COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation

of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 169 (2013) of the Standing Committee, adopted on 6 December 2013, on the Rhone streber (*Zingel asper*) in the Doubs (France) and in the canton of Jura (Switzerland)

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

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

Pointing out that Article 1, paragraph 2, of the Convention calls on the Parties to give particular emphasis to endangered and vulnerable species;

Recalling that Article 3 of the Convention requires Parties to take 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;

Pointing out that, in pursuance of Article 3, paragraph 2, of the Convention, "Each Contracting Party undertakes, in its planning and development policies and in its measures against pollution, to have regard to the conservation of wild flora and fauna";

Recalling that Article 4 of the Convention stipulates that "Each Contracting Party shall 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";

Referring to the other provisions of the Convention relating to protection of habitats and conservation of species;

Having regard to Standing Committee's Resolution No. 6 (1998) listing the species requiring specific habitat conservation measures;

Having regard to Resolution n° 8 (2012) on the national designation of adopted Emerald sites and the implementation of management, monitoring and reporting measures;

Having regard to the Council of the European Union's Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) and to its Art.3 on the setting up of an European ecological network of special areas of conservation (Natura 2000 Network);

Recalling that the Doubs River, and *inter alia* its median part serving as a border between France and Switzerland, constitute an area of special conservation interest for Rhone streber (*Zingel asper*), a strictly protected species listed in Appendix II to the Bern Convention, and in Annex II of the Habitats Directive;

Approving of, and taking into consideration, the report drawn up by the expert after his on-the-spot appraisal [document T-PVS/Files (2013) 45];

Aware that the natural habitat of the Rhone streber (*Zingel asper*) in the Doubs River is continuously deteriorating and an increasing number of other protected species are seriously threatened;

Aware of the threats posed by the hydro power plants in the cross-border part of the Doubs and the "the Suisse loop" (*Châtelot, Refrain* and *La Goule*); also aware of the threats posed by wastewater treatment plants (WWTP), in particular in the canton of *Neuchâtel* (Switzerland) and the *Haut-Doubs* (France), presenting an important source of pollutants and needing urgent renewal measures;

Aware of the threats posed by existing watercourse barriers, in particular downstream of *Saint Ursanne* area (canton of Jura), obstructing the free passage of the Rhone streber (*Zingel asper*) and other fish species;

Aware of the threats from farm pollution which exceed the assimilation capacity of soils (*Critical load index*) affecting negatively the water quality in the Doubs river;

Taking note of the publication of the "Concept of protection of the Rhone streber" in Switzerland in 1999;

Further taking note of the results of the LIFE *Apron* programme implemented in France in 1998-2001 (LIFE *Apron* I) and 2004-2010 (Life *Apron* II);

Acknowledging the publication of the National Action Plan to protect the Rhone streber in France and the subsequent establishment of a bi-national governance structure for the joint management of the cross-border Doubs (including the bi-national group on flow rate management) in 2011;

Recalling the entry into force of the revised federal legislation on water protection in Switzerland in 2011;

Welcoming the launching of the "Integrated project" on the Franco-Suisse Doubs lead by Saône-Doubs territorial authorities (EPTB) in 2012;

Noting the publication of the strategic plan on recovery of fish migration in Switzerland in 2012;

Stressing the need to take the additional measures warranted by the conservation requirements of the species and to adopt a more detailed and comprehensive approach to the cross-border issue,

Recommends France and Switzerland to:

1. Improve and ensure implementation of necessary measures for the maintenance or restoration, at a favourable conservation status, of the natural habitat and the population of the Rhone streber (*Zingel asper*) by 2016, in the transboundary area of the Doubs in Switzerland and France as well as the Loue river in France;

2. Improve the ecological quality[1] of the Emerald site CH02 - *Clos du Doubs/Saint-Ursanne* and the Natura 2000 sites FR4301298 - « *Vallée du Dessoubre, de la Réverotte et du Doubs* and FR4301291 - *Vallée de la Loue* in relation to the apron and the other protected species for which these sites are classified, by maintaining and restoring where appropriate, features of the Doubs and Loue Rivers which are of major importance to the Rhone streber (*Zingel asper*) and other protected species;

3. Speed-up measures to phase out, by 2016, adverse effects of hydro power plants (*Châtelot, Refrain and La Goule*) on the fish habitat, according to the targets of the existing legal obligations of the Swiss Water Protection Act and the EU Water Framework Directive on minimum water flow, connectivity, bed load and surges, and in compliance with the engagements taken by the bi-national group on the flow rate management;

4. Work towards changing the management of the plants (*Châtelot, Refrain and La Goule*) to come under control of one single operator (instead of three separate ones at present);

5. Speed-up the implementation of legal provisions and existing plans related to water quality in the Doubs River, in particular as regards the programme of renewal of older wastewater treatment plants (WWTP) –especially in the canton of Neuchâtel (Switzerland) and in the Haut-Doubs (France) - and the measures against river eutrophication, in order to achieve good chemical status;

[1] Connectivity, water quality, minimum water flow, bed load, physico-chemical and morphodynamic characteristics

6. Strengthen, control of all pollutant emissions and discharges - including those resulting from farm activities - into the Doubs and Loue waters; commission additional expertise on this issue, addressing all relevant sources of pollution and suggesting how to reduce or eliminate these; increase specific controls for certain higher risk pollutants on a priority basis, with progressive reduction, phasing out, and/or cessation of emissions that represent particular threats to the Rhone streber (*Zingel asper*) and other fish species;

7. Collect and synthesise existing knowledge on the Rhône streber *(Zingel asper)* in the Doubs and the Loue; improve the exchange of information for the purposes of proper co-ordination of research carried out in France and Switzerland, using *inter alia* knowledge and the expertise acquired through the LIFE Rhone streber programme; strengthen transboundary co-operative research and field work with a view of gaining information on the genetics of the population and defining an effective cross-border strategy on conservation of the Rhone streber (*Zingel asper*) and other protected species;

8. Ensure a consistent and methodologically coherent monitoring system of both the Rhône streber (*Zingel asper*) and all relevant environmental parameters that may affect its population;

9. Strengthen transboundary co-operation in coordinating activities directed towards preserving the Rhône streber (*Zingel asper*) and improvement of its habitat;

10. Report on progress on the implementation of these recommendations at every meeting of the standing committee until the apron is in favourable conservation status

Further recommends Switzerland to:

1. As a priority, re-establish connectivity among critical habitats for Rhône streber (*Zingel asper*), in particular in the Saint-Ursanne area, inter alia by the speedy removal of obstacles or, if this is not legally or technically possible, the speedy establishment of effective means mitigating the impacts of the blockage of migration corridors upward and downward movements; seek solutions for restoring natural river dynamics, especially in areas concerned by private micro-production of electricity;

2. Draw-up and implement a comprehensive national action plan or other relevant measure, as appropriate, addressing all issues and involving all the recommended activities for preventing the Rhône streber (*Zingel asper*) from becoming extinct and providing for its recovery; such a plan should provide clear priorities for action and a calendar for implementation and a coordination structure; it should take into account the results of assessment of the Emerald site the CH02 - *Clos du Doubs/Saint-Ursanne* as foreseen in the calendar for the implementation of the Emerald Network of Areas of Special Conservation Interest (2011-2020) [document T-PVS/PA(2010)8]; and present it if possible, by the next Standing Committee.

3. Consult the community representatives and associations when designing and implementing the plan or other relevant measures;

4. Promote education and general information on the need to protect the Rhone streber (*Zingel asper*) and other protected species and to conserve their habitats.