



Declassified¹

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Committee on Social Affairs, Health and Sustainable Development

Network of Contact Parliamentarians for a healthy environment

Minutes of public hearings

Held in Strasbourg on 12 October 2022

(Concerns points 4 and 5 of the agenda)

1. Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)

Mr Gianluca Silvestrini, acting head of the Culture, Nature, and Heritage Department in DGII, explained the functioning of the Council of Europe's three flagship instruments in the sphere of environmental protection. They all shared the distinguishing characteristic of taking a human rights-based approach. A *PowerPoint* presentation is available (in English only) on the extranet.

The Bern Convention was a binding legal instrument, signed by 50 members and the European Union, ensuring the preservation of fauna, flora, and their natural habitat, notably through the Emerald network sites (Natura 2000 in the European Union); it had also awarded diplomas since 1965. This instrument was complemented by the Landscape Convention which placed emphasis on a holistic approach. The departments running these two conventions worked with governments and civil society players. They also operated as a clearing house for complaints from citizens, which were a means of influencing public policies.

The contracting parties had public obligations to engage in coordinated conservation, education, and research efforts. They introduced standards, monitored their application, and organised information campaigns. It was noteworthy that the Covid-19 pandemic had had the effect of bolstering support for the preservation of biodiversity. The Council of Europe's environmental protection instruments had gained political recognition. However, the Council's departments were lacking in human resources: there had been 25 staff members 20 years ago and now there were only five. Precious resources had also been lost with the departure of the Russian Federation, which had been one of the main contributors of funding. Unfortunately, there was strong competition between environmental protection instruments, and the parties tended to concentrate their investment in the EU, to the detriment of a regional policy covering the entire European continent.

2. European and Mediterranean Major Hazards Agreement (EUR OPA)

Mr Krzysztof Zyman, Secretary of the Open Partial Agreement, explained that the Agreement had seen the light of day in the wake of the Chernobyl disaster. The current signatories comprised 21 Council of Europe member States and two third countries (Lebanon and Morocco). It was geared to co-operation aimed at improved forecasting of disasters and better preparation of their management, with the human rights-based approach specific to the Council of Europe. The partial agreement had a network of specialised centres which managed projects geared to building awareness and resilience.

In addition to the expulsion of the Russian Federation, the Agreement was suffering as a result of the withdrawal of certain member States, which were already members of the European Union. Belgium had announced that it would leave the agreement in January 2023. In 2022 alone, the partial agreement had lost 52% of its budget.

The Agreement organised ministerial meetings only once every five years. The network of experts met once or twice a year. Having played a pioneering role, the Agreement was now in competition with the United Nations and the European Union, and yet its human rights-based approach and regional dimension were highly desirable, ensuring that no one was forgotten. During the Covid-19 pandemic, the parties had adopted a recommendation seeking to ensure that migrants were included in emergency procedures.

¹ The minutes were declassified by the Network of Contact Parliamentarians for a healthy environment at its meeting on 25 January 2023.

Ms Tanguy thanked the experts and expressed her concern over the decline of biodiversity. She mentioned a proposal for a protocol to the Convention in order to secure the funding supported by France.

Mr Silvestrini confirmed that that protocol, backed by the Irish presidency, was being negotiated. It would be discussed in 2023 within the Committee of Ministers.

Mr Moutquin noted the “ecocentric” nature of the Bern Convention. In some other parts of the world, rivers and mountains were given legal personality. He wondered what the Council of Europe would be contributing to the UN conference on biodiversity, to be held from 7 to 19 December 2023 in Montreal (Canada). The Belgian Minister for the Environment was apparently unaware of Belgium's withdrawal from EUR-OPA.

Mr Silvestrini confirmed that there was cooperation with the United Nations. The Council's departments were open to the possible transformation of instruments, including through framework conventions. However, there were doubts as to how committed the governments were to be working on these topics. All too often, the teams in the capital cities were too small and lacking in capacity.

Mr Zyman was willing to work with Mr Moutquin on his report for the PACE and suggested holding a meeting with the chair of the Agreement. He stressed the partial agreement's vulnerability and also favoured the option of a framework convention with a monitoring body that would provide a more secure framework for EUR-OPA activities. He also had concerns looking ahead to the Council of Europe summit. The EU had taken over numerous tasks of the Council of Europe. That said, the departments in Strasbourg had retained their sound expertise, a desirable regional dimension and above all a human rights-based approach.

In reply to **Ms Ovchynnykova**, who explained that her country found it difficult to apply the Emerald framework and that there were groups which blocked it, depriving the poorest of access to nature, **Mr Silvestrini** replied that friction of this kind existed everywhere, and a working group was focusing on multiple stakeholder management.

ATTENDANCE LIST / LISTE DE PRESENCE

(The names of members who took part in the meeting are marked in bold / *Les noms des membres ayant pris part à la réunion sont en caractères gras*)

MEMBER STATES / ÉTATS MEMBRES

Albania / *Albanie*

Andorra / *Andorre*

Armenia/ *Arménie*

Mr Armen GEVORGYAN EC/DA

Austria / *Autriche*

Mr Stefan SCHENNACH SOC
Mr Michel REIMON SOC

Azerbaijan / *Azerbaïdjan*

Ms Sevinj FATALIYEVA EC/DA

Belgium / *Belgique*

Mr Rik DAEMS ALDE

Bosnia and Herzegovina

Ms Marina PENDEŠ EPP/CD
Mr Saša MAGAZINOVIĆ SOC

Bulgaria / *Bulgarie*

Croatia / *Croatie*

Ms Zdravka BUŠIĆ EPP/CD

Cyprus / *Chypre*

Czech Republic / *République tchèque*

Denmark / *Danemark*

Estonia / *Estonie*

Mr Urmas REITELMANN EC/DA

Finland / *Finlande*

Ms Minna REIJONEN EC/DA

France	Ms Liliana TANGUY	ALDE
Georgia / <i>Géorgie</i>		
Germany / <i>Allemagne</i>	Ms Franziska KERSTEN	SOC
Greece / <i>Grèce</i>	Mr George PAPANDREOU	SOC
Hungary / <i>Hongrie</i>		
Iceland / <i>Islande</i>	Mr Bjarni JÓNSSON	UEL
Ireland / <i>Irlande</i>	Mr Thomas PRINGLE Ms Róisín GARVEY	UEL SOC
Italy / <i>Italie</i>	Ms Maria RIZZOTTI	EPP/CD
Latvia / <i>Lettonie</i>		
Liechtenstein	Mr Peter FRICK	ALDE
Lithuania / <i>Lituanie</i>		
Luxembourg	M. Paul GALLES	EPP/CD
Malta / <i>Malte</i>		
Republic of Moldova / <i>République de Moldova</i>		
Monaco	Mr José BADIA	EPP/CD
Montenegro / <i>Monténégro</i>	Mr Miloš KONATAR	SOC
Netherlands / <i>Pays-Bas</i>	Ms Margreet DE BOER Ms Agnes MULDER	SOC EPP/CD
North Macedonia / <i>Macédoine du Nord</i>		
Norway / <i>Norvège</i>	Ms Linda HOFSTAD HELLELAND	EPP/CD
Poland / <i>Pologne</i> EC/DA	Ms Marta KUBIAK Ms Danuta JAZLOWIECKA	 EPP/CD
Portugal	Mr Pedro CEGONHO	SOC
Romania / <i>Roumanie</i>	Ms Maria Gabriela HORGA Mr Viorel Riceard BADEA	EPP/CD EPP/CD
San Marino / <i>Saint-Marin</i>		
Serbia / <i>Serbie</i>		
Slovak Republic / <i>République slovaque</i>		
Slovenia / <i>Slovénie</i>		
Spain / <i>Espagne</i>	Ms Carmen Leyte	EPP/CD
Sweden / <i>Suède</i>		
Switzerland / <i>Suisse</i>	Mr Jean-Pierre GRIN Mr Olivier FRANÇAIS	ALDE ALDE

Türkiye	Ms Emine Nur GÜNAY	NR
Ukraine	Ms Yuliia OVCHYNNYKOVA	ALDE
United Kingdom / <i>Royaume-Uni</i>	Baroness Doreen E. MASSEY	SOC

OBSERVERS / OBSERVATEURS

Canada		
Israel / <i>Israël</i>	Mr Yorai Lahav HERTZANU	
Mexico / <i>Mexique</i>		

PARTNERS FOR DEMOCRACY / PARTENAIRES POUR LA DÉMOCRATIE

Jordan / <i>Jordanie</i>		
Kyrgyzstan / <i>Kirghizstan</i>		
Morocco / <i>Maroc</i>	Mr Allal AMRAOUI	
Palestine		

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EX-OFFICIO MEMBER / MEMBRE D'OFFICE**

Mr Tiny KOX	UEL
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EPP/ CD	Mr Aleksander POCIEJ	
EC/DA	Mr Ian LIDDELL-GRAINGER	
ALDE	Mr Iulian BULAI	
UEL	Mr George KATROUGALOS	

PACE COMMITTEES CONCERNED / COMMISSIONS DE L'APCE CONCERNÉES

Political Affairs / <i>Questions politiques</i>	M. Simon MOUTQUIN	SOC
Legal Affairs / <i>Questions juridiques</i>	Mr Ziya ALTUNYALDIZ	NR
Migration / <i>Migrations</i>	M. Pierre-Alain FRIDEZ	SOC
Equality / <i>Égalité</i>	Ms Edite ESTRELA	SOC
Culture	Ms Inka HOPUSU	SOC

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Ms Olena KHOMENKO, Second Vice-Chairperson / <i>deuxième vice-présidente</i>	EC/DA
Ms Sibel ARSLAN , Third Vice-Chairperson / <i>troisième vice-présidente</i>	SOC

**CONGRESS OF LOCAL AND REGIONAL AUTHORITIES /
CONGRES DES POUVOIRS LOCAUX ET REGIONAUX**

Mr Cemal BAS, Spokesperson on Environment and Climate Change/ *Porte-Parole sur l'environnement et le changement climatique*

OTHER PARLIAMENTARIANS PRESENT / AUTRES PARLEMENTAIRES PRESENTS

Ms / Mme Anne Stambach-Terrenoir France

COUNCIL OF EUROPE STAFF / SECRETARIAT DU CONSEIL DE L'EUROPE

Mr / M. Gianluca Silvestrini, Head a.i. of the Department for Culture, Nature and Heritage / *Chef a.i. du Département de la Culture, de la Nature et du Patrimoine*

Mr / M. Krzysztof Zyman, Executive Secretary of the EUR-OPA Major Hazards Partial Agreement / *Secrétaire exécutif de l'Accord partiel sur les risques majeurs (EUR-OPA)*

Mr / M. Eoghan Kelly, Secretariat of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) / *Secrétariat de la Convention relative à la conservation de la vie sauvage et du milieu naturel de l'Europe (Convention de Berne)*

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Commission des questions sociales, de la santé et du développement durable**

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Mr / M. Guillaume Parent Co-Secretary/ *Co-Secrétaire*

Ms / Mme Bozhena Boriak Assistant / *Assistante*