategies may favour certain species or groups of species over others. Take an integrated, cross-sectoral approach to assess responses to climate change, as mitigation and adaptation activities in other sectors can have either positive or negative effects on biodiversity.

6. Focus attention on the potentially more vulnerable Bern Convention species regarding climate change (preliminary analysis based on available information from modelling)[*]. These lists are not comprehensive, but focus on some species already identified as potentially threatened by climate change in the report by P. Berry "*Climate change and the vulnerability of Bern Convention species and habitats*":

- Mammals: *Lynx pardina*, (Iberian lynx); *Microtus tatricus* (Tatra vole) and *Myomimus roachi* (Mouse-tailed dormouse); *M. roachii; Myotis dasycneme* (Pond bat); *Monachus monachus* (Mediterranean monk seal); Saimaa ringed seal *(Phoca hispida saimensi).*

- Birds: The greatest reduction in bird species richness is projected to occur in southern and central Europe. Most affected species: *Anthus berthelotii* (Berthelot's pipit); *Chersophilus duponti* (Dupont's lark) and *Bucanetes githagineus* (Trumpeter Finch) ; *Apus* caffer (white-rumped swift), *Phoenicopterus ruber* (greater flamingo) and *Calidris alba* (sanderling); *Acrocephalus paludicola* (aquatic warbler), pintail *(Anas acuta*) and meadow pipit (*Anthus pratensis*). Northern species are generally vulnerable and birds such as marsh warbler (*Acrocephalus palustris*) could be vulnerable in the southern and western parts of their range.

- Reptiles: *Lepidochelys kempii* (Kemp's Ridley Sea turtle), *Dermochelys coriacea* (Leatherback turtle) and *Eretmochelys imbricata* (Hawksbill turtle); *Gallotia simonyi (*Hierro lizard, Canary Islands endemic). For *Vipera ursinii* (Meadow viper), if it is able to disperse it could expand its range, but otherwise it could contract.

- Amphibians: Particularly vulnerable in the Iberian peninsula. Of the species modelled, both *Alytes obstetricans* (Midwife toad) and *Bufo calamita* (Natterjack toad) are vulnerable to climate change.

- Insects: It is thought that Southern European species may remain less affected as they are better adapted to very high temperatures as well as rapid changes in temperature.

- Fish: One of the most vulnerable species is the *Romanichthys valsanicola*; the European sturgeon (*Acipenser sturio*) has also been identified.

- Vascular plants: No evidence of responses to current changes or sources of vulnerability have been found for Bern Convention vascular plants, but species such as *Pulsatilla patens* (Pasqueflower), *Apium repens* (Creeping marshwort) and *Cypripedium calceolus* (Lady's slipper) could be vulnerable in southern parts of their range in Europe. Particularly vulnerable species will be those with long life cycles and/or slow dispersal, as well as some isolated species (Arctic, alpine, island, coastal..).

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[*] Even though climate change has not been used as a criterion for the listing of species, if other threats are present then it is possible that the species will be vulnerable to climate change too, especially if it is in a vulnerable region or if there is other supporting evidence in the form of modelling results and/or additional components of vulnerability present.

7. Identify and address with urgency other non-climate threats to vulnerable species to enhance their adaptive capacity.

Migratory birds

Migratory birds can be influenced by a changing climate in three different geographic locations: their breeding grounds, their wintering areas, and their migration routes. We can expect that migrants will suffer greater storm-induced losses, which could cause noticeable reductions in populations regardless of other climate changes.

The breeding ranges of some European birds are already shifting north, as individuals withdraw from southern portions of their ranges, while others spread north at the northern limits of their ranges. A particular concern involving range shifts is the loss of mountain-top and high latitude breeders, which may disappear from much of their range, as global warming reduces the extent of specific high-mountain and high latitude habitats.

Proposed actions[2]:

8. Establish a functional network of watch sites or "watchtowers" to monitor changes in bird behaviour and assess bird-population trends in Europe.

9. Establish a set of focal species whose populations and behaviour should be monitored because of their relationships with more-difficult-to-follow but critical biological variables. In particular, seabirds, wetland birds, diurnal birds of prey or raptors, other soaring birds, and several widespread and long-term studied songbirds should be monitored.

10. Undertake studies in southern Europe, where many migratory birds over-winter, and where many others pass through while migrating between European breeding grounds and African wintering areas.

Amphibians and reptiles

There is mounting empirical evidence that climate change is already having various impacts on different aspects of the ecology of organisms, including amphibians and reptiles. Long-term studies on European amphibians and reptiles show already a tendency to earlier breeding in many species. Also, the decline of some species have been linked to changed climatic conditions.

Amphibians and reptiles critically depend on temperature and water. While reptiles have developed adaptations to cope with water scarcity, all European amphibians require moist habitats and, with few exceptions, open water for reproduction. Species will become threatened by climate change particularly in regions where water and humid habitats are already scarce and expected to become even drier. As wetland habitats disappear, aquatic and semi-aquatic species will suffer declines.

The main response of species to climate change is either a range shift or in-situ adaptation by evolutionary change. Apart from marine turtles, reptiles and amphibians have a too low dispersal capacity to follow the expected rapid changes, especially in the highly fragmented European landscapes. In-situ adaptation requires large populations – beyond the size of most amphibian and reptile populations in modern landscapes. Climate envelope modelling and the assessment of the climate sensitivity of amphibians and reptiles clearly show that climate change impacts will considerably differ among species and regions. Overall, amphibians are expected to suffer more than reptiles based on their adaptation to harsh environments.

Proposed actions[3]:

11. Take early action on the following species, expected to be most affected, including through species-specific climate change mitigation plans:

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[2] These recommended actions are drawn from the report by M. Ferrer, I. Newton and K. Bildstein "Climatic change and the conservation of migratory birds in Europe: Identifying effects and conservation priorities", document T-PVS/Inf (2008) 1 rev.

[3] These recommended actions are drawn from the report by K. Henle et al "Climate Change Impacts on European Amphibians and Reptiles", document T-PVS/Inf (2008) 11 rev.

- Amphibians from dry Mediterranean regions (especially in Spain, Western France, and Italy), and amphibians requiring cool environments;
- For reptiles, projected losses are also highest in areas with high temperatures and major reductions in precipitation (Spain, Italy, the Balkans, and Greece);
- Island endemics, such as *Alytes muletensis* (Balearic Mid-wife Toad), the lizards *Algyroides fitzingeri* (Pygmy Algyroides), *Lacerta bedriagae* (Bedriaga's Rock Lizard), *Podarcis tiliguerta* (Tyrrhenian Wall Lizard), and *Gallotia simonyi* (El Hierro Giant Lizard), and the snake *Macrovipera schweizeri* (Cyclade Blunt-nosed Viper) are predicted to become the most affected species, together with *Phyllodactylus europaeus* (European Leaf-toed gecko);
- In Central and Northern Europe, early breeding amphibian, i.e., primarily brown frogs (*Rana arvalis, Rana dalmatina, Rana temporaria*) and the common toad (*Bufo bufo*) may be placed at increasing risk due to late frosts, less snow cover, and warmer winter temperatures.

12. Highly sensitive species should be monitored as indicators of climate change.

13. Facilitate in-situ adaptation and natural range shifts by redoubling efforts to maintain or restore large intact habitats and large-scale connectivity.

14. Countries with breeding populations of sea turtles and endemic island taxa potentially threatened by sea level rise should gather data and undertake studies to improve knowledge on climate change impacts on endemic island species.

15. Mediterranean countries should assess the reduction of permanent wetlands and rivers by the combined effects of land use and climate change to better understand impacts on amphibian species.

16. Further research should be undertaken on the potential impacts of climate change on amphibian and reptile species.

II. Adaptation strategies

Climate change is an important determinant of the distribution and functioning of natural systems, with species, habitats and ecosystems having been modified repeatedly throughout geological time. Today, changes in land use and management are resulting in the degradation of semi-natural habitats, declines in traditional agricultural and forest management on which many species depend, and now large-scale land abandonment. It is likely that these changes will be further exacerbated by climate change. Projections suggest that between one fifth and one third of European species will be at increased risk of extinction if global mean temperatures rise more than 2 to 3 ºC above pre-industrial levels. A combination of climate change and other drivers of change will reduce the adaptive capacity (and resilience) of many species and habitats, and will have potentially serious consequences for the delivery of ecosystem services that are the cornerstone of human existence and well-being. Robust mitigation and adaptation policies are clearly needed in order to address the impacts of climate change on biodiversity.

The following seven overarching adaptation principles for biodiversity and its conservation derived from pre-existing guidance, are linked with more detailed measures, and should be considered when developing adaptation strategies and actions to conserve species, habitats and ecosystems, and the services that they provide. The concepts underpinning these principles are also equally relevant to other sectors and could be further developed within and across sectors as a standard for universal application, and they should be considered when devising adaptation activities at all levels[4]:

1. Take action now: As uncertainties surrounding the precise nature of future climate change and its impacts on biodiversity should not delay practical conservation action.

Proposed actions:

a. Enhance existing biodiversity conservation activities in protected areas and intervening habitats.

[4] These recommended actions are drawn from the report by M. Harley and N. Hodgson "Review of existing international and national guidance on adaptation to climate change with a focus on biodiversity issues", document T-PVS/Inf (2008) 12 rev.

b. Deliver on current biodiversity policy and legislative commitments and agreements.

c. Reduce other sources of stress and harm not directly linked to climate change.

d. Develop further biodiversity policy, legislation and agreements to ensure that conservation objectives reflect the challenges presented by climate change.

2. Maintain and increase ecosystem resilience: In order to improve the ability of ecosystems to mitigate the effects of climate change whilst maintaining and increasing biodiversity.

Proposed actions:

a. Maintain and restore ecosystem structure and function and, where appropriate and cost effective, relocate and create new habitats.

b. Conserve the range and variability of species, habitats and ecosystems.

c. Establish buffer zones with ecologically sensitive management regimes around conservation areas.

d. Prevent the introduction and control the spread of invasive species.

e. Develop actions to increase resilience and communicate those actions.

3. Accommodate the impacts of climate change: As both gradual change and extreme weather events will be experienced.

Proposed actions

a. Increase understanding of the specific effects of climate change on biodiversity, develop adaptive strategies based on sound ecological research and undertake risk management planning to take account of unpredictable effects.

b. Work with ecological principles when accommodating to climate change impacts.

c. Establish networks of interconnected protected areas (terrestrial, freshwater and marine) and intervening habitat mosaics to increase permeability and aid gene flow.

d. Plan future conservation areas to ensure that vulnerable species groups and habitats types are protected.

e. Allow for the changing configuration of coasts and rivers by avoiding development in these areas.

f. Consider the role of species translocation and *ex-situ* conservation, especially for threatened species.

4. Facilitate knowledge transfer and action between partners, sectors, the general public, and authorities at all levels, including Conventions: As successful adaptation requires biodiversity conservation to be integrated with other land and water management activities.

Proposed actions:

a. Strengthen existing relationships and build new partnerships, including across Conventions.

b. Ensure that policy and practice are integrated across sectors and borders.

c. Co-ordinate adaptation and mitigation measures to avoid mal-adaptation for the environment and biodiversity within and across sectors.

d. Increase awareness of the benefits that biodiversity provides to society and its role in adaptation strategies across all sectors.

e. Communicate best practice and exchange information on successful adaptation.

f. Communicate and engage the wider public to promote concerns on biodiversity and face the challenges of climate change.

5. Develop the knowledge/evidence base and plan strategically: It is essential that the best available evidence is used to develop techniques that allow biodiversity to adapt.

Proposed actions:

a. Continually review the evidence base and identify knowledge gaps and research opportunities.

b. Develop research on biodiversity and climate change to enhance a comprehensive understanding of the impacts of climate change at the community/ecosystem level which will provide a better analysis of the consequences regarding species, and with a biogeographical vision, both at short and long time-scales.

c. Undertake vulnerability assessments of biodiversity and associated ecosystems.

d. Undertake scenario assessments and identify 'no regrets' actions.

e. Pilot new approaches through demonstration projects.

f. Develop 'win-win' adaptation measures and use them to build resilience and accommodate change.

6. Monitor and use indicators: As monitoring is a key contributor to the evidence base and, as such, existing schemes must be strengthened and new requirements incorporated

Proposed actions:

a. Identify indicators to monitor the impacts of climate change on biodiversity and to assess vulnerability and adaptation.

b. Continue to monitor the observed impacts of climate change on biodiversity and establish procedures to validate projections to direct or develop conservation objectives, including where appropriate through the development of community-based monitoring programmes.

c. Monitor the effectiveness of adaptation measures and adaptive conservation management in maintaining and increasing ecosystem resilience and accommodating change.

7. Use adaptive conservation management: As effective conservation in a changing climate will require a flexible approach based on learning from direct experiences**.**

Proposed actions:

a. Undertake continual monitoring and re-assessment of adaptation actions as new information and research becomes available.

b. Develop and communicate adaptive management actions to increase both ecosystem resilience and accommodation to the impacts of climate change.

III. Cross-cutting issues

Invasive species

Biological invasions are a problem likely to increase under climate change. The risk posed by invasive species under climate change conditions is, in general, underestimated because models and scenarios, mainly focused on native biodiversity, have poorly explored the issue. IAS and climate change are considered two of the five main threats to biodiversity, and therefore the two operating together could be expected to produce extreme outcomes. Current biotic changes caused by invasive species could further interact with climate change, increasing ecosystems' vulnerability and therefore the risk of new invasions.

While tools to fight invasive species already exist, countries' concern is still scarce and action is urgent. It is difficult to predict how climate change will affect invasive processes per se as well as in combination with other factors of global change (biotic changes, land use changes, etc.). Climate change could alter the structure and composition of native communities and, as a consequence, the way in which an ecosystem functions, increasing the risk of biological invasion: maintaining high biodiversity communities is expected to reduce susceptibility to invasives. Climate change is also likely to increase the potential distribution and abundance of invasive species, further enlarging areas at risk of invasion, and threatening the viability of current management strategies against invasive species.

Proposed actions[5]:

17. Improve information on the biology of invasive species and how their populations respond to climate change.

18. Condition any intentional introduction of alien species on exhaustive risk analysis processes which include considerations related to climate change. Also, risk analysis on pathway and vectors should take into account potential interactions with climate change to prevent unintentional introductions.

19. Consider the effects of altered climate and atmospheric chemistry when undertaking risk analysis for biotic invaders.

20. Step up research on biological invasions linked to climate changes, including on: (i) the influence of dispersal, propagule pressure and species interactions; (ii) the populations' ability to adapt, and the scales over which climate will change and living systems will respond; (iii) the synergistic effects between climate and other anthropogenic variables that are likely to exacerbate the abundance and impact of invasive species; and (iv) predictive models.

Protected areas and landscape scale conservation

Protected areas have long been one of the cornerstones of conservation policy, and they have a vital role in biodiversity adaptation strategies to climatic change. Protected areas are likely to become of even greater importance as they often harbour the best quality habitats for many species. It will therefore be necessary to take account of climate change in the planning and management of protected areas to achieve successful strategies for biodiversity conservation in the face of climatic change.

Networks of protected areas should be embedded within a high-quality landscape conservation approach to provide permeability and connectivity to assist species adjust their spatial distributions, through the provision of habitat 'stepping stones' and other tools. Protected areas alone will not be sufficient to ensure adequate protection of habitats and species. It will be critical to ensure the continued protection and appropriate management of existing protected areas which, to be effective, should need to be complemented by appropriate management and structure of the wider landscape, as otherwise many species will be unable to achieve the responses to climatic change that are essential to their long-term survival.

Proposed actions:

21. Consider the extent and location of protected areas to provide flexibility and potential for species to adjust their distributions within the landscape in response to climatic change. Consider buffer zones as a valuable tool for enhancing the effectiveness of protected areas.

22. Develop permeable landscapes that provide functional networks of habitat 'stepping stones' of various sizes and separations linking protected areas, to help species' adaptation to climate change.

23. Take the necessary steps to retain as many as possible of the remaining fragments of unaltered or semi-natural habitat in the landscape in order that they may serve as 'stepping stones' and contribute to rendering the landscape permeable, and encourage the creation of habitat 'stepping stones' in landscapes where past land management practice has led to the absence of sufficient suitable patches of unaltered or semi-natural habitat that may be managed for this purpose.

[5] These recommended actions are drawn from the report by L. Capdevila-Argüelles and B. Zilletti "A perspective on climate change and invasive alien species", document T-PVS/Inf (2008) 5 rev.

Appendix 6

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation of
European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 136 (2008) of the Standing Committee, adopted on 27 November 2008, on improving the conservation of the Common hamster (*Cricetus cricetus*) in Europe

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

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

Recalling that Article 1, paragraph 2 of the Convention requires Parties to give particular emphasis to the conservation of endangered and vulnerable species;

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

Recalling that Article 4.1 of the Convention requires Parties to take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in Appendices I and II, and the conservation of endangered natural habitats;

Noting that the common hamster (*Cricetus cricetus*) is one of the strictly protected species of fauna listed in Appendix II to the Convention;

Noting that the common hamster is seriously endangered throughout western Europe, that it has disappeared from the territory of many Contracting Parties and that an unprecedented decline in its population has been noted in a number of European countries;

Concluding that the loss of habitat, the fragmentation of its range and the loss of suitable areas in agricultural zones are the main reasons for the decline of this species;

Recalling the 2003 Kyiv Resolution on Biodiversity, which includes the commitment to 'halt the loss of biodiversity by 2010', as adopted by Environment Ministers and Heads of delegation from 51 countries in the Pan-European region;

Recalling the 2005 Millennium Ecosystem Assessment and its finding that "unprecedented increased efforts" are needed to achieve the 2010 biodiversity target at national, regional and global levels;

Desirous to avoid a further loss of biological diversity in Europe;

Aware that the drafting and implementation of Action Plans may be a useful tool to redress the situation;

Recalling its Recommendation No. 59 (1997) on the Drafting and Implementation of Action Plans of Wild Fauna Species;

Recalling its Recommendation No. 68 (1998) on protection of the common hamster (*Cricetus cricetus)* in Alsace (France);

Recalling its Recommendation No. 79 (1999) on protection of the common hamster (*Cricetus cricetus)* in Europe;

Referring to the preliminary Action Plan for the conservation of the Common hamster (*Cricetus cricetus*), discussed by the Committee [document T-PVS/Inf (2008) 9];

Aware of the need to take urgent measures to prevent the further decline of this species and redress its conservation status in certain Contracting Parties;

Considering this action plan as guidelines for competent national authorities,

Recommends Contracting Parties to the Convention with small or declining populations of common hamster (*Cricetus cricetus*), and invites Observer States, to draft and implement national action plans for the Common hamster (*Cricetus cricetus*), on the basis of the above-mentioned Action Plan, adapting it to their country-specific conditions.

Appendix 7

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 137 (2008) of the Standing Committee, adopted on 27 November 2008, on population level management of large carnivore populations

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

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

Wishing to promote co-existence of viable populations of large carnivores with sustained development of rural areas in appropriate regions;

Aware that the drafting and implementation of Action Plans may be a useful tool to redress the situation;

Recalling its Recommendation No. 59 (1997) on the drafting and Implementation of Action Plans of Wild Fauna Species;

Recalling its following Recommendations:

Recommendation No. 89 (2001) on the conservation of the European lynx in the Alps;

Recommendation No. 115 (2005) on the conservation and management of transboundary populations of large carnivores;

Considering that some co-ordinated Action plans, such as the Pan-Alpine Conservation Strategy for Lynx are excellent examples of how states can co-operate to survey and manage a threatened population;

Wishing to see more co-ordination between states in the conservation and management of transboundary populations of large carnivores;

Noting that most European populations of large carnivores are shared between two or more states;

Taking note with interest of the report "Guidelines for Population Level Management Plans for Large Carnivores" prepared by the Large Carnivore Initiative for Europe under contract to DG Environment of the European Commission [document T-PVS/Inf (2008) 17];

Recommends that Contracting Parties to the Convention:

1. re-enforce co-operation with neighboring states in view of adopting harmonised policies towards management of shared populations of large carnivores, taking into account the best practice in the field of management of populations of large carnivore;
2. keep informed the Standing Committee on progress in the implementation of this recommendation and also of Recommendation No. 115 (2005) on the conservation and management of transboundary populations of large carnivores;

Invites Observer states to implement, where appropriate, the recommendation above.

Appendix 8

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation

of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 138 (2008) of the Standing Committee, adopted on 27 November 2008, on the European Strategy for Plant Conservation 2008-2014

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, in accordance with Article 14 of the Convention,

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

Recalling that Article 1, paragraph 2 of the convention requires Parties to give particular emphasis to the conservation of endangered and vulnerable species;

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

Recalling that Article 4.1 of the convention requires Parties to take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in Appendices I and II, and the conservation of endangered natural habitats;

Recalling that Article 5, paragraph 1, of the Convention requires Parties to take appropriate and necessary legislative and administrative measures to ensure the special protection of the wild flora species listed in Appendix I;

Referring to its Recommendation No. 30 (1991) on the conservation of species in Appendix 1 of the Convention;

Referring to its Recommendation No. 40 (1993) on the elaboration of conservation or recovery plans for species in Appendix I of the Convention;

Referring to its Recommendation No. 87 (2001) on the European Plant Conservation Strategy, recognised as a valuable contribution to the Global Strategy on Plant Conservation adopted under the Convention on Biological Diversity (CBD);

Noting that integrated ecosystem management and habitat protection have great advantages for the preservation of biodiversity and should go hand in hand with species protection efforts;

Recalling Decision V/6 of the Conference of the Parties to the CBD on the Ecosystem Approach, adopted in 2000, and including the 12 principles of the Ecosystem Approach;

Recalling the 2003 Kyiv Resolution on Biodiversity, which includes the commitment to 'halt the loss of biodiversity by 2010', as adopted by Environment Ministers and Heads of delegation from 51 countries in the Pan-European region;

Recalling the 2005 Millennium Ecosystem Assessment and its finding that "unprecedented increased efforts" are needed to achieve the 2010 biodiversity target at national, regional and global levels;

Desirous to avoid a further loss of biological diversity in Europe;

Recalling CBD COP Decision IX/3 on the 'Global strategy for plant conservation' and, in particular, paragraphs 1(b), 2 and 8;

Referring to the joint Planta Europa/Council of Europe "European Strategy for Plant Conservation 2008-2014: A sustainable future for Europe" [document T-PVS/Inf (2008) 14];

Recommends Contracting Parties to the Convention and invites Observer States to:

- develop and implement, or reinforce, as appropriate, national plant conservation strategies, or have them incorporated in national biodiversity strategies and action plans;
- take note, in that context, of the 'European Strategy on Plant Conservation 2008-2014: A sustainable future for Europe'.

Appendix 9

Programme of activities and budget of the Bern Convention for the year 2009

Outline of activities

1. Monitoring of the legal application of the Convention

Long-term aim

To harmonise the legislation of Contracting Parties on biodiversity conservation and to ensure that Bern Convention obligations are converted to national legislation and applied. Monitor the implementation of Article 9 of the Convention.

Medium-term aim

To monitor case law on the Convention, to make proposals whenever the implementation of the Convention meets legal obstacles, to monitor appropriate application of obligations, to help new contracting Parties adapt their legislation to the Convention.

Short-term aim

To examine new nature conservation legislation of Contracting Parties. To elaborate reports on the implementation of the Convention in one or two states, to follow up the implementation of recommendations made to some states, to check biennial reports for possible abusive use of Article 9 of the Convention to assist new Contracting Parties in adapting their legislation to the provisions of the Convention.

Funding

Council of Europe and voluntary contributions.

Political interest

The harmonisation of biodiversity-related legislation in Europe is a necessary step in the implementation of the Convention. For states from the Caucasus and some states of South East Europe which have joined the Convention in recent years, the adoption of Bern Convention obligations permits a "modernisation" of their nature conservation legislation in accordance with "European standards" in this field.

2. Conservation of natural habitats

Long-term aim

Conservation of natural habitats and implementation of Article 4 of the Convention, as well as Resolutions (89) 1, (96) 3, (96) 4, (98) 5, (98) 6 and Recommendations (89) 14, (89) 15 and (89) 16 of the Standing Committee.

Medium-term aim

Setting up of the Emerald Network of Areas of Special Conservation Interest (ASCI) for Europe.

Short-term aim

After having carried out 30 pilot projects from 1999 to 2008, efforts are now focussed in completing the building of the network in supporting states in providing a complete description of sites in a more substantial number of areas, with a view to designating them as ASCI. In 2009 and 2010, efforts should focus on the Caucasus, Ukraine, Moldova, Russian Federation and Belarus.

Funding

Council of Europe and voluntary contributions. A project financed by the European Commission.

Methods

Evaluation of pilot projects; technical meetings at national/regional level; groups of experts and/or consultants.

As foreseen in Resolution (98) 5, this exercise is be carried out in co-operation with the European Union. The European Union is responsible for sites in EU member states and the Council of Europe for the building of this ecological network outside EU. The European Environment Agency is a common partner for both organisations in this exercise.

Political interest

For states candidates to the EU accession, the setting up of the Emerald Network is largely perceived as an "approximation" exercise, which permits to better adapt their systems of protected areas to EU requirements. For other states non member of the EU, the Emerald Network permits a homogeneous system of protected areas at the regional level.

Preparation of a European conference on protected areas and ecological networks in Europe

Long-term aim

Conservation of natural habitats and implementation of Article 4 of the Convention, as well as Resolutions (89) 1, (96) 3, (96) 4, (98) 5, (98) 6 and Recommendations (89) 14, (89) 15 and (89) 16 of the Standing Committee

Medium-term aim

Implementation of ecological connectivity in the framework of the ecosystem approach.

Short-term aim

The preparation of a European Conference "From Protected Areas to Ecological Networks in Europe" is to be held in January 2010, in Spain under the Spanish Presidency of the Council of Ministers of the European Union. The Conference will be a regional contribution to check the progress in the implementation of the Programme of Work on Protected Areas of the CBD , while promoting the inclusion of the principles of the ecosystem approach in that context. The conference will make proposals on furthering in the continent the Programme of Work on Protected Areas of the CBD, especially in the context of climatic change. The conference is expected to promote the Pan-European Ecological Network and other forms of integrating biodiversity considerations into regional planning and sectoral policies.

Funding

Council of Europe and voluntary contributions.

Methods

Contribution to the preparation of the conference. The Standing Committee of the Bern Convention will be represented in the ad hoc organs in charge of the preparation of the conference.

Political interest

The conference will be hosted by the Government of Spain during their Presidency of the Council of the European Union in the first half of 2010 and it may be integrated in the events planned by the next triple Presidency including Spain, Belgium and Hungary. It represents a contribution to the 2010 biodiversity target of halting biodiversity loss, as agreed by European countries. The conference will present an example of regional implementation of the CBD's Programme of Work on Protected Areas through European initiatives leading to the setting up of ecological networks.

European Diploma of Protected Areas

Long-term aims

Use the European Diploma of Protected Areas to reward and encourage natural and semi-natural areas and landscapes that are of special European importance for the preservation of biological, geological and landscape diversity and are managed in an exemplary way. Establish a series of areas

that can serve as reference points for heritage conservation and for promoting sustainable development models.

Medium-term aims

Regularly monitor Diploma areas, particularly as regards implementation of the recommendations made when European Diplomas are awarded or renewed. Organise, every five or ten years, a fresh on-the-spot appraisal by an independent expert, whose main duties will be to ensure that the conditions imposed when the Diploma was awarded or last renewed are still being satisfied and to produce a new expert appraisal reporting on any progress made or any deterioration likely to affect the area.

Short-term aims

Examine applications for the European Diploma sent in by the member state governments and submitted to a group of specialists. Examine the reports sent every year to the secretariat by each Diploma area manager, describing developments on site. Organisation of a Seminar of managers of areas holding the European Diploma to exchange experiences, examining both good and bad practices in the protection and management of the awarded areas.

Funding

Council of Europe and voluntary contributions.

Methods

Group of specialists. Expert appraisals. Annual reports. Resolutions presented to the Committee of Ministers concerning the award, renewal or non-renewal of Diplomas to areas.

Political interest

The European Diploma of Protected Areas is a prestigious international award granted to areas with suitable conservation schemes. These areas comprise a full cross-section of the extraordinary variety of natural and cultural heritage in Europe and offer encouragement to the nature conservation work of all the countries in which they are located, as well as affording a practical opportunity for their managers to exchange views and experience.

3. Monitoring species and encouraging conservation action

Long-term aim

To record the conservation status of the populations of species in the appendices of the Convention and detect problem populations, so as to reverse negative trends. To propose common management standards through action plans. Monitoring of the implementation of Articles 5, 6, 7 and 8 of the Convention. Implementation of numerous Recommendations of the Standing Committee on species protection.

Medium-term aim

Drawing-up and follow-up of Action Plans for threatened species, establishment of strategies for the protection of some groups of species, elaboration of red lists, identification of threats to biological diversity in different ecosystems, prevention of effects of invasive alien species. Identifying and promoting conservation work on biodiversity hot-spots.

Short-term aim

Input into the Convention on Biological Diversity (CBD) and its technical body, SBSTTA. Implementation of the European Plant Conservation Strategy, monitoring of implementation by Parties of species action plans for birds and large carnivores, elaboration and implementation of action plans for threatened amphibians and reptiles, implementation of the European Strategy on Invasive Alien Species, implementation of the European Strategy on Conservation of Invertebrates. A new activity is proposed on European Islands Biodiversity. These territories group a high percentage of European endemic species and threatened habitat types and are particularly vulnerable to climate change, biological invasions and urbanisation.

Funding

Council of Europe, voluntary contributions, budgets of partner organisations.

Methods

Working groups, workshops, studies.

This activity is to be largely implemented in co-operation with the European Environment Agency and through collaboration with special partners with particular knowledge in the groups of species concerned (Secretariats of agreements under the Bonn Convention, Barcelona Convention, IUCN, Large Carnivore Initiative for Europe, Large Herbivore Initiative, BirdLife, Societas Europea Herpetologica, Planta Europa, European Invertebrate Survey and others).

Political interest

These set of activities permits to take a pro-active approach to species conservation and to implement Articles 5, 6 and 7 of the Convention, as well as to contribute to the implementation, at European level, to many of the obligations of the United Nations Convention on Biological Diversity (Rio de Janeiro, 1992). Such work is also necessary for harmonisation at European level on data collection and to set a common European approach to species conservation.

4. Sectoral policies and biodiversity conservation

Long-term aim

To preserve wild species and natural habitats in coastal marine ecosystems, in agricultural systems and valuable semi-natural agricultural habitats and forests. Implementation of Recommendation (91) 25 of the Standing Committee. Implement obligations of Article 2 and of relevant obligations of the Convention on Biological Diversity. Introduction of biological diversity considerations into sectoral policies is an important permanent activity as success in conservation of biological diversity relies in a great part in how it is integrated in other policies.

Medium-term aim

Identification of processes affecting loss of wild biological diversity, identification of species and habitat-types at risk by intensification or neglect. Setting-up of models to monitor change in wildlife outside protected areas. Preparation of meetings of the Convention on Biological Diversity and of its technical body. Collaboration with the Ministerial Conference for the Protection of Forests in Europe (MCPFE). Monitoring of effects on biodiversity of sectoral policies (energy, transport, agriculture, forestry, hunting, etc.).

Short-term aim

Identification of main threats and proposal on a strategy to monitor wildlife outside protected areas or areas of high biological value. Study of effects on biodiversity of wind energy. Implementation of a European Charter on Hunting and Biodiversity.

Funding

Council of Europe and voluntary contributions.

Methods

Consultant/Groups of experts.

Political interest

The over-exploitation of marine resources, the urbanisation and degradation of coastal areas and the rapid change of farming and forestry practices and livestock raising are having a serious effect on wildlife and natural habitats. The public is worried about the changes in landscapes and the loss of biological diversity. This is also one of the main priorities of the Convention on Biological Diversity.

5. Monitoring of sites and populations at risk and emergencies

Long-term aim

Monitoring of the implementation of the obligations of the Convention by Parties by examination of cases and eventual opening of files.

For emergencies: development of a task force of experts that may have the possibility to act rapidly in a situation of grave ecological damage as a result of a catastrophe, an accident or a conflict situation.

Medium-term aim

Follow up of files already opened and examination of the positive effect the Convention has had in their resolution.

For emergencies: identify experts relevant in different environment sectors in relation to the issues dealt with at the Bern Convention.

Short-term aim

Evaluate the file system and suggest improvements, to cover cases in which a "brokerage" action is needed but are not necessarily connected to potential branch of the Convention.

For emergencies: contact potential experts and donors.

Funding

Council of Europe and voluntary contributions.

Methods

Reports, on the spot appraisals, groups of experts, training.

Political interest

The file case system is regarded by non-governmental organisations as the most effective instrument to monitor the implementation of the Convention. It is a very effective way to open a debate on problem areas and threatened populations of species and permits a certain "brokerage" action by the Standing Committee, which helps to solve many problems. Contracting Parties have shown great interest to reach solutions that can be acceptable to the Standing Committee, which reinforces the interest of the Convention for Parties.

For emergencies: the establishment of a task force would permit the Convention to be rapidly present in areas that receive high attention by the media and governments alike, improving visibility of the Convention.

6. Awareness and visibility

Long-term aim

Promote and disseminate general information on the need to conserve species of wild flora and fauna and their habitats (Article 3, paragraph 3). Keep the public informed about the activities undertaken within the framework of the Convention (Article 14, paragraph 1).

Medium-term aim

Make the Convention better known in Contracting Parties and decision makers more aware of the interest of European biological diversity.

Short-term aim

To guide present Council of Europe awareness instruments to take greater interest in the Convention. Maintenance of Web page. Continuation of traditional paperback technical publications. Preparation of outreach materials informing about the Convention, its importance and role.

Funding

Council of Europe and voluntary contributions.

Methods

Publications/Website/oral presentations.

Political interest

Visibility of the action of the Council of Europe has been set as one of the priorities for its Committee of Ministers, so a greater information on Bern Convention activities can only help re-enforce the political support of concerned governments.

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Note:

This programme of activities is implemented with the help and in collaboration with a number of conventions, organisation and initiatives. Memoranda of co-operation have been concluded with the European Environment Agency and the Convention on Biological Diversity. Privilege partners in the implementation of the programme of activities are, *inter alia*, the European and Mediterranean Plant Protection Organisation (EPPO), Planta Europa, BirdLife International, IUCN, WWF, Large Carnivore Initiative for Europe (LCIE), Large Herbivore Initiative (WWF-LHI), Societas Europea Herpetologica (SEH), and the European Invertebrate Survey (EIS).

Activities for 2009

1.	**Monitoring of the legal application of the Convention**		
1.1	**Reports of the implementation of the Convention in at least one Contracting Party and legal assistance to new Contracting Parties** Reports providing a legal analysis of the implementation of the Convention in two Contracting Parties, suggesting ways to improve such implementation and adapt it to the provisions of the Convention (for new Parties) *Fixed appropriation for consultants*		6,000
2.	**Conservation of natural habitats**		
2.1	**Group of experts on protected areas and ecological networks** *Terms of reference* To do the necessary work to implement Recommendation No. 16 (1989) on areas of special conservation interest. The group will review the technical documents prepared by the experts and make proposals to build up the Emerald Network. *Travel and subsistence expenses for one expert from each 23 states:* *ALBANIA, ARMENIA, AZERBAIJAN, BOSNIA AND HERZEGOVINA, BULGARIA, CROATIA, CZECH REPUBLIC, ESTONIA, GEORGIA, LATVIA, LITHUANIA, MOLDOVA, MONACO, MOROCCO, ROMANIA, RUSSIA, SERBIA, MONTENEGRO, SLOVAKIA, "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA", TUNISIA, TURKEY, UKRAINE* *Travel and subsistence expenses for 1 consultant*.	Strasbourg, 2 days (September 2009)	15,000 1,000
2.2	**Ad hoc advisory group to prepare conference on protected areas in Europe** *Travel and subsistence expenses for six delegates*	Two meetings, Madrid and Strasbourg, 1 day	12,000
2.3	**Pilot projects for the setting-up of the Emerald Network at national level in some states** *Financial contribution for the setting-up of the Network in 2 States*	Strasbourg, 2 days	20,000
2.4	**Group of Specialists on the European Diploma of Protected Areas** *Travel and subsistence expenses for eight delegates*		8,000
2.5	**Consultants** Consultants will be hired to manage the setting-up of the Emerald Network and to do the necessary technical work required, included software, lists, handling of data, etc.		10,000

3. Monitoring of species and encouraging conservation action		
3.1 Biodiversity and Climate Change		
- Group of Experts on Biodiversity and Climate Change *Terms of reference:* Recognising the need to adapt conservation work to the challenges of climate change so as to minimise its impact on the species and natural habitats protected under the Convention, the Group of Experts will provide guidance to Parties on understanding climate change impacts and threats, and developing appropriate measures in national policies regarding the species and habitats protected under the Bern Convention.	Strasbourg, 2 days	
Travel and subsistence expenses for 1 expert from each of the following 17 states: *BULGARIA, DENMARK, FRANCE, GERMANY, ICELAND, ITALY, LATVIA, NETHERLANDS, MOROCCO, NORWAY, PORTUGAL, SERBIA, SPAIN, SWEDEN, TURKEY, UKRAINE, UNITED KINGDOM* Participants: All Contracting Parties Observers: All observer states and qualified organisations active in this field.		20,000
Travel and subsistence expenses of consultant		4,000
- Group of Experts on Biodiversity and Climate Change *Terms of reference:* Recognising the need to adapt conservation work to the challenges of climate change so as to minimise its impact on the species and natural habitats protected under the Convention, the Group of Experts will provide guidance to Parties on understanding climate change impacts and threats, and developing appropriate adaptation measures in national policies regarding the species and habitats under the Bern Convention.	Strasbourg, 2 days	
Travel and subsistence expenses for 1 expert of each of the following 17 states: *BULGARIA, DENMARK, FRANCE, GERMANY, ICELAND, ITALY, LATVIA, NETHERLANDS, MOROCCO, NORWAY, PORTUGAL, SERBIA, SPAIN, SWEDEN, TURKEY, UKRAINE, UNITED KINGDOM* Participants: All Contracting Parties Observers: All observer states and qualified organisations active in this field		20,000
Travel and subsistence expenses of consultant		4,000
Consultants to prepare draft reports for consideration of the Group of Experts		12,000
3.2 Conservation of Large Carnivores These activities are carried out in co-operation with the Large Carnivore Initiative for Europe (LCIE), a number of regional working groups have been established to monitor implementation of European action plans.		
Consultants and co-ordination meetings.		15,000

3.3 Invasive Alien Species		
-Group of Experts on IAS *Terms of reference*: Follow-up and review the implementation of the European Strategy on Invasive Alien Species (IAS). Discussion of CBD COP-9 Decision on IAS, preparation of guidance for Parties on accompanying animals and consideration of relevant issues such as trade, climate change, etc.	Croatia, 3 days (4-8 May 2009)	
Travel and subsistence expenses will be covered for one expert from each of the following 22 states: *ALBANIA, ARMENIA, BELGIUM, CROATIA, CYPRUS, CZECH REPUBLIC, ESTONIA, FINLAND, GREECE, HUNGARY, ICELAND, IRELAND, MALTA, MOLDOVA, MOROCCO, POLAND, PORTUGAL, SLOVAKIA, SLOVENIA, SPAIN, TUNISIA, UKRAINE*		20,000
Travel and subsistence for 3 consultants/experts		3,000
- Workshop on invasive alien plants and codes of conduct	Strasbourg, 2 days	
Travel and subsistence for 6 consultants/experts		6,000
3.4 Island Biodiversity **- Group of Experts on Island Biodiversity** *Terms of reference:* Identify specific conservation problems of biological diversity in European islands, registering threatened endemics, identifying island species and habitat-types at risk from global change, networking regional experts and contributing to the CBD's programme of work on island biodiversity, proposing special conservation solutions for European islands.	**Tenerife, Spain (tbc), 3 days** **October 2009**	
Travel and subsistence expenses for one expert from each of the following 13 States: *CROATIA, CYPRUS, FRANCE, GREECE, ICELAND, IRELAND, ITALY, MALTA, NORWAY, PORTUGAL, SPAIN, TUNISIA, UNITED KINGDOM*		13,000
Travel and subsistence for three consultants		3,000
Consultants		12,000
3.5 Contribution of the Bern Convention towards the 2010 target in Europe Preparation of a report on the contribution of the Bern Convention towards reaching the 2010 biodiversity target in Europe and examining possible ways to promote and reinforce the Convention's work on innovation, regional implementation of CBD programmes of work, capacity building and governance of European biological diversity.	Strasbourg, 2 days	
Travel and subsistence expenses for six experts (to be determined)		6,000
Consultant		6,000

4	**Sectorial policies and biodiversity conservation**		
4.1	**Wind energy and biodiversity** Contribution to guidance on wind energy and nature conservation developed by the European Commission *Travel and subsistence expenses of 5 experts*	1 meeting Brussels, 1 day	 5,000
4.2	**Elaboration of a European Charter on Angling and Biodiversity (subject to funding)** -Consultant -Working group Terms of reference: To prepare a draft Charter on Angling and Biodiversity for submission to the Standing Committee	 Strasbourg, 1 day	 20,000
5.	**Monitoring of sites and populations at risk and Emergencies**		
5.1	**On-the-spot visits** On-the-spot visits, by independent experts designated by the Secretary General to examine threatened habitats and travel and subsistence expenses incurred by such experts to inform the Standing Committee or its groups of experts		 8,000
5.2	**Sites at risk as a result of an emergency** Fixed appropriation to cover expenses for reports, travelling of experts or Secretariat to areas under a particular environmental stress as a result of natural catastrophes or accidents caused by man. It includes assistance to areas under political or military conflict. It may cover training of specialists, aid to establish environmental monitoring. This chapter will only be used under instruction of the Bureau and will be paid for both from the Council of Europe or by voluntary contributions. *Fixed approbation for consultant*		 p.m.
6.	**Awareness and visibility**		
	Funds for the conception, the translation, the photocomposition and publication of technical documents, posters, brochures, stickers, postcards, making of buttons, and other documents. It includes publication on Internet and conception and update of a Website.		20,000
7.	**Operational expenditure of the Standing Committee's Secretariat**		
	Fixed appropriation to cover travel expenses to attend the meetings of the Standing Committee and of the Bureau		
7.1	**Chair's expenses** Fixed appropriation to cover travel and/or subsistence expenses incurred by the Chairman or delegate T-PVS after consultation with the Secretary General. Expenses of the Chair to attend the meetings of the Standing Committee		 4,000

7.2	**Delegates of African states and some delegates of Central and Eastern Europe** Travel and subsistence expenses incurred by the delegates of African states to attend the Standing Committee meeting or other meetings organised under its responsibility Travel and subsistence expenses incurred by some delegates from Contracting Parties of Central and Eastern Europe (on a temporary basis and after decision of the Bureau) to attend the Standing Committee meeting.		7,500 8,000
7.3	**Travel of experts and Secretariat** Travel and subsistence expenses incurred by experts to attend meetings of special relevance under instruction from the Committee of the Chair, and Secretariat official journeys.		18,000
7.4	**Meetings of the Bureau** Travel and subsistence expenses incurred by the 3 members of the Bureau to attend the Bureau meetings		8,000
	Secretariat: Staff and office costs		
7.5	**Permanent staff (provided by the CoE):** Part-time Head of Unit, Administrator, Principal Administrative Assistant, Administrative Assistant		308,039
7.6	**Temporary full-time secretary and part-time web-master**		77,000
7.7	**Office costs for temporary staff**		24,000
7.8	**Overheads (interpretation, translation and printing of documents, etc.)**		98,000

TOTAL	**821,539**

The Bern Convention Special Account will be used to cover expenses that cannot be covered by the ordinary budget of the Council of Europe.

The Council of Europe is expected to provide around €603,639 in 2009 (€197,600 for financing the programme of activities and €406,039 for staff costs and overheads). Parties are expected to provide new voluntary contributions in 2009. A detailed report on 2008 expenditure and a list of voluntary contributions will be presented to the Committee for information.

* * *

In 2008, the budget of the Convention included 588,566 € provided by the Council of Europe, plus 233,608 € of voluntary contributions from Parties and 19,057 € remaining from 2007. The overall expenditure of activities under the Convention in 2008 was of 805,275 €, which leaves 35,956 € underspent for 2009.

Bern Convention Programme of Activities and Budget for 2009 (Summary)

in Euros

1.	**Monitoring of the legal application of the Convention**	
1.1	Reports on the implementation of the Convention in two Contracting Parties	6,000
2.	**Conservation of natural habitats**	
2.1	Group of experts on protected areas and ecological networks	16,000
2.2	Ad hoc advisory committee for the preparation of the conference on protected areas in Europe	12,000
2.3	Pilot projects for the setting-up of the Emerald Network at national level in some States	20,000
2.4	Group of Specialists on the European Diploma of Protected Areas	8,000
2.5	Consultants	10,000
3.	**Monitoring of species and encouraging conservation action**	
3.1	Biodiversity and Climate Change	60,000
3.2	Large Carnivores	15,000
3.3	Invasive Alien Species	29,000
3.4	Island biodiversity	28,000
3.5	2010 target in Europe	12,000
4.	**Sectoral policies and biodiversity conservation**	
4.1	Wind energy and biodiversity	5,000
4.2	European Charter on Angling and Biodiversity	20,000
5.	**Monitoring of sites and populations at risk and emergencies**	
5.1	On-the-spot visits	8,000
5.2	Sites at risk as a result of an emergency	p.m.
6.	**Awareness and visibility**	
		20,000
7.	**Operational expenditure of the Standing Committee's Secretariat**	
7.1	Chair's expenses	4,000
7.2	Delegates of African states and of some delegates of Central and Eastern Europe	15,500
7.3	Travel of experts and Secretariat	18,000
7.4	Meetings of the Bureau	8,000
	Secretariat: Staff and office costs	
7.5	Permanent staff (provided by the CoE)	308,039
7.6	Temporary full-time secretary and part-time webmaster	77,000
7.7	Office costs for temporary staff	24,000
7.8	Overheads (interpretation, translation and printing of documents)	98,000
	TOTAL	**821,539**

Appendix 10

COMMENTS OF THE STANDING COMMITTEE OF THE BERN CONVENTION CONCERNING RECOMMENDATION 1837 (2008) OF THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE ON "FIGHT AGAINST HARM TO THE ENVIRONMENT IN THE BLACK SEA"

The Bern Convention's Standing Committee:

1. Shares the concern of the Parliamentary Assembly on the growing environmental degradation of the Black Sea and its warning about the "danger of becoming an unprecedented ecological disaster";
2. Notes that five out of the six states bordering the Black Sea (Bulgaria, Georgia, Romania, Turkey and Ukraine) are parties to the Bern Convention, and have also signed and ratified the Convention on the Protection of the Black Sea against Pollution (Bucharest, 1992), which provides the framework for the conservation of marine resources, together with the Russian Federation;
3. Agrees with the Parliamentary Assembly about the need to strengthen the Bucharest Convention in order to make it a more effective instrument of regional co-operation for environmental protection;
4. Stresses that due to the fragility of the Black Sea as an almost closed sea, the control of pollution should include co-operation efforts with the countries of the Danube River basin;
5. Notes the recommendation from the Parliamentary Assembly regarding the stopping of the Danube-Black Sea Navigation Route Project in the Ukrainian part of the Danube Delta, and recalls that the Standing Committee opened a case file against Ukraine for this project after adopting Recommendation 111 (2004) "on the proposed navigable waterway through the Bystroe estuary (Danube Delta, Ukraine)", whose implementation continues to monitor.
6. Recalls that the Danube Delta Biosphere Reserve holds the Council of Europe's European Diploma of Protected Areas since 2003.
7. Invites the Parliamentary Assembly to continue collaborating with the Bern Convention on matters of common interest.

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Appendix 11

Voluntary contributions to the Bern Convention received in 2008 (in alphabetical order)

Belgium – 14,800€

Czech Republic – 8,000€

European Commission – 10,000€ (tbc)

European Environment Agency – 20,000€

Finland – 15,000€

France – 50,000€

Germany – 20,000€

Iceland – 10,000€

Luxembourg – 308€

Monaco – 24,000€

Slovakia – 1,500€

Switzerland – 60,000€

TOTAL: 233,608 €

Addendum to document:

- "Chairman's report", delivered on Monday 24th November 2008:
- Statement by the CBD Executive Secretary, Dr. Ahmed Djoghlaf
- CMS Executive Secretary's Address to 28th Meeting of the Standing Committee of the Bern Convention, 26 November 2008

"Chairman's report"
(Monday 24th November 2008):

2008 has been an important year for the Bern Convention, for all the reasons that follow:

- The Bern Convention has now 47 Contracting Parties (two more than last year as both Serbia and Armenia have joined and are here with us today). At our next meeting in 2009 we will have at least one more and become 48 as Bosnia-Herzegovina has just signed and ratified the Convention.
- The Bureau has been busy this year reviewing the programme of activities, as well as dealing with the complaints received and the treatment of the various case files among others.
- Regarding the Programme of Activities for 2008, all planned activities have been successfully carried out, the only exception being the preparation of our contribution towards the 2010 target in Europe. The planned Ad hoc group which was to be set up this year has been postponed for 2009. Another change was the national workshop on IAS in Bulgaria, which was not confirmed last year but has nevertheless been held as it took place last month. - I must use this opportunity to thank our good and very competent Secretariat for managing to run the whole programme of activities scheduled for 2008 in a very satisfactory and efficient way.
- This year, 2008, we have evolved a closer co-ordination with the Convention on Biological Diversity, the CBD: The Bern Convention participated both in the SBSTTA-meeting in February this year and COP-9 in Bonn in May and held side-events on both occasions. In the latter, the COP in Bonn, the enhanced Memorandum of Co-operation between the Secretariats of both conventions was signed. The presence of Dr. Ahmed Djoghlaf, the Executive Secretary of the CBD in our meeting today, highlights this renewed collaboration and reflects the reinforced ties between the global Convention and the regional biodiversity treaty in Europe. In this context I should also mention that we are similarly strengthening our co-operation with other international conventions and organisations, like the CMS and IUCN, which will hopefully be concluded in next year.
- The Bern Convention and its Bureau were also represented at the Second Meeting of the Chairs of Scientific Advisory Bodies of international biodiversity-related conventions in May this year. There we were the only regional convention invited to exchange information and co-ordinate activities with the global biodiversity treaties in areas of common interest.

We plan to continue to participate in this forum and report back to the Standing Committee.

- I would also like to stress the important coordination and exchange of information that is taking place on a regular basis with the European Commission. The Bern Convention Secretariat participates actively in the regular meetings of the EU Coordination Group for Biodiversity and Nature, and this year the Secretariat was also invited for the first time to the EU Nature Directors meeting hosted by the French Presidency in September 2008.
- A good relationship with the EU is imperative for the Bern Convention as the Commission has blocking power to all major decisions of the Standing Committee, including possible changes of the text and annexes of the Convention. In our work on the Emerald Network we have for example come up with difficulties linked to the lists of species and habitats, which need to be improved. As things stand know it will not be done but in close co-operation with the EU as it may have implications to the Habitat Directive and Natura 2000. We have taken this up with the EU and I am optimistic that we will find a solution.
- I also want to draw your attention to a couple of examples of new publications issued this year helping us to inform and disseminate our work to wider audiences: one is the brochure "Questions & Reponses" on the Bern Convention, which presents the Convention in accessible language and includes a CD-ROM with the main documents (text of the Convention, Standing Committee Recommendations, etc.). - The second is the European Charter on Hunting and Biodiversity, which this Committee endorsed last year and which has been published by two partner

organisations that participated in the Working Group and which are observers in this Committee: the International Council for Game and Wildlife Conservation, and the Federation of Associations for Hunting and Conservation of the EU.

- I have been a member of the Bureau of the Convention for the last four years. The first three as a Vice-Chair and this year as Chairman. The main task of the Bureau is to take administrative and organizational decisions in between meetings of the Standing Committee. During this period the atmosphere at the Bureau meetings has been very friendly and relaxed and all pending issues solved without difficulties. For this I thank not only my Bureau colleges, the former Chair, Veronique Herrenschmidt, Ilona Jepsen from Latvia and replacing her this year, Jan Plesnic from Czech Republick, the new Vice-Chair – but also and not the least our very efficient Secretariat, which does all the necessary preparatory work. I want especially to thank the head of the Secretariat, Carolina Lasén Diaz, who has been in office now for two years. She is unique.

- Dear colleges. The Bern Convention came into force in 1979, nearly three decades ago. In its 29 years of existence it has proven to be a very important and effective tool to achieve our common aims to conserve the wild nature of Europe. It is in fact the common foundation of the nature conservation legislation in Europe and possibly the main reason for our success in harmonising national legislations. It has not only been the platform for close co-operation between countries on nature conservation issues but also an important forum for a necessary dialogue between governments and NGOs, something that has proven to be very valuable throughout the years. I don't think any other regional or global convention on environmental issues gives these *much so needed watch-dogs* such a good access to Governments with their complaints and valuable advice.

- In that context the unique *case-file system*, dating back to 1982 has proven to be a very successful problem solving instrument – not only due to effective procedural rules but also because of the apparent will of most Parties to co-operate between themselves and with the NGO's in order to facilitate and find friendly settlements of disputes.

- Obviously we have had our bad times as well - when the atmosphere was not so friendly, especially in the 90's when dealing with proposals to amend the annexes of the Convention. At that time, in the 90's, the Rio-conference on Environment and Development had the international floor with the new Conventions on Biodiversity and Climate Change, concentrating on sustainability. At the European level the EU-countries were much occupied with their habitat- and bird directives and Natura 2000, and did not consider the Bern Convention a priority. Then the view became rather widespread that the old fashioned Bern Convention, dealing with its annexes on species and habitats, would not live much longer being out of date.

- To make a long story short – the Bern Convention turned out to be a more solid and flexible instrument than anticipated by many. The Convention adjusted to new thinking, to new challenges and evolved to keep its position as the main legal instrument for nature conservation in Europe and neighbouring countries. Also it has established itself by its various programmes, strategies and other activities as an important regional implementation tool for the global UN Convention on biodiversity, the CBD. This being recognised by the enhanced Memorandum of co-operation between CBD and the Bern Convention Secretariats signed earlier this year. And by the presence of the Executive Secretary of the CBD, Mr. Ahmed Djoghlaf, here today at the 28th meeting of the Standing Committee.

- Talking about recognition, I met an old friend at the IUCN Conference in Barcelona last month, Mr. Veit Koester from Denmark who was one of the fathers of the Bern Convention and the first chair of the SC. And an important and very influential player in the making of the CBD. When I told Veit that Mr. Djoghlaf would honour the SC with his presence at this SC meeting he said: "Then at last the Bern Convention has acquired the global recognition it deserves".

- Mentioning Veit Koester in this context I must name another person who has done more than others to keep the Bern Convention alive and up to date. A person that has been with the Convention for about a quarter of a century and cannot live without it. Now the head of the Biodiversity section of the Council of Europe, which fosters the Convention. We owe our good

friend, Mr. Eladio Fernandez-Galiano a lot for his vision, hard work and endless loyalty to the Bern Convention.

- Finally, I want to remind you that the next couple of years will be critical for biodiversity conservation and sustainable use as we approach the 2010 biodiversity target and decisions on future targets, as well as facing the continuous challenge of finding extra resources for biodiversity work. Not only here at the Council of Europe but also at the national level where most of us experience financial depression at the moment.
- We will endeavour to prepare a good 30th anniversary of the Bern Convention, coming up in 2009, as well as collaborate with others for a successful International Year for Biodiversity in 2010.

Secretariat of the
Convention on Biological Diversity

Statement by the Executive Secretary
Dr. Ahmed Djoghlaf

Ladies and Gentlemen,

On 10 December, in just over two weeks time, we will be celebrating the 60th anniversary of the adoption by the General Assembly of the United Nations of the Universal Declaration of Human Rights. Since the adoption of the Declaration, the countries of the world have made tremendous advances in protecting and upholding the principles expressed within it—in ensuring that, among other things, every human being "has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care." And yet, despite the progress made to date, these fundamental rights are increasingly threatened in this new millennium by a crisis that past generations did not fully understand: the rapid depletion of the world's biodiversity.

Life on Earth is under siege everywhere. Because of human activities, some 20 per cent of the world's coral reefs have been effectively destroyed, and approximately 24 per cent of remaining reefs are under imminent risk of collapse. A third of all assessed freshwater species are threatened with extinction, with overall population levels having declined by 30 per cent. Over the last 25 years, 3.6 million hectares of mangroves, about 20 per cent of the total extent found in 1980, have disappeared worldwide. Forests have completely disappeared in 25 countries, and another 29 countries have lost more than 90 per cent of their forest cover. The list goes on: approximately 60 per cent of the Earth's ecosystem services have been degraded in the last 50 years, with human impacts being the root cause.

This unprecedented loss of biodiversity means that our natural resource base is becoming ever narrower, putting at risk the long-term well-being and security of populations across the globe. Poorer nations, struggling to acquire the standards of living enjoyed in the developed world, are going to be affected first. Nearly 60 per cent of the poorest people inhabit fragile vulnerable landscapes and directly depend on natural resources for their survival. For these people, the goods and services provided by ecosystems serve as social safety nets, insuring their families against absolute poverty and starvation. But the loss of biodiversity will also affect developed nations. If current levels of fishing continue, fish populations will be reduced to the point where the global collapse of most world fisheries is possible by the second half of the century. Our agricultural food supply is also becoming increasingly unstable: an estimated ¾ of the planet's crop agricultural diversity has already been destroyed, making widespread failure in our handful of remaining major crops due to disease or pest outbreaks an ever more ominous possibility.

The basic needs of people around the world will continue to be threatened by species extinction unless there is effective response. And indeed, the human costs of biodiversity loss are being increasingly recognized by policymakers. At the Warsaw Summit in 2005, the Council of Europe outlined a plan of action that promoted sustainable development as essential to improving the quality of life and overall security of European citizens. At the ninth Conference of the Parties to the CBD in Bonn this past May, a high-level panel was convened on Biodiversity for Development and Poverty Alleviation, which saw the official launching of the new Biodiversity for Development Initiative, established by the CBD Secretariat with the support of the French and German governments. This initiative recognizes and actively promotes biodiversity conservation as an essential part of achieving the Millennium Development Goals, and therefore as an indispensable aid to poverty reduction strategies.

Meeting the unprecedented challenges of the loss of biodiversity compounded by climate change calls for enhanced partnership. It is for this reason that an enhanced memorandum of cooperation between the secretariats of the CBD and the Bern Convention was also signed at COP9. This Memorandum has great significance, as our two Conventions are critical tools in the fight to preserve the world's natural resources. The Bern Convention is amongst the earliest, legally binding legislation on biodiversity protection, while the CBD is the premier international instrument allowing all nations of the world to come together in the sustainable use of biodiversity. Continuing to coordinate our efforts will allow Europe, its neighbours and the greater international community to work more effectively in our communal attempt to pass on a biologically diverse and stable world to the next generation.

Close cooperation will be especially important in light of the challenges that lie ahead. 2010, now around the corner, has been declared the International Year of Biodiversity by the United Nations. It is by this date that the Parties to the CBD have resolved to significantly slow the rate of biodiversity loss worldwide. The European Union has gone even further, resolving to halt biodiversity loss in Europe. And yet, at the World Conservation Congress in Barcelona last month, the general consensus was that we are not on track to meet these targets. The Mediterranean basin, for example, is a biodiversity hotspot, containing 15,000 to 25,000 floral species, 60 per cent of which are unique to the region. Yet according the IUCN Red List for 2008, almost 20 per cent of all species in this region remain under threat of extinction. The 2008 Red List further reveals that 38 per cent of all recorded species worldwide are at risk of extinction. More worrying still, of the 223 species that experienced a change in their Red List status between 2007 and 2008, 82 per cent became more threatened, while only 18 per cent became less threatened.

This is not to say that conservation efforts are not having any impact. A study published in 2007 in the journal *Science* showed that the European Birds Directive, formulated in response to the Bern Convention, has had a beneficial effect on threatened bird species. Species on the Annex I list – that is, species that are vulnerable, rare or require special conservation measures – have seen their population sizes increase significantly over time, resulting directly from the designation of special areas for their protection. Moreover, this year's Red List, despite its generally pessimistic numbers, also revealed 37 improvements in the status of mammal species worldwide as a result of conservation programmes, and 16 bird species that have been kept from extinction during the past 15 years.

The problem is not that our conservation efforts are not having an impact, but that our efforts have not yet been able to meet the scale of the crisis. Now, with the 2010 target looming, is a good time to renew our focus. We need to expand the scope of our initiatives, to make both the public and policymakers more keenly aware that our quality of life is inextricably dependent on the richness of the biological world. A recent milestone in this direction was the publication at COP9 of Phase I of the European Commission's "The Economics of Ecosystems and Biodiversity" (TEEB) report, which makes the case for the economic benefits of preserving biodiversity. With financial and food crises dominating the world's stage, we need to follow the lead of the TEEB and begin to incorporate the protection of biodiversity into every sector of modern society, to ingrain it into the general consciousness.

Albert Schweitzer, the physician, philosopher, Nobel Laureate, and one-time resident of Strasbourg, once said that "a man is ethical only when life, as such, is sacred to him, that of plants and animals as that of his fellow men, and when he devotes himself helpfully to all life that is in need of help." In tackling the biodiversity crisis, we need to make people realize that it is *we* who are in need of help – that the relentless extermination of flora and fauna across the planet, on top of being a tragedy in its own right, is a gross infringement on our own fundamental rights.

Thank you for your kind attention.

CMS Executive Secretary's Address to 28th Meeting of the StC of the Bern Convention, 26 November 2008

Chairman and Representatives

First can I say what a genuine pleasure it is to back in Strasbourg. For a period between 1991 and 1994 I was the UK delegate at the Bern Standing Committee, where I got to know and respect Eladio and other representatives. I distinctly recall some rather famous "Bern Files" form the period including the loggerhead turtles of Zakynthos and the Dorset dry heathlands of my own country where I had to work very hard to get the file closed. Rightly so, the strength of Bern was and remains the case files, which ensure practical steps can be taken by governments to put at least some of the things right for conservation when they go wrong. There are lessons here for other Conventions including my own current "Baby", the Convention on Migratory Species (CMS)

In greeting delegates today in Strasbourg I must straight away think most of you because the vast majority of European countries in Bern are also parties to CMS. Indeed without Europe there would have been no Bonn Convention to look at migratory species at a global and hemispheric level as well as on a regional scale. There are still a few gaps in our European membership and I would invite those countries to consider following the example of Estonia, Montenegro and Serbia who have recently joined CMS. Montenegro will shortly become our latest and 111th Party.

I come here following very amicable negotiations with your Secretary General, conducted on our behalf in detail by Veronique Herrenschmidt, who is well known to you as a Bern Bureau member, and is currently working as a consultant for CMS (and CITES). These negotiations have related in a draft formal partnership agreement, encapsulated in a MoU. Given the complementary remits of our Conventions, and our origins in the 1970s, it is rather surprising that there hasn't been a MoU before now.

We want to assure you that CMS takes partnerships very seriously – we want them to be active, focused and practical, rather than simple statements of good intent. We have been increasing our active partnerships over the last 4 years – the one with Bern will be our 25th .You may want to consult the paper on our website which reviews all our partnership work and will be considered by our Cop in Rome next week (www.cms.int)

CMS is especially pleased with the recent progress we have made in our most active partnerships with CITES (saiga, elephants), with WDCS and IFAW (on marine mammals, and both involving staff support), with CIC (on avian influenza and trophy hunting), with WAZA (our major partners on Year of the Gorilla 2009) and with several private sector bodies. Nurturing other partnerships, for example with the zoological societies in Frankfurt and London, as well as with the Bern Convention, will be a priority for us next year.

There are many areas of potential co-operation between the Bonn and Bern Conventions. It is vital that we focus on areas where we can both gain: species like the great European Bustard, bats and cetaceans; on cross-cutting themes such as invasive species and the impacts of climate change. In this context I would commend the recent EUROBATS publication on the effect of wind turbines on bats, which is a pioneer in its field.

I would especially advocate that our 2 Conventions work closely together on two European Species at the very edge of extinction – the European Sturgeon and the Slender Billed Curlew. The latter will be the subject of a side event at our CoP next week, relaunching the CMS agreement and trying to find and save those curlews which we hope have survived. The latter species is a fish hanging on to its last breeding sites in France – having been extirpated as a breeding species in the rest of Europe. We must support France and use this species to illustrate the challenge and importance of the 2010 biodiversity targets in Europe.

There is potential too for our two Conventions to co-operate more closely on the Emerald Network of Areas of Special Conservation Interest that are vital as nesting, resting and feeding grounds for many migratory species. I know that AEWA already takes a special interest in this. We also need to work together on common programmes for education, awareness raising, and capacity building. We could probably have done more together on Year of the Dolphin in 2007-8. We should

try to do more in 2011, which will be the Year of the Bat. I hope we can do more jointly on larger European carnivores, since several of them are classified as migratory under CMS because they periodically cross national boundaries.

Let us also remember too that the CMS group of specie agreements is prolifically represented in Europe thorough AEWA, ASCOBANS, ACCOBAMS, the Wadden Sea Seal agreement, EUROBATS, the established CMS MoUs on the Aquatic Warbler, Great Bustard, Atlantic Monk Seal and Slender Billed Curlew, as well as two new MOUs which came into force in recent weeks for Afro Eurasian birds of prey and Eastern Atlantic small cetaceans. There is a lot of CMS activity going on in and around Europe!

I conclude by looking forward to welcoming Eladio and other Bern actors to the CMS CoP in Rome next week, and to signing the final partnership agreement between our two Conventions in 2009, when we will both have our 30th Birthdays!!

Thank you for listening to me