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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

26th meeting
Strasbourg, 27 - 30 November 2006

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 (2006) 1 rev. Revised Draft agenda
T-PVS (2006) 19 Annotated draft agenda

The Chair, Ms Véronique Herrens Schmidt (France), opened the meeting and welcomed the participants (see Appendix 1).

The delegate of Croatia stressed the importance of work on wind energy and nature conservation and asked for this item to be included in the agenda. The Committee decided to consider wind farm-related issues on Tuesday morning. It further added a question on the capture of dolphins under “Other business”. The agenda was adopted as set out in Appendix 2 to this report.

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

Relevant documents: T-PVS (2006) 7 and 16 Reports of the Bureau meetings of April and September 2006

The Chair announced that the work programme for 2006 had been completed in conformity with the decisions taken the previous year. She thanked all those who had contributed to the activities and in particular those states which contributed financially. She expressed the hope of a prompt ratification of the Convention by Armenia, after their signature in March 2006, as well as Serbia and Georgia, expected in 2007. She underlined the importance of the next ministerial conference “An environment for Europe” to be held in Belgrade in October 2007. The Chair informed the Standing Committee of a communication received from the Executive Secretary of the Convention on Biological Diversity (CBD) wishing the Standing Committee a fruitful meeting in the context of “strengthening the relations of co-operation between both institutions, united for the protection of biodiversity”. This strengthening could be translated into an adjustment of the Memorandum of Co-operation signed between the two conventions.

Following this intervention, the representative of the secretariat of the Convention on Migratory Species (CMS) expressed his support to also strengthen the existing co-operation with the Bern Convention.

The Secretariat informed the Committee that the full programme of activities for 2006 had been carried out in its entirety and thanked the Bureau, Contracting Parties and all the members of the team for the intense work carried out during the year. She highlighted the importance of voluntary contributions in a context of budget reductions and welcomed the recent contribution of the Government of Switzerland.

The delegate of “the Former Yugoslav Republic of Macedonia” informed the Committee of concerns regarding the Tara river in the border between Montenegro and Bosnia Herzegovina.

Mr Robert Palmer, new Director of Culture and Cultural and Natural Heritage, welcomed participants and announced future changes resulting from the budgetary discussions of the Council of Europe for 2007 and the re-organisation of the Directorate, including a reduced budget and staff at the Division. He stressed new opportunities for the further development of the Bern Convention and a more integrated approach to link it with other activities and initiatives at the Council of Europe.

The Chair thanked Mr Palmer for this important information and stressed the importance of the Bern Convention for Europe’s biodiversity and the international recognition of its action plans and the follow-up of the implementation of the recommendations adopted, which are all activities involving civil society.

PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

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

3.1. Swiss proposal to move *Canis lupus* from Appendix II to Appendix III

Relevant documents: T-PVS (2004) 9 Proposal of Amendment by Switzerland concerning wolf
T-PVS/Inf (2005) 16 Report on the conservation status and threats for wolf (*Canis lupus*) in Europe
T-PVS/Inf (2005) 18 Legal aspects of amendments to Appendices (C. Shine)
T-PVS/Inf (2005) 4 and T-PVS/Inf (2006) 23 Opinion of the NGOs concerning the Swiss proposal for amendment of the Appendices for the wolf

The Chair recalled that Switzerland had sent a proposal in 2004 to amend the Appendices of the Convention under the terms of Article 17. It concerned the removal of the wolf (*Canis lupus*) from Appendix II and its inclusion in Appendix III. A decision had been postponed to this year's meeting of the Standing Committee to give Parties enough time to examine the documents presented.

The delegate from Switzerland presented the reasons for the proposal to downlist the wolf to Appendix III noting that the populations are increasing and regulation is necessary. A more sound protection of the wolf would be obtained by listing it into Appendix III, permitting regular controls of individuals that may cause damage. He commented on the scientific and legal reports prepared and reminded the Committee that a decision had already been postponed twice and, considering that the Committee now has all relevant information, asked for support for their proposal. The full Swiss delegation declaration on this issue is included in the addendum to this report.

The delegate of the European Commission informed the Committee of the position of the European Community, as formalised in the Council Decision of 27 June 2006, not to support the Swiss proposal. The decision is based on the fact that scientific studies on the wolf reveal the existence of significant gaps in monitoring data for certain States and also on the fact that the population-level management of wolves can be addressed by measures other than changing the protection status of the species. The European Commission is preparing a guidance document on the management of populations of four large carnivore species to be completed in March 2007. The delegate further informed that following that study, the Commission will look into the possibility of creating a working group to analyse the management of populations of large carnivores, including the wolf.

The delegate from France underlined the importance of social acceptance as a key element in the protection policy for this species. He also expressed concerns about the European Community's approach adopted for the global management of all large carnivores which is just an administrative category, and advocated to follow biological criteria by species instead, as the increase of wolves' populations is different to that of bears' populations.

The delegates from Norway and Croatia sympathised with the situation in Switzerland but considered that Article 9 of the Convention allows Parties to have adequate management.

The Committee decided to keep the wolf in Appendix II while further reflection regarding Article 9 is needed. The Committee further asked to be associated with the activities of the working group of the European Commission on the management of large carnivores.

3.2. Biennial reports (2001-2002 and 2003-2004) concerning exceptions made to Articles 4, 5, 6, 7 or 8 and quadriennial reports 2001-2004

Relevant documents: T-PVS/Inf (2006) 7 Report on the Implementation of the Bern Convention in Spain
T-PVS/Inf (2006) 25 Biennial Reports 2003-2004
T-PVS/Inf (2006) .26 Four-year 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 Secretariat clarified that the 2001-2002 report from the Czech Republic had been received and also their voluntary report, which will be included in the compendium after editing.

The Secretariat reminded Parties that their biennial and voluntary reports need to be submitted in Word format as otherwise they cannot be formatted as official T-PVS documents. This is the reason why the United Kingdom and the European Commission biennial reports had not been included. However, the European Commission report has just been received in Word format and will be included in the future compendium of reports.

The Chair noted the decreasing number of biennial reports received and raised the issue of the need to analyse the content of the decreasing number of reports in the view of the 2010 target.

3.3 Reporting obligations under the Habitats Directive and Bern Convention (HaBiDes)

The Chair explained that the Standing Committee had asked for this issue to be included on the agenda of this year's meeting, regarding the EC's aim to streamline the reporting required by different directives and the Bern convention. HaBiDeS is a web-based application to collect the derogation data and to create reports.

The delegate of the European Commission presented a note on this initiative to standardise the format and input of data regarding reporting obligations under the Birds and Habitats Directives, which is in a testing phase.

The Secretariat highlighted the important overlaps between the EC and Bern reporting systems and the need to work on the details of how to adapt the EC tool for the purposes of the Bern Convention.

The Committee took note of this initiative with interest.

PART III –MONITORING OF SPECIES AND HABITATS

4. Monitoring of Species and Habitats

4.1. Group of Experts on Invasive Alien Species (IAS)

Relevant documents: T-PVS (2006) 9 Report of the National Workshop on Invasive Alien Species in Croatia (Zagreb, 22-24 May 2006)
 T-PVS (2006) 18 Report of the National Workshop on Invasive Alien Species in Ukraine (Kyiv, 2-4 October 2006)
 T-PVS/Inf (2006) 8 Overview of existing international/regional mechanisms to ban or restrict trade in potentially invasive alien species (C. Shine)
 T-PVS/Inf (2006) 15 Progress report on Invasive Alien Species activities under the Convention

The Secretariat presented an overview of the activities carried out in 2006 regarding IAS, including two national workshops on IAS held in Croatia and Ukraine. Co-operation with other institutions, such as EPPO, the CBD and the EU was also mentioned, including the Convention's participation at the EPPO/FAO Workshop on "How to manage invasive alien plants: The case study of *Solanum elaeagnifolium*", held in Sousse, Tunisia, in May 2006.

The consultant, Ms Clare Shine, presented her report giving an overview of existing international and regional mechanisms to ban or restrict trade in potentially invasive alien species. Her recommendations focused on information exchange, early warning systems, and co-operation on high-risk pathways and risk assessment, as well as on regional standards and species listing, and mainstreaming of IAS issues in national and regional policies and actions.

The delegate of the European Commission informed the Committee of the main IAS-related initiatives and activities at EU level, such as the 6th Environmental Action Programme, the recent Communication on Biodiversity and its Action Plan; a study on scope options for the EU; a draft regulation on IAS in aquaculture; and two scientific projects (DAISIE and ALARM).

The delegate from Portugal proposed to commission the preparation of a risk species list for Europe, in co-operation with the EU and the DAISIE project.

The delegate from France stressed the importance of recalling that the arrival of an IAS does not mean that biodiversity is increased, especially in the context of public awareness and the need to carry eradication activities in certain cases.

The delegate from Norway informed the Committee that their national strategy on IAS would be finalised in the first half of 2007.

The delegate from Bulgaria expressed the interest of her country in hosting a national workshop on IAS, subject to budgetary availability.

The delegations from Italy and Belgium supported Portugal's proposal. The delegate from Italy further offered to make a voluntary contribution for this activity.

The representatives from the AEWA and the Barcelona Convention informed of their activities on IAS and offered their co-operation with the Bern Convention.

The Committee took note of the reports of the two national workshops and thanked the Croatian and Ukrainian authorities for the hosting and organisation of the workshops. The Committee highlighted progress on Invasive Alien Species issues and on the use of the European Strategy on Invasive Alien Species. It also took note of the report by Ms Clare Shine and decided to submit it to the next meeting of the Group of Experts on IAS so that they can consider it and prepare a draft recommendation, if appropriate.

4.2 Group of Experts on Amphibians and Reptiles – Draft action plans

Relevant documents: T-PVS (2006) 6 Report of the meeting of the Group of Experts on the Conservation of Amphibians and Reptiles
T-PVS (2006) 20 rev Draft recommendation on the conservation of certain endangered species of amphibians and reptiles in Europe
T-PVS/Inf (2006) 16 Action Plan for the Conservation of the Italian Agile Frog *Rana latastei* in Europe;
T-PVS/Inf (2006) 17 Action Plan for the Conservation of the Crested Newt *Triturus cristatus* Species Complex in Europe;
T-PVS/Inf (2006) 21 Action Plan for the Conservation of the Meadow Viper *Vipera ursinii* in Europe;
T-PVS/Inf (2006) 19 Action Plan for the Conservation of the Aesculapian Snake *Zamenis longissimus* in Europe; and
T-PVS/Inf (2006) 18 Action Plan for the Conservation of the Sand Lizard *Lacerta agilis* in Northwest Europe.

The Group of Experts met in Strasbourg on 4-5 May 2006.

The Secretariat presented the report of the meeting and informed the Committee about the unexpected delays in the finalisation of the draft action plans outside their control. The Group of Experts had asked several countries to report on the implementation of specific recommendations on amphibian and reptile species but only the delegate from the Czech Republic informed the Committee about their implementation of Recommendation No. 106 (2003) on the conservation of the Aesculapian snake *Zamenis longissimus*.

The consultant, Mr Anton Stumpel, presented the draft action plans.

The delegate from Finland, on behalf of EU Parties, expressed support for the action plans although they need some final fine-tuning that was not possible to do beforehand due to the late submission of the documents. He proposed to amend the draft recommendation to enable countries to draw up and implement nationally action plans or other measures as appropriate, to protect these species at the national level.

The delegates from Slovakia and the EC further supported the action plans, subject to the final editing to be made. The delegate from the European Commission informed the Committee that they have finalised guidelines on strict species protection, in relation with Article 12 of the Habitats Directive.

The delegate from France welcomed the public awareness elements of the action plans and stressed the difficulty of communicating the need to protect species that are not considered "emblematic".

The Committee took note of the report of the meeting of the Group of Experts and adopted a recommendation on the conservation of certain endangered species of amphibians and reptiles in Europe (see appendix 3).

The Secretariat asked Parties to submit their comments and information on the last versions of the action plans by the end of January 2007.

4.3. Group of Experts on the Conservation of Invertebrates – Draft European Strategy

Relevant documents: T-PVS (2006) 11 Report of the meeting of the Group of Experts on the Conservation of Invertebrates
T-PVS (2006) 8 Draft recommendation on the European Strategy for the Conservation of Invertebrates
T-PVS/Inf (2006) 1 revised Final draft of the European Strategy for the Conservation of Invertebrates

The Group of Experts met in Strasbourg on 19-20 June 2006.

The Secretariat presented the report of the meeting. She summarised the process leading to the submission of a complete draft European strategy for the conservation of invertebrates, an activity which was agreed in 2003. A small group of specialists worked on the text since 2004 and the Group of Experts agreed on the final draft at its meeting in June 2006.

The consultant, Mr John Haslett, presented the draft European Strategy for the Conservation of Invertebrates.

The delegates from Switzerland, Norway and the Czech Republic welcomed and supported the strategy, which will be completed with an extra box on the role of invertebrates during soil formation processes.

The delegates from Finland and the UK proposed two modifications to the draft recommendation to enable countries to draw up and implement national action plans or other national measures, as appropriate, as well as the need to add a reference to the work carried out in the framework of the EUROBATS agreement.

The Committee took note of the report of the meeting of the Group of Experts and adopted a recommendation on the European Strategy for the Conservation of Invertebrates (see appendix 4).

4.4. Climate change and biological diversity

Relevant documents: T-PVS (2006) 10 Draft recommendation on Biodiversity and Climate Change
CO-DBP (2005) 3 rev. Report on “Conserving European biodiversity in the context of climate change”

The Secretariat introduced the draft recommendation, explaining that a decision had been postponed at last year’s Standing Committee meeting so that delegations would have more time to study it in detail. The Secretariat had revised it, including a mandate for a group of experts to meet in 2007. The new draft was circulated for comments over last summer and the Secretariat thanked Parties for the support and comments received.

The delegations from the UK, the European Commission and Monaco proposed some additional text.

The representatives from AEWA and CMS also suggested some amendments. They further informed the Committee of a recent publication on climate change and migratory species, as well as of a workshop on climate change and migratory birds planned for April 2007. They expressed their interest to be associated with the work of this new Group of Experts.

The Committee adopted a recommendation on biodiversity and climate change (see appendix 6).

4.5 Draft action plan for the European sturgeon – Progress report

Relevant documents: T-PVS (2006) 12 Report of the meeting of the working group on the elaboration of an Action Plan for the Conservation and Restoration of the European sturgeon (*Acipenser sturio*)
T-PVS/Sturgeon (2006) 3 revised Draft Action Plan for the Conservation and Restoration of the European Sturgeon (*Acipenser sturio*)

The Secretariat thanked the Government of France for their financial support to this activity.

The Secretariat presented the report of the meeting of the working group, explaining that a first draft had been presented and discussed at the meeting, and which had been revised in the light of the comments received. Further input has been requested from other Parties not represented in the working group. A second meeting of the working group is planned for 2007 and the Secretariat thanked the German government for their generous offer to host such a meeting next spring so that the draft action plan can be finalised and presented to the Standing Committee in 2007.

The Committee took note of the progress made.

4.6 Habitats: setting up of ecological networks, Emerald Network progress

Relevant document: T-PVS/Emerald (2005) 9 General principles of the procedure for examining and approving Emerald sites put forward by States
T-PVS/Emerald (2006) 7 Development of the Bern Convention in Africa
T-PVS (2006) 22 Report of the Emerald Network Group of Experts

The meeting of the Group of Experts on the Emerald Network was held in Strasbourg on 9 and 10 October 2006. The Chair of the Group of Experts presented the results of the meeting.

The establishment of the Emerald Network had continued to progress in 2006. Pilot projects were under way in Burkina Faso, Norway and Senegal. The pilot project in Norway was at the finalisation stage. The Delegates of Burkina Faso and Senegal had reported on a number of difficulties encountered and delays in implementing this project, which stemmed mainly from underfunding or administrative reorganisations. Pilot projects were being prepared in Armenia, Tunisia and the Russian Federation. The representative of WWF welcomed that 108 Emerald sites had been identified in Switzerland, where the cantons, being responsible for nature conservation, officially propose the Emerald sites identified. The Emerald Network had also developed in six south-east European countries under the CARDS Programme, with the aim of identifying 80% of the potential sites for the network. The CARDS/Emerald programme had been very effectively implemented in the six participating countries. The delegates from Albania and the "Former Yugoslav Republic of Macedonia" thanked the Group of Experts, the Secretariat and experts from EEA for their excellent co-operation. They further informed on progress made in the Emerald Network, especially on the CARDS/Emerald programme, as its third phase has identified 80 % of potential Emerald sites by November 2006. The programme might continue next year, with an eye to identifying all the sites in the network.

A number of delegations mentioned difficulties with the classification of habitats presented in Resolution No. 4 (1996). A number of habitats of importance to these countries had been omitted from the lists, and other habitats listed require interpretation. The European Commission representative said that amendments would be made to the lists in the appendices to the Habitats Directive further to proposals from the new EU member States. The Chair proposed including this item on the agenda of the next meeting of the Group of Experts on the Emerald Network.

The Secretariat presented its proposals for the adoption of a procedure for analysing and accepting Emerald sites proposed by the States to date. The consultant for the Emerald Programme, Mr Marc Roekaerts, presented the criteria potentially applicable to this procedure, following the principles adopted for the Natura 2000 sites. He mentioned that site assessment proceeded on a species-by-species and a habitat-by-habitat basis, drawing on biogeographical regions. This assessment could not be conducted until the States had proposed a large enough number of sites. The process should begin in 2007 with the assessment of sites identified in the geographical region of south-east Europe, as part of the CARDS/Emerald Programme. A list of applicant sites would be prepared in 2007 for submission to the Standing Committee for consideration and possible acceptance of some of the sites.

The consultant Mr Hervé Lethier presented his report on the development of the Bern Convention in Africa. This study considered the issue from a political, technical and legal angle, drawing on the interest of the Council of Europe and the Standing Committee of the Bern Convention in North/South co-operation and also on the sharing of responsibilities and the added value of a common methodology applying to the designation of protected areas in Europe and Africa, with particular emphasis on countries on the southern coast of the Mediterranean and those receiving migratory birds which are also present in Europe, as well as participation by African Contracting Parties in the work of the

Convention. A preparatory meeting might be held in 2007 with all the convention-based mechanisms and other relevant programmes in order to decide on the potential practical arrangements for implementing such a programme, and also the requisite procedures and funding mechanisms. The representative of the Barcelona Convention and the RAC/SPA confirmed that his institution was prepared to jointly host this preparatory meeting in Tunisia, as well as the Euro-African regional seminar that should ensue in 2008.

The Standing Committee welcomed the results of the pilot project programme and the specific programme being conducted in south-east Europe with the financial support of the European Environment Agency. The committee approved the general principles concerning the criteria to be applied to the procedure for analysing and accepting Emerald sites. Lastly, it approved the plan to consider the arrangements for extending the Emerald Network methodology to any African countries which so wished, as well as the projected preparatory meeting in 2007 and Euro-African regional seminar on the subject in 2008, with the co-operation of RAC/SPA. The extension of the network would allow, on the one hand, for the preservation of migratory species listed in the Convention's appendices and of other threatened species not included in the appendices and relevant for African countries that have ratified the Bern Convention and, on the other hand, for the contribution to the two commitments agreed in Johannesburg (the 2010 target and the setting-up of a global network of protected areas).

4.7 Elaboration of a European Charter on Hunting and Biodiversity

Relevant documents: T-PVS (2006) 3 and 17 Reports of the two meetings of the Working Group on the Elaboration of a European Charter on Hunting and Biodiversity

The Secretariat presented the reports of the two meetings of the working group, held in March and September 2006. The working group agreed to proceed on the basis of a revised outline for the Charter.

The delegates from the Czech Republic, Portugal, France, Monaco and the European Commission expressed their support for this activity. They further noted the importance of correct and agreed terminology to be used in the Charter; their interest in further contributing to this work; the need to focus on the added value that the Bern Convention and the Council of Europe can provide, namely by developing the three areas identified in the revised outline: sustainable hunting, hunting tourism, and standards for European hunters.

The delegate from Norway, also Chair of the Working Group, expressed his hope to have a first complete draft of the Charter for spring 2007 which will be widely circulated to Parties as well as discussed by the working group. The delegate from Norway informed the Committee of a voluntary contribution for this activity.

The representatives from FACE and the IUCN added their support and engagement to continue participating in this activity. The representative of OMPO asked to be included in the future meetings of this working group.

The delegate from Monaco underlined that the Charter covers terrestrial wildlife species.

The Committee took note of the reports and progress made on this activity, underlining the importance to keep co-operating with all relevant organisations, institutions and stakeholders.

4.8 Conservation of birds: Actions plans

Relevant documents: T-PVS (2006) 21 rev Draft recommendation on six new action plans for most threatened birds in the Convention's area
T-PVS/Inf (2006) 2 revised International Action plan for the Saker Falcon
T-PVS/Inf (2006) 12, 13, 9, 14 and 10 International single species action plans (AEWA) for the light-bellied Brent Goose; the Northern Bald Ibis; the Corncrake; the White-headed Duck; and the Ferruginous Duck.

The Secretariat introduced this agenda item, following the initiative of BirdLife and the African-Eurasian Waterbird Agreement (AEWA).

The representative of BirdLife International presented the draft action plan for the Saker falcon, thanking Hungary and Slovakia for their support.

The delegate from the European Commission informed the Committee of the discussion by the ORNIS committee on the document T-PVS/Inf (2006) 2 revised and the proposal to amend the text on page 17 regarding the production of hybrids of Saker falcons.

The representative of the International Association for Falconry and Conservation of Birds of Prey opposed this additional text. After discussion the Committee agreed to keep the EC's additional text in the action plan and mention in this report that a specific working group for the Saker Falcon will review the situation regarding hybrids, subject to resource availability.

The representative of AEWA presented the five international action plans as adopted by the AEWA 3rd Meeting of the Parties in October 2005.

The delegate of Finland proposed an amendment to the draft recommendation to enable countries to draw up and implement national action plans or other national measures, as appropriate.

The Committee adopted a recommendation on six new action plans for most threatened birds in the Convention's area (see appendix 5).

Wind energy and nature conservation

Before discussing the next agenda item, and at the request of the delegation from the European Community, the Committee was informed of a note submitted from the EC regarding "Update on work of the ad hoc working group for development of guidelines on wind energy and nature conservation", also intended to cover non-EU countries. The note included an outline of the current proposed structure of the guide and informed that a first draft of the guide will be circulated to the ad hoc group for discussion in early 2007.

The representative of BirdLife International raised the case of the Smøla windfarm project in Norway which had been at the origin of this activity and related discussions at the Standing Committee. She stressed the growing number of wind farm proposals and asked for this case to be included in the agenda of next year's Standing Committee meeting.

The delegate of Norway pointed out that this issue was not in the meeting's agenda and noted that the usual procedure needed to be followed regarding complaints. Information on the implementation of the Standing Committee recommendation in 2001 will be transmitted for discussion at the Bureau next year.

The representatives from the CMS and AEWA urged the European Commission to speed up the work of the ad hoc working group and finalise the guidelines. They informed the Committee that the recent Resolution 5.6 on wind turbines and bat populations adopted by the Meeting of the Parties to the Eurobats Agreement, and available to delegates at this meeting, includes a set of guidelines for the planning process and impact assessments.

*** Items for information only:**

T-PVS/Inf (2006) 6 Report of the ad hoc Working Group on Wind Energy and Nature Conservation (Brussels, 17 January 2006)

T-PVS/Inf (2006) 24 Resolution 5.6 on Wind Turbines and Bat Populations – Minutes of the 5th Session of the Meeting of Eurobats Parties (Ljubljana, Slovenia, 4-6 September 2006)

T-PVS/Inf (2006) 5 President's Report of the 26th Annual Symposium on Sea Turtle Biology and Conservation, (Island of Crete, Greece, 3-8 April 2006)

T-PVS/Inf (2006) 22 Introduction on the procedures and the purpose of HaBiDes (Habitats and Birds Directive Derogation System)

PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

5. Specific sites and populations

5.1 Information from the Bureau

Relevant documents: T-PVS (2006) 7 and 16 Reports of the two Bureau meetings in 2006

The Chair announced that the Bureau had decided to include three complaints on the draft agenda to draw attention to the lack of response from the governments concerned (France and Slovenia). The Secretariat said that governments were generally given four months to reply to requests for information. Beyond that time, the bureau treats unanswered complaints as possible files.

A fourth complaint relating to infrastructure projects in Croatia had been added with a view to proposing that the Committee should arrange an on-site visit in 2007.

- Habitats necessary for the survival of the common hamster (France)

The French nature conservation association “*Sauvegarde Faune Sauvage*” complained about the inadequacy of the measures taken by the French state to preserve the habitats necessary for the survival of the common hamster in France.

The French delegate summarised the information contained in the reply sent belatedly to the Secretariat. He emphasised how difficult it was to reconcile Community directives on the Common Agricultural Policy (CAP) with those relating to habitats. The measures that had been introduced comprised incentives for farmers to continue with favourable farming techniques under management agreements and measures to offset the effects of urbanisation and the development of new infrastructure.

The representative of *Sauvegarde Faune Sauvage*, supported by the representative of the French National Society for Nature Protection (SNPN), expressed very grave concerns about the future of the common hamster, pointing out that in three years the number of individuals had decreased from 1 500 to 500. The latest conservation plan was ineffective owing to a lack of financial and human resources and it was vital for the competent authorities, particularly the Regional Environment Directorate (*DIREN*), to take responsibility for the matter.

The situation should be reviewed along with development plans for the next few years, and a file should be opened.

The Standing Committee instructed the Bureau to treat this item in relation to the informations that will be provided by France.

As additional information, the Chair welcomed the reports provided by Germany and Belgium regarding the implementation of Recommendation No. 79 (1999) on protection of the common hamster (*Cricetus cricetus*) in Europe and strongly encouraged all countries concerned to do the same next year.

- Protection of the green toad (*Bufo viridis*) in Alsace (France)

The complaint filed by the BUFO Association (for the study and protection of amphibians and reptiles in Alsace) related to the inadequacy of the impact studies conducted in connection with the bypass construction project in the Alsatian municipalities of Oberschaeffolsheim and Wolfisheim and the building project for the Zénith entertainment venue.

The representative of the association asked the Standing Committee to give the greatest possible consideration to the situation of the remaining habitats of the green toad in Alsace. He drew attention to urban development projects in the vicinity of Molsheim and asked the Standing Committee, as with the common hamster, to review the measures taken in recent years.

The French delegate pointed out that his authorities’ reply, which had also been sent belatedly to the Secretariat, did not cover the area around Molsheim. He said that he was prepared to send further information and asked the Secretariat to pass all the requisite details on to him.

The Standing Committee instructed the Bureau to take up this matter again at its next meeting.

- Wind farm project in Volovja Reber (Slovenia)

The complaint, filed by a coalition of 24 NGOs, related to the construction of a wind farm with 43 turbines in the Alpine and Dinaric region of southern Slovenia. The site chosen was of vital importance for some of the species protected under the Bern Convention (Eurasian lynx, wildcat, brown bear) and also acted as a corridor.

The Slovenian delegate informed the Committee that he had not been able to respond to the request for information as this project was the subject of a number of judicial proceedings. They will send a report before the next Bureau meeting.

The Committee took note of this information and instructed the Bureau to follow the progress of the project and report on it at its next meeting.

- Planned motorway across the Drava marshlands and hydro-electric power station in Lesce, across the river Dobra (Croatia)

A complaint had been filed by the NGO Friends of the Earth Croatia, highlighting the foreseeable negative effects of these two projects on local biodiversity and criticising the content of the relevant environmental impact studies.

The decision to build the hydro-electric power station had been taken in 1988 and work was already well under way. The last phase of the project, which posed the greatest threat to nature conservation, is still not in the construction phase, and the permit has not been issued yet.

Work on the motorway which would form part of the corridor linking the Baltic to the Adriatic had started in the south and is supposed to continue in the north in 2008.

The Croatian delegate said that they would be willing to welcome an expert.

The Committee agreed to the proposal for an on-the-spot visit.

5.2 Files

- Akamas Peninsula (Cyprus)

Relevant documents: T-PVS/Files (2006) 14 Secretariat report
T-PVS/Files (2006) 7 Report by the NGOs

This case concerns plans to develop tourism 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*).

The Cyprus delegate informed the Committee that the situation was stable and the 2004 Management Plan of the Akamas Peninsula, proposed by the Council of Ministers, was still being studied by the appropriate authorities. The plan aimed to promote the sustainable development of the area. His government was going to propose part of the Peninsula as a Natura 2000 site.

The Delegate of the European Commission stated that they were worried by the lack of protection of the area. The Commission was waiting for a solid proposal from Cyprus regarding Natura 2000 sites.

The representative of Terra Cypria explained that the management plan proposed was a development plan rather than a conservation one. The area should be designated as Natura 2000 and National Park. The Management Plan should include a map and detailed plans for conservation and monitoring. No legal measures were taken against illegal buildings and the areas around Limni Beach had been built (in the absence of any type of protection plan). The full intervention by the representative of Terra Cypria is included in the Addendum to this report.

The delegate of MEDASSET supported Terra Cypria in the criticism of the management plan and strongly recommended not to close the file. Other files had been provisionally closed, such as the Kazanli (Turkey) on Green turtles, where the situation has deteriorated and no information enabling the Committee to monitor progress was obtained.

The Committee urged Cyprus to fully implement Recommendation No. 63 and decided to leave the file open.

**- Project to build a motorway through the Kresna Gorge (Bulgaria)
[Recommendation No. 98 (2002)]**

Relevant documents: T-PVS/Files (2006) 15 Secretariat report
T-PVS/Files (2005) 2 NGO Report

This case concerns a motorway crossing an area of high biological diversity. It was examined by the Standing Committee in 2002, when it adopted a recommendation inviting the Bulgarian government to abandon the plans to enlarge the current road, and look for more suitable alternatives compatible with Bern Convention obligations. In 2004, the Bulgarian Ministry of the Environment informed the Secretariat that there was no further information concerning the state of progress of the project or the procedure for establishing a new protected area around the gorge.

At its 24th meeting, the Standing Committee decided to open a file in order to stimulate the Bulgarian government to further implement Recommendation No. 98 (2002).

The Bulgarian Delegate informed the committee that a new EIA (Environmental Impact Assessment) had been initiated in 2006 in consultation with all the partners concerned. All variants would be studied, including the NGOs' proposal. Specific requirements had been formulated and information on the potential sites for Natura 2000 had been placed at the investor's disposal.

The BirdLife representative confirmed that the NGOs had helped define the scope of the EIA.

The European Commission Delegate informed the Standing Committee that a complaint had been lodged with the Commission.

The Standing Committee welcomed the positive advances that had been made on this file, which it decided to keep open.

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

Relevant documents: T-PVS/Files (2006) 16, canal de navigation dans l'estuaire dit Bystroe Gyrlo –Delta du Danube, Ukraine) Rapport du Secrétariat
T-PVS/Files (2006) 23 Shipping canal in the Bystroe estuary (Danube Delta, Ukraine) Report by the Government
T-PVS/Files (2006) 10 Proposed navigable waterway through the Bystroe estuary (Danube Delta, Ukraine) Report by the NGO.

This case concerns the excavation of a shipping canal in the Bystroe estuary of the Danube delta in Ukraine, which is likely to adversely affect 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 its Recommendation No. 111 (2004) inviting Ukraine to suspend works, except the completion of phase 1, and not to proceed with phase 2 of the project until:

- the EIA for phase 2 is undertaken to international standards and submitted to the relevant international experts and organisations;
- the public consultation on the EIA for phase 2 takes place and the proposals made during the discussions are duly considered; and
- the data collected during the additional monitoring programme with involvement of international experts is analysed and adequate recommendations are elaborated.

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 will be held in Tulcea (Romania) in early 2007.

In August 2006, the Ukrainian Court of Auditors published the results of its audit on the project, concluding that the requisite environmental protection measures had not been taken even though they had been scheduled in the EIA conducted during phase 1. A report by the Espoo Convention's commission of inquiry has recently been published establishing the existence of transboundary impacts in connection with the Bystroe project.

The Trilateral Agreement signed under the auspices of the Council of Europe by Moldova, Romania and Ukraine on 5 June 2000, on co-operation in the zone of the Danube Delta and Lower Prut River nature-protected areas, entered into force in October 2006. When ratifying the agreement, Ukraine added a declaration regarding the procedure for establishing and modifying the boundaries of the protected area, with which Romania disagrees.

The delegate of Ukraine informed the Committee that his government was implementing the different parts of the recommendation, carrying out monitoring, making an EIA and discussing issues with NGOs and the staff of the Biosphere Reserve. The Inquiry Commission under the Espoo Convention had concluded that significant adverse transboundary impacts of the project were likely. Ukraine had signed the Agreement for the creation and management of a cross-border protected area in the Danube Delta and was ready to co-operate with neighbouring states.

The delegate of Romania said that the situation was not so simple. He feared that the second phase of the project would go ahead without the necessary precaution, risking serious ecological damage. In his view Recommendation No. 111 was not being totally implemented.

The representative of WWF noted the sedimentation of the channel and the impacts on the Delta reserve, as the experts had foreseen. She deplored the lack of measures related to Recommendation No. 111, in particular regarding the insufficient scientific monitoring, the lack of EIA according to international standards, as well as the absence of public debate and compensatory measures. She further noted that works in the channel have restarted on 4 November 2006.

The Chair, following an intervention from Belgium, noted that it was important to have guarantees that development in the area would not be detrimental to nature, and asked that Recommendation No. 111 be fully implemented. Ukraine was asked to call for a meeting of the states signatories of the Agreement, under the auspices of the Council of Europe, and provide to the Committee the EIA finished in April 2006, including the compensatory measures foreseen.

The Committee decided to leave the file open and examine at its next meeting a new draft recommendation prepared by the Secretariat.

5.3 Possible Files

- Conservation of the Hermann tortoise in the plaine des Maures (France)

Relevant documents: T-PVS/Files (2006) 17 Secretariat report

This case concerns the protection of the habitat of the Hermann tortoise in the Maures' Plain, which is considered unsatisfactory. In the past, the Committee already dealt with this species and site when a project to build a test road for a tyre factory was proposed and abandoned. The French government made a strong commitment in order to ensure the protection of the species, and the Standing Committee decided to close the file in 1997.

Considering that the implementation of the Public Interest Plan (PIG) as well as the additional measures of protection had not sufficiently contributed to the conservation of the species, the *Société nationale de Protection de la Nature (SNPN)* again approached the Secretariat in 2003.

The Committee decided to accept the French authorities' offer to organise an on-the-spot appraisal, which was carried out in March 2005.

At its 25th meeting, the 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.

The French Delegate informed the Standing Committee of progress in the implementation of the recommendation, and stressed the assistance provided by the Convention in processing this complex file:

- France had complemented its management concept with a new document setting out objectives. A map of the nature reserve and the Biotope Decree had been drawn up under Natura 2000;
- The plan to apply for permission to extend the Balançan storage centre had been rejected; the new application, which had now been submitted, would be assessed in accordance with the recommendations set out in the Convention;
- New studies would be carried out to improve knowledge of the species and its behaviour.

The SNP representative congratulated the French delegation on having taken account of the main problem of the Balançan dumping site. A final alternative site would nevertheless have to be located.

He pointed out that a number of hazards subsisted, for the following reasons:

- ✓ The projected nature reserve was too restrictive, as it only covered 33% of the high- and medium-density tortoise populations;
- ✓ The perimeters of the areas proposed for Natura 2000 were too limited, omitting some zones with large tortoise populations;
- ✓ The restoration plan had been neither ratified nor implemented;
- ✓ No action had been taken to join up the core areas with the corridors.

The *Sauvegarde Faune Sauvage* representative said that he shared the concerns voiced by the SNP.

The delegate from France stressed that a detailed map with the boundaries of the reserve, Natura 2000 and the order for the protection of the biotope shows the real commitment to protection and it will be sent to the secretariat. For populated areas and corridors, the French authorities have commissioned a study on this issue, in accordance with the recommendations by the expert of the on-the-spot visit.

The Chair noted that some useful progress had been made on this file, although some uncertainties remained.

The Standing Committee invited the French Government to report again at its next meeting. It reserved the right to open a new file in the light of the information that would be presented, including the examination of detailed maps.

The French Delegate had no objections to the maintenance of a possible file on this matter, because not all the requisite action had yet been completed and the Bureau will receive further information.

- **Windfarms in Balchik and Kaliakra – Via Pontica (Bulgaria)**

Relevant documents: T-PVS/Files (2006) 19 Secretariat Report
 T-PVS/Files (2006) 20 and 21 Government Report
 T-PVS/Files (2006) 8 Report by the NGO on the construction of the Kaliakra wind farm parks
 T-PVS/Files (2006) 9 Report by the NGO on the follow-up to Recommendation No. 117 (2005) on the plan to set up a wind farm near the town of Balchik and other wind farm developments on the Via Pontica migration route (Bulgaria)
 T-PVS/Files (2006) 11 Report by the NGO on the Construction of the Kaliakra wind farm parks

This case concerns the building of the first windfarm in Bulgaria, at Balchik on the Black Sea coast, and located on the Via Pontica which is one of the most important migratory routes in Europe, especially for soaring birds. The decision to authorise the project has already been taken.

An on-the-spot visit was carried out in September 2005. The Committee adopted Recommendation No. 117 (2005). In this Recommendation, the Committee asked the Bulgarian government to reconsider its decision to approve the proposed wind farm in Balchik.

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 meeting in September, the Bureau proposed that the Standing Committee opens a new file on these windfarm developments in Bulgaria.

The Bulgarian Delegate said that the decision as taken was legally unassailable. She pointed out that building work had not yet begun as a fresh appeal had been submitted concerning the sale of land. She added that EIAs were compulsory in the case of all proposals for investment in potential Natura 2000 sites.

The BirdLife representative, supported by the representative from AEWA, stressed that the wind farm represented a considerable risk to birds and that the authorisation procedure was still in hand. She invited the Committee to send the Government a clear message to:

- Reconsider, in line with the recent Bulgarian Ministerial statement to the European Parliament, consents for wind farms at Kaliakra and Balchik;
- Suspend the construction of the wind farms pending new and adequate EIAs;
- Ensure approval of EIAs by technical experts as well as the Ministry of Environment's legal department;
- Introduce a moratorium on consents for further wind farms in Natura 2000/Emerald Network sites pending ecological assessment of the national long-term programme for encouragement of renewable energy resources 2004-2015;
- Advise that these wind farm developments may be a bad investment; if the European Court of Justice rules against them in these Natura 2000/Emerald network sites, they may have to be removed.

And to ask for information about:

- The consequences of the expiry of the authorisation granted for Balchik;
- The date scheduled for the workshop on the ecological requirements to be fulfilled for building wind farms.

She suggested that an on-the-spot appraisal should be organised.

The AEWA representative said that the Bulgarian Government was in breach not only of the provisions of the Bern Convention but also of the CMS, Eurobats and the EU Directives, and that it was hampering the efforts of other countries to achieve the 2010 target. He requested the opening of a new file. This proposal was seconded by the Eurobats and AEWA representatives.

The Chair described the situation as very disturbing. A meeting might be organised between the parties involved under the auspices of the conventions and other relevant agreements.

The committee took note of these different statements and pronouncements, and instructed the Bureau to study, together with the Bulgarian Government, the possibility of organising such a meeting.

On a motion from the Icelandic delegate, backed by the delegate of the European Commission, the committee decided to open a new file.

5.4 Follow-up of selected recommendations from previous meetings

Relevant documents: T-PVS/Files (2006) 3 Government report on the follow-up of Recommendation No. 95 (2002)
 T-PVS/Files (2006) 13 NGO Report on the follow-up of Recommendation No. 95 (2002)
 T-PVS/Files (2006) 4 NGO Report on the follow-up of Recommendation No. 108 (2003)
 T-PVS/Files (2006) 12 Government Report on the follow-up of Recommendation No. 112 (2004)
 T-PVS/Files (2006) 6 NGO report on the follow-up of Recommendation No. 113 (2004)

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

The Secretariat announced that in spring the Turkish authorities had sent it a somewhat brief report on the implementation of the recommendation.

At its second meeting, the Bureau had instructed the Secretariat to ask for a more comprehensive report, but this had not yet been sent.

The Medasset representative considered that there were still several outstanding problems that remained undealt with and which cannot be addressed due to the absence of the Turkish delegation for the second consecutive Standing Committee meeting.

The Secretariat pointed out that in 2004, the Standing Committee had decided to close the file provisionally.

The delegate from Monaco proposed that, due to the seriousness of the issue, the Bureau should consider reopening the file and liaise with the Barcelona Convention secretariat to evaluate the extent of the danger of marine pollution from the existing stockpile of toxic waste located on the nesting beach very close to the seashore.

The Committee took note of this information and instructed the Bureau to consider the possibility of reopening the file and engage the Barcelona convention.

- **Recommendation No. 108 (2003) on the proposed construction of the “Via Baltica” (Poland)**

The Secretariat announced that the expert, Mr Eckhart Kuijken, who had visited this site in 2003, had had occasion, on a visit to Poland in connection with the European Diploma of Protected Areas, to talk to the authorities concerned on 28 August 2006 and had learned about recent developments, particularly progress on the strategic environmental assessment (SEA).

The Polish delegate informed the Committee that the strategic environmental assessment was due to be finalised by the end of 2006. NGOs had been involved in the competitive tendering process and the report itself. The results would make it possible to take a decision on the ultimate route. There was a need to renovate Poland's road network and build bypasses and this was recognised by NGOs.

The BirdLife representative acknowledged that the SEA was a step forward but wondered whether it would have a real impact on the choice of the route.

The European Commission representative informed the Committee that several complaints concerning road-building projects had been filed. Further information had been requested with regard to Via Baltica.

The Committee took note of this information. It asked the Polish Government to provide the decision on the choice of route, the relevant SEA and all other relevant information regarding this file, and to report back at the next meeting.

- **Recommendation No. 112 (2004) on the hydro-electric dams in Kárahnjúkar and Nordlingaalda (Iceland)**

The Icelandic delegate reminded the Committee that no Bern Convention species or habitat type are threatened by the Kárahnjúkar hydropower project. He provided information about the transposition of the SEA Directive into national law; the functioning of the monitoring board; the fact that it is not known why the non-breeding pink-footed geese population has decreased in the moulting area in the Eyjabakkar IBA; and on the plan for a new and very large national park which has been

proposed to the Parliament. He informed the Committee that 70% of energy in Iceland came from renewable sources.

The BirdLife representative congratulated the government on its decision to refrain from any projects in the Thjorsvaer area. She expressed doubts as to whether mitigation and compensation measures had really been taken.

The United Kingdom delegate asked the Committee to follow the implementation of the recommendation very closely. The Committee took note and asked the Icelandic authorities to present a new report in 2007.

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

The report transmitted at the beginning of the year by the British authorities mentioned a great deal of progress, including:

- implementation of the bird deterrent system;
- preparation of the Environmental Management Plan for the Akrotiri peninsula;
- the creation of a new post of on-island environmentalist; and
- the conduction of studies on bird mortality and flight paths used by birds, hydrology and hydrogeology (in connection with the situation of the Phasouri swamps).

Furthermore, the results of the study of the effects of electromagnetic radiation on health had been made public.

The United Kingdom delegate said that there had since been a hiatus in the dialogue with NGOs, and noted the NGOs' concerns in this connection. He thanked them for their interest in this matter. He informed the Committee that an updated report would be presented to the Bureau and the Standing Committee.

The BirdLife representative congratulated the Sovereign Base Area authorities on their dialogue with all the parties involved, although she had reservations about the lack of designation of sites equivalent to SPAs and the plan for a hospice to be built over the nesting site of the Griffon Vulture. She also noted that no long-term monitoring procedure had yet been established.

The Cypriot Delegate stressed that co-operation with the Sovereign Base Area authorities had been excellent.

The representative of Terra Cypria encouraged the UK government to implement the Recommendation with actions.

The Committee took note of this information pending the report to be forwarded in 2007.

* * *

Finally, the Slovenian delegate informed the Committee about the successful project of translocation of five bears to the French Pyrenees, as a good example of positive co-operation between France and Slovenia in order to implement Recommendations No. 82 (2000) and No. 115 (2005).

PART V – STRATEGIC DEVELOPMENT OF THE CONVENTION

6. Strategic development of the Convention

6.1. Sustainable development at the Council of Europe

Relevant document: CODBP (2006) 7 Sustainable development: A new approach to values, law and public policies in Europe

The Secretariat informed the Committee of the ongoing discussions in the Council of Europe regarding its future work on sustainable development. After the Warsaw Summit in May 2005 the Council of Europe has reflected on how to take this issue forward. Given the current context of budgetary restrictions it appears unlikely that new initiatives will be developed on this issue.

The Committee took note of the report and thanked the Secretariat for this information.

6.2. Proposal of amendment of the Rules of Procedure of the Standing Committee to enlarge its Bureau

Relevant document: T-PVS (2006) 5 Amendment of the Rules of Procedure of the Standing Committee regarding its Bureau

At its meeting in 2005, the Standing Committee examined a proposal to amend the rules of procedure to enlarge the Bureau and decided to ask the Bureau to deal with this issue. The Standing Committee indicated that the Bureau's deliberation "will not open Rules of Procedure issues wider, confining its examination of the issues to the Rules of Procedure 18, 19 and 6 only", including issues such as the role of the Bureau as it currently operates; financial issues; and other implications arising from a larger Bureau, such as its composition.

The Secretariat presented a note outlining the different options to enlarge the Committee's Bureau, proposing to either have three alternate members or enlarge it to five members so as to ensure participation and a more diversified representation.

After interventions from Contracting Parties with different positions as to the need to enlarge the Bureau in the current budgetary situation, the Committee decided to keep the *status quo* of three members and review the situation after two years, if necessary. During this period, the Secretariat is asked to keep track of the workload of individual Bureau members and their attendance at Bureau meetings.

6.3. Draft Programme of Activities for 2007

Relevant document: T-PVS (2006) 14 Draft Programme of Activities for 2007

The Secretariat presented a proposal of activities for 2007, prepared following discussions with the Bureau.

The Chair thanked the Parties that had made voluntary contributions in 2006, noting that they will become even more necessary given the decrease in the Council of Europe budget for these activities. The list of Parties having made voluntary contributions to the 2006 activities appears in an annex to this report (see appendix 8).

The delegate of Iceland issued an invitation to host the next meeting of the Group of Experts on Invasive Alien Species to be held in 2007. Also, he announced a voluntary contribution of 16000 € to the Bern Convention.

The delegate of the Holy See stressed the importance of the growing engagement of the Catholic Church and other Churches on the protection of the environment. One of the themes of the next European ecumenical gathering, to be held in Sibiu in September 2007, will be dedicated to this issue and to new ways of life to follow.

The delegate of France asked to include staff expenses in the annual budget and programme of activities to be submitted to the Standing Committee in 2007, to ensure that there is adequate personnel in the secretariat to carry out the proposed activities.

The delegate of Norway supported that proposal and asked for future prioritisation in the next proposed budgets to identify what elements would require voluntary contributions to be fulfilled. She further informed the Committee of a voluntary contribution of 15000 € to the Bern Convention.

The delegate of Monaco confirmed that the Principality will provide a voluntary contribution of 8000 € in 2007.

On a NGO proposal to create a group of experts to prepare a strategy on mushrooms, the Committee decided to include it in the agenda of its next meeting and prepare a general document on mushrooms conservation, subject to budgetary availability.

Regarding the working group to be created under the Saker falcon action plan, it was decided that the group will meet in 2008 in the framework of the Group of Experts on the Conservation of Birds. A possible meeting of this specific working group in 2007 is conditioned on budgetary availability.

After adding in the Programme of Activities elements already raised during the meeting – on IAS and climate change - and subject to budgetary availability, the Committee adopted its 2007 work programme and budget as it appears in appendix 7 of this report.

6.4 States to be invited as observers to the 27th meeting

The Committee decided unanimously to invite the following States to attend its 27th meeting: Armenia, Bosnia and Herzegovina, Georgia, Russia, San Marino, Serbia, Montenegro, Algeria, Belarus, Cape Verde, Holy See, Kazakhstan, Kyrgyzstan, Mauritania, Tajikistan, Turkmenistan, and Uzbekistan.

PART VI- OTHER ITEMS

7. Election of Chairman and Vice-Chairman

The Committee elected Mrs Véronique Herrenschmidt as Chair.

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

8. Date and place of the 27th meeting, adoption of the report

The Committee decided on the date of its 27th meeting (26-30 November 2007).

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

9. Other business (items for information only)

The delegate of Monaco, speaking as depositary of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS agreement), informed the Committee that the Whale and Dolphin Conservation Society had approached the secretariat of the agreement at to denounce Turkey's project to capture 30 big dolphins in the Black and Mediterranean seas, with a view to therapeutical and entertaining aims. Such a capture would involve a violation not only of the Bern Convention but also of other international legal instruments. It would further cause collateral damages due to the handling and manipulation that would be required.

The secretariat informed that in 2005, and following a similar complaint, it had contacted the Turkish government which finally resulted in their abandonment of the project.

The Standing Committee took note of this information, which considered worrying. It considered that such a capture was not justified and asked the Secretariat, if necessary, to intervene and contact the Turkish authorities accordingly, as it did in 2005.

APPENDICES TO THE REPORT

- Appendix 1 List of participants
- Appendix 2 Agenda
- Appendix 3 Recommendation No. 119 (2006), adopted on 30 November 2006, on the conservation of certain endangered species of amphibians and reptiles in Europe;
- Appendix 4 Recommendation No. 120 (2006), adopted on 30 November 2006, on the European Strategy for the Conservation of Invertebrates;
- Appendix 5 Recommendation No. 121 (2006), adopted on 30 November 2006, on the implementation of six new action plans for most threatened birds in the Convention's area;
- Appendix 6 Recommendation No. 122 (2006), adopted on 30 November 2006, on the conservation of biological diversity in the context of climate change;
- Appendix 7 Programme of activities for 2007
- Appendix 8 List of Parties and Observers having made voluntary contributions to the 2006 activities

Appendix 1

List of participants

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Organisation for Economic Co-operation and Development (OECD) / Organisation de coopération et de développement économiques (OCDE)

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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 Amendments : Switzerland proposal to downlist *Canis lupus* from Appendix II to Appendix III
 - 3.2 Biennial reports 2003-2004 concerning exceptions made to Articles 4, 5, 6, 7 or 8 and quadriennial reports 2001 2004
 - 3.3 Reporting obligations under the Habitats Directive and Bern Convention (HABIDES)

*** Items for information:**

- T-PVS/Inf (2006) 7 Implementation of the Bern Convention in Spain
- T-PVS (2006) 7 and 16 Bureau Reports
- T-PVS/Inf (2006) ..., ... Biennial Reports

PART III – MONITORING OF SPECIES AND HABITATS

4. **Monitoring of Species and Habitats**

- 4.1 Implementation of the European Strategy on Invasive Alien Species
- 4.2 Group of Experts on Amphibians and Reptiles – Draft action plans for:
 - the Italian Agile Frog *Rana latastei*
 - the Crested Newt *Triturus cristatus* Species Complex
 - the Meadow Viper *Vipera ursinii*
 - the Aesculapian Snake *Zamenis longissimus*
 - the Sand Lizard *Lacerta agilis*
- 4.3 Group of Experts on Invertebrates – Draft European Strategy
- 4.4 Climate change and biological diversity – Draft recommendation
- 4.5 Draft Action plan for the European sturgeon – Progress Report
- 4.6 Habitats: setting up of ecological networks: Emerald Network progress
- 4.7 European Charter on Hunting and Biodiversity – Progress Report
- 4.8 - Saker Falco *cherrug* - draft action plan
 - International single species actions plans (AEWA) :
 - Light-bellied Brent Goose (*Branta bernicla hrota*)
 - Northern Bald Ibis (*Geronticus eremita*)
 - Corncrake (*Crex crex*)
 - White-headed Duck (*Oxyura leucocephala*)
 - Ferruginous Duck (*Aythya nyroca*)
 - Wind energy and nature conservation

*** Items for information:**

- T-PVS/Inf (2006) 6 Windfarms and wildlife – Report of the ad hoc Working group on Wind Energy and Nature Conservation
- T-PVS/ Inf (2006) 5 President’s Report of the 26th Annual Symposium on Sea Turtle Biology and Conservation

PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

5. Specific sites and populations

5.1 Information from the Bureau

- Habitats necessary for the survival of the common hamster (France)
- The protection of the green toad (*Bufo viridis*) in Alsace (France)
- Wind farm project in Volovja Reber (Slovenia)
- Planned motorway across the Drava marshlands and hydroelectric power station in Lesce across the river Dobra (Croatia)

5.2. Files opened

- Akamas Peninsula (Cyprus)
- Project to build a motorway through the Kresna Gorge (Bulgaria)
- Building of a navigable waterway in the Bystroe Estuary (Danube delta, Ukraine)

5.3 Possible Files

- France: Conservation of the Hermann turtle in the plaine des Maures
- Bulgaria: Windfarms in Balchik and Kaliakra – Via Pontica

5.4 On-the-spot appraisals

5.5 Follow-up of selected recommendations from previous meetings

- Recommendation No. 95 (2002) on the conservation of marine turtles in Kazanli (Turkey)
- Recommendation no. 108 (2003) on the proposed construction of the “Via Baltica” (Poland)
- Recommendation No. 112 (2004) on hydro-electric dams in Kárahnjúkar and Nordlingaalda (Iceland)
- Recommendation No. 113 (2004) on military antenna in the Sovereign Base Area (Akrotiri, Cyprus)

*** Items for information:**

- Catching, killing or trading of protected birds in Cyprus

PART V – STRATEGIC DEVELOPMENT OF THE CONVENTION

6. Strategic development of the Convention

- 6.1 Sustainable development at the Council of Europe – CODBP (2006) 7 “Sustainable development: A new approach to values, law and public policies in Europe”
- 6.2 Amendment of the Rules of Procedure of the Standing Committee to enlarge its Bureau
- 6.3 Draft Programme of Activities for 2007
- 6.4 States to be invited as observers to the 27th meeting

*** Items for information:**

CO-DBP (2006) 7 – Sustainable development: A new approach to values, law and public policies in Europe.

PART VI- OTHER ITEMS

- 7. Election of Chairman and Vice-Chairman**
- 9. Date and place of the 27th meeting, adoption of the report**
- 10. Other business (items for information only)**

Appendix 3



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 119 (2006), adopted on 30 November 2006, on the conservation of certain endangered species of amphibians and reptiles in Europe

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

Having regard to the aims of the convention, which are to conserve wild flora and fauna and their natural habitats;

Recalling that the convention gives 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 flora, 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;

Having regard to Resolution (78) 22 of the Committee of Ministers of the Council of Europe on threatened amphibians and reptiles in Europe;

Having regard to its Recommendation No. 13 (1988) concerning measures for the protection of critical biotopes of endangered amphibians and reptiles;

Recognising that climate change affects biological diversity in the territory covered by the Convention, including amphibian and reptile species and their habitats;

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 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 halt the loss of amphibian and reptile species in Europe;

Recalling the 2004 Strasbourg Declaration on the role of the Bern Convention in the preservation of biological diversity, and the need to reinforce the implementation and coherence of global and European biodiversity instruments such as the Convention on Biological Diversity and the European Community Habitats Directives;

Recalling its Recommendation No. 26 (1991) on the conservation of some threatened reptiles in Europe;

Recalling its Recommendation No. 27 (1991) on the conservation of some threatened amphibian species in Europe

Recalling its Guidelines No. 3 (1993) for recovery plans for species of amphibians and reptiles, which identifies the species targeted by this recommendation as needing recovery plans;

Recalling its Recommendation No. 59 (1997) on the drafting and implementation of action plans of wild fauna species;

Having regard to the action plans for the conservation of: (i) the Italian Agile Frog *Rana latastei*; the Crested Newt *Triturus cristatus* Species Complex (*T. cristatus*, *T. carnifex*, *T. dobrogicus*, *T. karelinii*); the Meadow Viper *Vipera ursinii*; the Aesculapian Snake *Zamenis longissimus*; and the Sand Lizard *Lacerta agilis* [documents T-PVS/Inf (2006) 16; T-PVS/Inf (2006) 17; T-PVS/Inf (2006) 21; T-PVS/Inf (2006) 19; and T-PVS/Inf (2006) 18, respectively],

RECOMMENDS that Contracting Parties:

1. draw up and implement national action plans or other national measures, as appropriate, on these five species taking into account the European action plans mentioned above;
2. co-operate, as appropriate, with other Contracting Parties and observer States in the conservation of these five amphibian and reptile species;
3. keep the Standing Committee informed of the measures taken to implement this recommendation, and of the results for the species concerned,

INVITES observer States to take note of this recommendation and implement it as appropriate.

Appendix 4



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 120 (2006), adopted on 30 November 2006, on the European Strategy for the Conservation of Invertebrates

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

Having regard to the aims of the convention, which are to conserve wild flora and fauna and their natural habitats;

Recalling that the convention gives particular emphasis to the conservation of endangered and vulnerable species;

Noting that European ecosystems depend heavily upon a high diversity of invertebrate animals for their functioning and health, and that the maintenance of invertebrate biodiversity in Europe lags far behind the conservation of others groups of organisms;

Recognising that climate change affects biological diversity in the territory covered by the Convention, including invertebrate species, their habitats, and interactions between invertebrates and plants;

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;

Desirous to halt the loss of invertebrate animal diversity in Europe;

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 the 2004 Strasbourg Declaration on the role of the Bern Convention in the preservation of biological diversity, and the need to reinforce the implementation and coherence of global and European biodiversity instruments such as the Convention on Biological Diversity and the European Community Habitats Directives;

Recalling the work of the Agreement on the Conservation of Populations of European Bats (EUROBATS), as well as that of other multilateral environmental agreements, in addressing the threats posed by pesticides to insectivorous mammals;

Aware that the European Strategy for the Conservation of Invertebrates may be a useful tool to address the threat of extinction of invertebrate species in Europe;

Having regard to Recommendation (86) 10 of the Committee of Ministers of the Council of Europe concerning the Charter on invertebrates;

Recalling its Recommendation No. 29 (1991) on the conservation of wetlands invertebrates;

Recalling its Recommendation No. 36 (1992) on the conservation of underground habitats;

Recalling its Recommendation No. 52 (1996) on habitat conservation for invertebrate species;

Recalling its Recommendation No. 59 (1997) on the drafting and implementation of action plans for wild fauna species;

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

Referring to the measures proposed in the “European Strategy for the Conservation of Invertebrates”, [document T-PVS/Inf (2006) 1 revised];

RECOMMENDS that Contracting Parties:

1. draw up and implement national strategies on invertebrate species, or other relevant measures, as appropriate, taking into account the European Strategy for the Conservation of Invertebrate Animals mentioned above;
2. co-operate, as appropriate, with other Contracting Parties and observer States in the conservation of invertebrate species;
3. keep the Standing Committee informed of the measures taken to implement this recommendation,

INVITES observer States to take note of this recommendation and implement it as appropriate.

Appendix 5



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 121 (2006), adopted on 30 November 2006, on the implementation of six new action plans for most threatened birds in the Convention's area

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

Having regard to the aims of the convention, which are to conserve wild flora and fauna and their natural habitats;

Recalling that the convention gives 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 flora, 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 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 halt the loss of bird species in Europe;

Recalling the 2004 Strasbourg Declaration on the role of the Bern Convention in the preservation of biological diversity, and the need to reinforce the implementation and coherence of global and European biodiversity instruments such as the Convention on Biological Diversity and the European Community Birds and Habitats Directives;

Recalling its Recommendations No. 48 (1996) on the conservation of European globally threatened birds; No. 60 (1997) on the implementation of the actions plans for globally threatened birds in Europe; No. 61 (1997) on the conservation of the White-headed Duck (*Oxyura leucocephala*), No. 62 (1997) on the conservation of regionally threatened birds in the Macaronesian and Mediterranean regions; No. 75 (1999) on the implementation of new action plans for globally threatened birds in Europe; No. 88 (2001) on the implementation of five new Action Plans for globally threatened birds in Europe; No. 92 (2002) on sixteen new Action Plans for most threatened birds in the Convention's area; and No. 103 (2003) on five new Action Plans for most threatened birds in the Convention's area.

Aware that the design and implementation of recovery plans may be a useful tool to redress the situation of European globally threatened birds and recalling in this context its Recommendation No. 59 (1997) on the drafting and implementation of action plans of wild fauna species;

Referring to the Action Plans submitted by BirdLife International and the African-Eurasian Waterbird Agreement (AEWA), and presented in the following documents: T-PVS/Inf (2006)2 revised on the international action plan for the Saker Falcon (*Falco cherrug*); T-PVS/Inf (2006) 12 on the international single species action plan for the Light-bellied Brent Goose (*Branta bernicla hrota*); T-PVS/Inf (2006) 13 on the international single species action plan for the Northern Bald Ibis (*Geronticus eremita*); T-PVS/Inf (2006) 9 on the international single species action plan for the Corncrake (*Crex crex*); T-PVS/Inf (2006) 14 on the international single species action plan for the White-headed Duck (*Oxyura leucocephala*); and T-PVS/Inf (2006) 10 on the international single species action plan for the Ferruginous Duck (*Aythya nyroca*),

RECOMMENDS that Contracting Parties and observer States to the Convention:

1. draw up and implement national action plans or other relevant measures, as appropriate, on the species listed in the Appendix to this Recommendation, taking into account the international action plans mentioned above.

Appendix

Falco cherrug

Branta bernicla hrota

Geronticus eremita

Crex crex

Oxyura leucocephala

Aythya nyroca

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Appendix 6



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

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

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 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;

Recognising 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 biodiversity can play an important role in adapting to and mitigating the effects of climate change as well as mitigating greenhouse gas emissions;

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;

Recognising that the negative impacts of climate change on all forms of land- and water-use, including agriculture, forestry, freshwater resources, coastal systems and marine areas including fisheries and aquaculture, as well as on species and ecosystems, hinder the capacity of Parties to achieve sustainable development;

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

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;

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;

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

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

Welcoming the report “*Conserving European Biodiversity in the Context of Climate Change*” by Michael B. Usher [document CO-DBP (2005) 3 revised];

Recommends that Contracting Parties to the Convention:

1. Set up a Group of Experts on Biodiversity and Climate Change, in accordance with the terms of reference annexed to this recommendation, to provide information and guidance to Parties on understanding climate change impacts and threats, and provide Parties with tools and support in developing appropriate adaptation measures in national policies regarding the species and habitats protected under the Bern Convention.
2. Engage in this work and give it adequate priority and resources for its timely completion.

Annex

Terms of Reference for a Group of Experts on Biodiversity and Climate Change

1. Scope

- .1 to exchange information and review the effects of climate change on the biological diversity covered by the Bern Convention, including species and habitats, protected areas, and ecological networks;
- .2 to propose advice and guidance for use in developing appropriate adaptation and management policies and actions for the conservation of the biological diversity mentioned above, including key policies that impact on ecosystem goods and services;
- .3 to present to the Standing Committee specific proposals, guidance and/or recommendations covering 1.1 and 1.2 above, to help Parties address the challenges of climate change in the implementation of the Convention and its objectives.

2. Composition

- 2.1 Engage the expertise of Contracting Parties to the Bern Convention, including members of other Groups of Experts established under the Bern Convention and under other Conventions, as appropriate, as well as relevant observers.
- 2.2 The Group of Experts may call on additional expertise on an *ad hoc* basis.

3. Methodology and timeframe

- 3.1 The work of the Group of Experts will take account of the report “Conserving European Biodiversity in the Context of Climate Change” by Michael B. Usher [CO-DBP (2005) 3 revised], as well as of existing relevant instruments and initiatives at the national, European and international level, including the following:

3.1.1 at the international level

- the 2005 Millennium Ecosystem Assessment;
- the Convention on Biological Diversity, the Convention on Migratory Species and its related agreements, and the Ramsar Convention on Wetlands;
- the Global Taxonomy Initiative;
- the IPCC report “Climate Change 2001: Impacts, Adaptation, and Vulnerability”;
- the five-year programme of work on impacts, vulnerability and adaptation to climate change, adopted under the UNFCCC;
- the Regional Seas Conventions.

3.1.2 at the European level

- the 2003 Kyiv Resolution on Biodiversity;
- the 2004 Strasbourg Declaration on the role of the Bern Convention in the preservation of biological diversity;
- relevant Council of Europe’s legal and policy frameworks such as the Pan-European Biological and Landscape Diversity Strategy, the European Landscape Convention, the European Conference of Ministers responsible for regional planning, and EUR-OPA Major Hazards Agreement;
- the EU Climate Change Programme and its Working Group on Impacts and Adaptation;
- the EC Communication on “Halting the loss of biodiversity by 2010 and beyond: Sustaining ecosystem services for human well-being”;

- the European Platform for Biodiversity Research Strategy (EPBRS).

3.1.3 *at the national level*

- protected area management and policy;
- species conservation policy;
- national policies on agriculture and forestry, including production of renewable energy from biomass; freshwater resources; coastal systems and marine areas; as well as land-use planning.

3.2 The Group of Experts will endeavour to submit a set of finalised guidance/recommendations to the Standing Committee for decision by 2008 – with a progress report on its work by 2007.

Appendix 7

Draft programme of activities and budget of the Bern Convention for the year 2007

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 started 28 pilot projects from 1999 to 2006, efforts are to be focussed on inviting states to make progress in the building of the network, providing a complete description of sites in a more substantial number of areas, with a view to designating them as ASCI. In 2007-2008, efforts should focus on further pilot projects in the Russian Federation, Armenia and Tunisia, as well as on designating selected sites as ASCI, including an increased number of marine sites.

Funding

Voluntary contributions.

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 to 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.

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.

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 states Action Plans on birds and large carnivores, elaboration and implementation of Action Plans on threatened amphibians and reptiles, implementation of the European Strategy on Invasive Alien Species, implementation of the European Strategy on Conservation of Invertebrates.

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. Conservation of biological diversity outside protected areas*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. Elaboration 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*, BirdLife International, IUCN, WWF, Large Carnivore Initiative for Europe (LCIE), Large Herbivore Initiative (WWF-LHI), Planta Europa, Societas Europea Herpetologica (SEH), and the European Invertebrate Survey (EIS).

Activities for 2007

in Euro

1. Monitoring of the legal application of the Convention	
<p>1.1. Reports on the implementation of the Convention in at least one Contracting Party and legal assistance to new Contracting Parties</p> <p>Report providing a legal analysis of the implementation of the Convention in one Contracting Party, suggesting way to improve such implementation and adapt it to the provisions of the Convention (for new Parties).</p> <p>Fixed appropriation for consultant</p>	6,000
2. Conservation of natural habitats	
<p>2.1. Group of experts for the setting up of the Emerald Network of Areas of Special Conservation Interest</p> <p style="text-align: right;">Strasbourg, 1 day</p> <p><i>Terms of reference</i></p> <p>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.</p> <p>Travel and subsistence expenses for one expert from each 22 states: ALBANIA, ARMENIA, AZERBAIJAN, BOSNIA AND HERZEGOVINA, BULGARIA, CROATIA, CZECH REPUBLIC, ESTONIA, GEORGIA, LATVIA, LITHUANIA, MOLDOVA, MONACO, MOROCCO, ROMANIA, RUSSIA, SERBIA AND MONTENEGRO, SLOVAKIA, "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA", TUNISIA, TURKEY, UKRAINE</p> <p>Travel and subsistence expenses for 1 consultant</p>	15,500
<p>2.2. Pilot projects for the setting-up of the Emerald Network at national level in some states</p> <p>Financial contribution for the setting-up of the Network in 2 States</p>	1,000 20,000
<p>2.3. Consultants</p> <p>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.</p>	10,000
3. Monitoring of species and encouraging conservation action	
<p>3.1. Invasive Alien Species</p> <p>- Group of Experts on IAS</p> <p style="text-align: right;">Iceland, 2 days</p> <p><i>Terms of reference:</i></p> <p>Follow-up and review the implementation of the European Strategy on Invasive Alien Species (IAS).</p> <p>Preparation for the in-depth review of this issue by SBSTTA and COP-9 in 2008, where a presentation of what the Bern Convention and its Parties have done at the European and national level could be. The issue of trade and IAS will be addressed in that forum.</p> <p>Travel and subsistence expenses will be covered for one expert from each of the following 22 states: <i>[we have only budgeted for 12 experts]</i> ALBANIA, BELGIUM, CROATIA, CYPRUS, CZECH REPUBLIC, ESTONIA, FINLAND, GREECE, HUNGARY, ICELAND, IRELAND, MALTA, MOLDOVA, MOROCCO, POLAND, PORTUGAL, SLOVAKIA, SLOVENIA, SPAIN, SWITZERLAND, TUNISIA, UKRAINE</p> <p>Travel and subsistence for 3 consultants/experts</p> <p>- Consultant to prepare a list of risk species for Europe in relation to trade (subject to funding)</p> <p>- National workshop on IAS in Bulgaria (subject to funding – estimated cost:</p>	20,000 4,000 6,000 p.m.

12000€)

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

10,000

3.3. Conservation of Plants**- Planta Europa Conference / Group of Experts on the Conservation of Plants**

Cluj Napoca, Romania: 4 days

In co-operation with Planta Europa, implementation of a European Strategy on Plant Conservation.

Consultants and meeting

Terms of reference

The Bern Convention is part of the Steering Committee for the preparation of this Conference, which will be organised in collaboration with the Romanian conservation authorities. The Conference is intended to present current problems in plant conservation in Europe and to monitor the implementation of the European Plant Conservation Strategy [Recommendation No. 87 (2002)], in the context of the review of the Global Strategy on Plant Conservation to be addressed by CBD COP-9 in 2008. Within the structure of the conference, main issues on plant conservation concerning the Convention will be integrated. The Conference integrates the Group of Experts on Conservation of Plants.

Travel and subsistence expenses will be covered for one expert from each of the following 11 states:

ALBANIA, BULGARIA, CROATIA, CZECH REPUBLIC, ESTONIA, HUNGARY, LITHUANIA, MOLDOVA, POLAND, SLOVAKIA, UKRAINE

15,000

Participants

All Contracting Parties

Observers

All observer states and qualified organisations active in this field

3.4. Conservation of fish

Bonn, Germany, 1 day

- Working group for the elaboration of an action plan on the restoration and conservation of the European sturgeon*Terms of reference*

Finalise and produce a complete draft of the Action Plan for submission to the Standing Committee in November 2007

Travel and subsistence expenses will be covered for one expert from each of the following 7 states:

BELGIUM, FRANCE, GREECE, ITALY, NETHERLANDS, SPAIN, UNITED KINGDOM

10,000

Expenses for meeting and consultants (part of these funds depend on specific voluntary contributions)

<p>3.5. Conservation of amphibians and reptiles - In co-operation with Societas Europea Herpetologica (SEH) Drafting of action plans for threatened amphibians and reptiles Meetings and consultants</p> <p>3.6 Climate change and biodiversity - Group of Experts on climate change and biodiversity Strasbourg, 2 days</p> <p><i>Terms of reference</i> 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 new 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 protected under the Bern Convention. Travel and subsistence expenses for one expert of each of the following 11 States: BULGARIA, DENMARK, FRANCE, GERMANY, FINLAND, ICELAND, THE NETHERLANDS, NORWAY, SPAIN, TURKEY, UNITED KINGDOM</p> <p>Participants: All Contracting Parties Observers: All observer states and qualified organisations active in this field Travel and subsistence expenses of consultant.</p> <p><u>Other</u> Meeting of the specific working group on Saker falcon and hybridisation (subject to funding – estimated cost: 9000€) Preparation of a guiding document on the conservation of mushrooms (subject to funding – estimated cost: 4000€)</p>	<p>6,000</p> <p>11,000</p> <p>1,000</p> <p>p.m.</p> <p>p.m.</p>
<p>4. Sectorial policies and biodiversity conservation</p>	
<p>4.1 Wind energy and biodiversity Contribution to wind energy and nature conservation ad hoc group Brussels: 2 meetings, 1 day Travel and subsistence expenses of experts</p> <p>4.2 Elaboration of a Charter on Hunting and Biological Diversity Strasbourg, 1 day</p> <p>- Working group <i>Terms of reference:</i> To finalise a draft Charter on Hunting and Biological Diversity for submission to the Standing Committee in November 2007 Travel and subsistence expenses will be covered for one expert from each of the following 11 states: BELGIUM, BULGARIA, CZECH REPUBLIC, FRANCE, GERMANY, ICELAND, LIECHTSTEIN, ROMANIA, SPAIN, SWITZERLAND, UNITED KINGDOM</p> <p>Travel and subsistence expenses of experts to participate at European conference on Sustainable Hunting (summer 2007)</p>	<p>6,000</p> <p>11,000</p> <p>3,000</p>

5. Monitoring of sites and populations at risk and Emergencies	
<p>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</p> <p>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 be only used under instruction of the Bureau and will be paid both from Council of Europe or by voluntary contributions Fixed appropriation for consultant</p>	<p>4,500</p> <p>p.m.</p>
6. Awareness and visibility	
Funds for the conception, the translation, the photocomposition and publication of technical documents, posters, brochures, stickers, postcards, making of buttons, other documents. It includes publication in Internet and conception and update of a Website.	20,000
7. Strategic Development of the Convention	
8. 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.	.
<p>8.1. Chairman'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 Chairman to attend the meetings of the Standing Committee</p> <p>8.2. Delegates of African states and of 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</p> <p>8.3. Travels of experts and Secretariat Travel and subsistence expenses incurred by experts to attend meetings of special relevance under instruction from the Committee or the Chairman and Secretariat official journeys</p> <p>8.4. Meetings of the Bureau Travel and subsistence expenses incurred by the three members of the Bureau to attend the Bureau meetings</p> <p>8.5. Full-time secretary</p>	<p>p.m</p> <p>7,500</p> <p>8,000</p> <p>12,000</p> <p>8,000</p> <p>40,000</p>
TOTAL	255,500

Bern Convention Programme of Activities and Budget for 2007 (Summary)

in Euro

1. Monitoring of the legal application of the Convention	
1.1. Report on the implementation of the Convention in two Contracting Parties	6,000
2. Conservation of natural habitats	
2.1. Group of experts for the setting up of the Emerald Network of Areas of Special Conservation Interest	16,500
2.2. Pilot projects for the setting-up of the Emerald Network at national level in some states	20,000
2.3. Consultants	10,000
3. Monitoring of species and encouraging conservation action	
3.1. Invasive Alien Species	30,000
3.2. Large Carnivores	10,000
3.3. Plant Conservation	15,000
3.4. Fish	10,000
3.5. Amphibians and reptiles	6,000
3.6. Climate change and biodiversity	12,000
Other	
Saker falcon and hybridation (working group meeting)	p.m.
Mushrooms (guidance document)	p.m.
4. Sectoral policies and biodiversity conservation	
4.1. Wind energy and biodiversity	6,000
4.2. Charter on Hunting and Biodiversity	14,000
5. Monitoring of sites and populations at risk and Emergencies	
5.1. On-the-spot visits	4,500
5.2. Sites at risk as a result of an emergency	p.m.
6. Awareness and visibility	
	20,000
7. Strategic Development of the Convention	
8. Operational expenditure of the Standing Committee's Secretariat	
8.1. Chairman's expenses	p.m.
8.2. Delegates of African states and of some delegates of Central and Eastern Europe	15,500
8.3. Travels of experts and Secretariat	12,000
8.4. Meetings of the Bureau	8,000
8.5. Full-time secretary	40,000
TOTAL	255,500

Appendix 8

**LIST OF PARTIES AND OBSERVERS
HAVING MADE VOLUNTARY CONTRIBUTIONS TO THE 2006 ACTIVITIES**

(in alphabetical order)

Andorra

Belgium

Czech Republic

European Commission

European Environment Agency

Finland

France

Italy

Luxembourg

Monaco

Slovak Republic

Switzerland