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T-PVS(2020)06

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

40th meeting (*virtual*)
Strasbourg, 30 November- 4 December 2020

Opening of the meeting: 2.00 p.m. on Monday, 30 November 2020

DRAFT
ANNOTATED AGENDA

*Document prepared by
the Directorate of Democratic Participation*

PART I – OPENING

NB *Delegations are kindly reminded that only written statements will be included in the report of the meeting.*

1. OPENING OF THE MEETING AND ADOPTION OF THE AGENDA

Relevant documents: T-PVS/Agenda(2020)06 – Draft agenda
T-PVS(2020)06 – Draft annotated agenda

The 40th meeting of the Standing Committee to the Bern Convention will be opened by the Chair, Ms Jana Durkošová, at the Council of Europe (Strasbourg), at 2:00 pm on Monday 30th November 2020. She will present the agenda of the meeting and request its adoption.

The draft agenda was drawn up by the Secretariat after consultation with the Bureau of the Standing Committee.

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

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

Relevant documents: T-PVS(2020)01, 03 and 05 – Reports of the Bureau meetings in April, June and September 2020
T-PVS(2019)Misc – List of decisions and adopted texts of the 39th Standing Committee

The Chair will report on the various achievements and issues at stake for the Bern Convention since the last meeting of the Committee, the implementation of the Programme of Work 2020-2021 and the work of the Bureau of the Standing Committee in 2020.

Contracting Parties can report in writing on the implementation of the Bern Convention in their States.

DECISION: No decisions are expected from the Standing Committee under this item.

3. FINANCING AND DEVELOPMENT OF THE BERN CONVENTION

3.1 Financing of the Bern Convention

Relevant documents: T-PVS/Inf(2020)3 – Proposals on financing the implementation of the work programme of the Bern Convention
T-PVS/Inf(2020)4 – Explanatory notes to the proposals of setting up a sustainable funding mechanism for the Bern Convention
Resolution No. 9 (2019) on the financing of the Bern Convention
T-PVS/Inf(2020)10 – Voluntary Contributions received in 2020

The Chair will take stock of the voluntary contributions received in 2020.

Following the decision of the Bureau taken at its second annual meeting on 15-16 September 2020, the Chair will invite the Contracting Parties to consider the scale of voluntary contributions as set by Resolution No. 9 (2019) for 2021.

Further, the Chair will invite the Contracting Parties to resume consideration of the options for setting up a sustainable funding mechanism for the Bern Convention. The Chair will, with the support of the Chair of the Working Group on Financing, Mr Øystein Størkersen, and the Secretariat, present for discussion and decision the options to amend the Bern Convention and/or establish an Enlarged Partial Agreement as outlined in document T-PVS/Inf(2020)3. It is recalled that preliminary proposals for these options have been discussed and welcomed by the Contracting Parties at the 39th Standing Committee. Depending on the outcome of the discussion, the Contracting Parties may decide to submit either or both options for approval to the Committee of Ministers of the Council of Europe.

Mr Matjaž Gruden, Director of Democratic Participation, Directorate General of Democracy at the Council of Europe and the Directorate of Legal Advice and Public International Law of the Council of Europe will be present at the meeting.

DECISION: The Contracting Parties are invited to:

- Agree on the scale of voluntary contributions for 2021 as set in Resolution No. 9 (2019);
- Examine and, if appropriate, choose one or both of the options as outlined in document T-PVS/Inf(2020)3 and mandate the Secretariat to submit the decisions taken by the Contracting Parties to the Committee of Ministers for approval.
- Should the Contracting Parties decide to go ahead with the proposed amendment to the Bern Convention, the Contracting Parties are invited to examine and, if appropriate, adopt by a three-quarters majority of the votes cast the proposed amendment to the Bern Convention as outlined in document T-PVS/Inf(2020)3 for submission to the Committee of Ministers of the Council of Europe for approval;
- Extend the mandate of the Intersessional-Working Group on Finances to advise the Secretariat in the approval process of the financial mechanism chosen by the Standing Committee.

3.2 Vision for the Bern Convention for the post-2020 decade and contribution to the post-2020 global biodiversity framework

Relevant documents: T-PVS/Inf (2020)08 - Draft Terms of Reference of a Working Group on a Vision for the Bern Convention 2021-2030

At its 39th meeting, the Standing Committee decided that the development and adoption of a Resolution on a vision for the Bern Convention for the period 2021-2030 would be timelier and more appropriate after the adoption of the post-2020 global biodiversity framework anticipated for the 15th meeting of the Conference of the Parties (COP 15) to the Convention on Biological Diversity (CBD).

In light of the COVID-19 pandemic, the CBD COP 15, which was originally scheduled to take place in October 2020, was postponed to May 2021.

At its second annual meeting in September 2020, in order not to lose more time due to the postponement of the CBD COP 15, the Bureau of the Standing Committee instructed the Secretariat to formulate Terms of Reference for a Working Group to elaborate a Vision during 2021 and present the Terms of Reference for discussion at the 40th Standing Committee.

The Chair will invite the Standing Committee to consider the draft Terms of Reference for a Working Group to elaborate a vision and Bern Convention Strategic Plan for the period 2021-2030 and contribution to the post-2020 global biodiversity framework.

DECISION: The Standing Committee is invited to:

- Discuss and, if appropriate, agree on the Terms of Reference for the Working Group to elaborate a vision and Bern Convention Strategic Plan for the period 2021-2030.
- Mandate the Secretariat to set up a Working Group for the development of a vision and Bern Convention Strategic Plan for the period 2021-2030.

PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

NB *Delegations are kindly reminded that only written statements will be included in the report of the meeting.*

4. MONITORING OF THE IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION

4.1 Biennial reports 2015-2016 and 2017-2018 concerning exceptions made to Articles 4, 5, 6, 7 or 8 and quadrennial reports 2013 - 2016

4.1.1 State of play of submissions of biennial reports

Relevant documents: T-PVS/Inf (2020)07 – Summary table of reporting under the Bern Convention

Article 9.2 of the Bern Convention requests Parties to report on the exceptions made to Articles 4, 5, 6, 7 and 8. In addition, Parties may present general reports on the implementation of the Bern Convention. These reports will not be discussed unless Parties require so at the adoption of the Agenda.

DECISION: The Standing Committee is invited to take note of the reports.

CONTRACTING PARTIES NOT HAVING SENT THEIR BIENNIAL REPORTS ARE KINDLY REQUESTED TO SEND THEM AS SOON AS POSSIBLE THROUGH THE ORS SYSTEM OR HABIDES+ TOOL FOR EU MEMBER STATES.

4.1.2 *Biennial reports by Contracting Parties which are EU Member States: rules and instructions*

Relevant document: Joint Note from the Secretariat of the Bern Convention and DG Environment on further instructions on reporting under Article 9 of the Bern Convention by EU MS

The Secretariat will recall the reporting procedure on exceptions granted under Article 9 of the Bern Convention for EU Member States, using the EU Habides + tool for reporting.

DECISION: The Standing Committee is invited to take note of the further instructions on the reporting procedure for biennial reports for EU Member State Parties to the Bern Convention.

PART III – MONITORING OF SPECIES AND HABITATS

NB *Delegations are kindly reminded that only written statements will be included in the report of the meeting.*

5. MONITORING OF SPECIES AND HABITATS

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

5.1 Invasive Alien Species (IAS)

The Secretariat will recall that three studies (Guidance on communication and IAS, Guidance on e-commerce and IAS, Study on Alien Pathogens and Pathogens spread by IAS) were expected to be finalised in light of comments received from Contracting Parties and the Group of Experts on IAS and will inform the Committee of the decision taken by the Bureau to postpone the discussion and possible adoption of the three documents due to delays resulting from the COVID-19 outbreak.

DECISION: No decisions are expected from the Standing Committee under this item.

5.2 Conservation of birds: eradication of illegal killing, trapping and trade of wild birds

Relevant document: T-PVS(2020)09 - Preliminary assessment report of the 2nd Scoreboard reporting

The Secretariat will inform the Standing Committee on the state of play concerning the joint meeting of the Bern Convention's Network of Special Focal Points on IKB and CMS Task Force, as well as the Rome Strategic Plan and 2nd Scoreboard reporting.

The consultant Mr Umberto Gallo-Orsi will present the preliminary findings of the 2nd national Scoreboard reporting for measuring progress in combating illegal killing, taking and trade of wild birds.

DECISION: The Standing Committee is invited to:

- Acknowledge the countries which have participated in the 2nd national Scoreboard reporting;
- Take note of the preliminary findings of the 2nd IKB Scoreboard reporting.

5.3 Eradication of the Ruddy Duck

Relevant document: T-PVS (2020)02 - Report of the Expert Meeting on the Implementation of the Action Plan for the Eradication of the Ruddy Duck in Europe
T-PVS/Inf(2020)11 - Eradication of the Ruddy Duck (*Oxyura jamaicensis*) in the Western Palaearctic: a review of progress 2016 – 2020 and a revised Action plan, 2021-2025

T-PVS(2020)08 - Draft Recommendation No. ... (2020) on the eradication of the Ruddy Duck

The Secretariat will inform the Standing Committee of the expert meeting on the implementation of the Action Plan 2016-2020 for the eradication of the Ruddy Duck in Europe, held in London on 25 February 2020. The expert Peter Cranswick, Wildfowl & Wetlands Trust, will report on the outcomes of the progress review of the implementation of the Action Plan for the eradication of the Ruddy Duck in Europe 2016-2020 and present an Action Plan for the Eradication of the Ruddy Duck in the Western Palaearctic 2021-2025.

DECISION: The Standing Committee is invited to:

- Take note of the report of the expert meeting on the implementation of the Action Plan for the eradication of the Ruddy Duck in Europe 2016-2020;
- Take note of the outcomes of the progress review of the implementation of the Action Plan for the eradication of the Ruddy Duck in Europe 2016-2020 and of the revised Action Plan for the period 2021–2025;
- Examine and, if appropriate, adopt the Draft Recommendation No.... (2020) on the eradication of the Ruddy Duck in the Western Palaearctic by 2025.

5.4 Review of the Plant Conservation Strategy

Relevant document: A Review of European progress towards the Global Strategy for Plant Conservation 2011-2020 (draft)

The Secretariat will inform the Standing Committee of the review of the European Plant Conservation Strategy drafted by Planta Europa and Plantlife. Mr Philippe Bardin, President of Planta Europa, will present the state of play and the findings of the review of the Strategy.

DECISION: The Standing Committee is invited to take note of the progress of the review of the European Plant Conservation Strategy.

5.5 Pan-European Action Plan for Sturgeons

Relevant document: Recommendation No. 199 (2018) on the pan-European Action Plan for the Conservation of the Sturgeon
T-PVS/Inf(2020)06 - list of nominated National Focal Points for the Pan-European Action Plan for Sturgeons

Following the decision of the 39th Standing Committee regarding the follow-up of Recommendation No. 199 (2018) on the pan-European Action Plan for the Conservation of the Sturgeon, the Chair will call on the Contracting Parties to implement the measures included in the pan-European Action Plan for Sturgeons and urge Parties which have not yet appointed a national focal point for the implementation of the Action Plan to submit nominations to the Secretariat.

The Secretariat will inform the Committee of preparations for a possible joint project with the European Commission DG Environment on the conservation of the sturgeon framed in the context of the implementation of the pan-European Action Plan.

DECISION: The Standing Committee is invited to:

- Take note of the information provided;
- Call on the Contracting Parties to fully implement the measures included in the pan-European Action Plan for Sturgeons;
- Urge range countries to appoint a national Focal Point on the Pan-European Action Plan for Sturgeons.

5.6 Action Plan for the Conservation of Marine Turtles

The Chair will inform the Standing Committee of the Bureau's decision that the Bern Convention should develop an Action Plan or guidelines for the conservation of marine turtles, in partnership with other international or national non-governmental organisations and Contracting Parties.

Parties interested in providing financial support for the initiation of an Action Plan for the conservation of marine turtles are invited to inform the Standing Committee.

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

5.7 Conservation of habitats:

5.7.1 Emerald Network of Areas of Special Conservation Interest

Relevant documents: T-PVS/PA(2020)08 - Report of the 11th meeting of the Group of Experts on Protected Areas and Ecological Networks
T-PVS/PA(2020)07 - Obligations of Bern Convention Parties regarding the conservation of candidate and adopted Emerald Network sites: a legal analysis
T-PVS/PA(2020)02 - Proposal of a monitoring framework to monitor the implementation of the Emerald Network
T-PVS/PA(2020)04rev - Evaluation of the 2011-2020 Emerald Network workplan and proposal of a post-2020 strategic workplan
T-PVS/PA(2020)09 – Draft list of candidate Emerald Sites
T-PVS/PA(2020)10 – Draft list of adopted Emerald Sites

The Chair of the Group of Experts on Protected Areas and Ecological Networks, Mr Tore Opdahl, will present the results of the 11th meeting of the Group, held virtually on 7-8 October 2020.

DECISION: The Standing Committee is invited to take note of the report of the meeting of the Group of Experts on Protected Areas and Ecological Networks.

a) Legal framework of the Emerald Network

The consultant Mr Arie Trouwborst will present the legal study on the obligations of Contracting Parties regarding the conservation of candidate and adopted Emerald Network sites.

DECISION: The Standing Committee is invited to welcome the comparative legal study on the obligations of Contracting Parties towards the Emerald Network and invite the Secretariat to elaborate proposals to complement the legal framework of the Emerald Network along the recommendations of the study.

b) Monitoring framework for the Emerald Network

The consultant Mr Otars Opermanis will present the proposed monitoring framework of the Emerald Network.

DECISION: The Standing Committee is invited to examine and, if appropriate, adopt the monitoring framework of the Emerald Network and invite the Secretariat to further elaborate on the format and the hosting of the online barometer.

c) Emerald Network tools

The consultant Mr Marc Roekaerts will update the Standing Committee on the state of development of the Emerald Network tools.

DECISION: The Standing Committee is invited to welcome the development of the Emerald Network WebApp and Viewer and thank the European Environment Agency for its technical and financial support to these developments.

d) Evaluation of the implementation of the revised calendar for the Emerald Network (2011 – 2020)

The consultant Mr Otars Opermanis will present the findings of the evaluation of implementation of the Emerald Network calendar (2011 – 2020).

DECISION: The Standing Committee is invited to take note of the evaluation of the implementation of the Revised Calendar for the implementation of the Emerald Network of Areas of Special Conservation Interest (2011-2020).

e) Post-2020 Strategic workplan for the Emerald Network

The consultant Mr Otars Opermanis will present the post-2020 strategic workplan for the Emerald Network.

DECISION: The Standing Committee is invited to welcome the principles of the proposed post-2020 strategic workplan for the Emerald Network and mandate the Secretariat to further develop it in light of CBD's global targets and the EU interpretive guidance related to the targets set in the EU Biodiversity Strategy for 2030.

f) Development of the Emerald Network in Belarus

The Secretariat will inform on the state of play of the project developed under the Belarus Action Plan.

DECISION: The Standing Committee is invited to welcome the development of the Emerald Network in Belarus thanks to the Council of Europe country specific Action Plan and look forward to the updated and complemented national Emerald Network database.

g) Draft updated list of adopted Emerald sites and draft updated list of candidate Emerald sites

The Secretariat will present the draft updated lists of officially nominated candidate and adopted Emerald Network sites.

DECISION: The Standing Committee is invited to:

- Examine and, if appropriate, adopt the draft updated list of officially nominated candidate Emerald Network sites;
- Examine and, if appropriate, adopt the draft updated list of officially adopted Emerald Network sites.

5.7.2 European Diploma for Protected Areas

Relevant documents: T-PVS/DE(2020)18 – Report of the meeting of the Group of Specialists on the EDPA
T-PVS/DE(2020)21 - EDPA: List of renewal resolutions adopted by the Committee of Ministers in 2020
T-PVS/DE(2020)19 - List of areas to be visited in 2020
T-PVS/DE(2020)20- Renewal of the European Diploma in 2022: List of areas which could be visited in 2021

The Chair of the Group of Specialists, Mr Jan Plesnik, will present the outcomes of the annual meeting of the group which took place virtually on 18-19 March 2020. The Secretariat will further inform on the on-the-spot appraisals which were foreseen for 2020 and on issues related to the European Diploma holding areas requiring specific attention.

DECISION: The Standing Committee is invited to:

- Take note of the report of the meeting of the Group of Specialists;

- Welcome the recommendations of the Group of Specialists to award the European Diploma to the Regional Park Gallipoli Cognato and renew the European Diploma to 14 areas and the subsequent formal adoption of the award and renewal Resolutions by the Committee of Ministers;
- Take note of the on-the-spot appraisal visits which were not carried out in 2020 and of the lists of areas which are pending on-the-spot appraisal visits in 2021.

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

Relevant documents: T-PVS/PA(2020)03 - Reporting under Resolution No. 8 (2012) - period 2013-2018 - Final report

The Secretariat will present the progress in the reporting under Resolution No. 8 (2012) on the conservation status of species and habitats.

The consultants Mr Otars Opermanis and Mr Marc Roekaerts will present the assessment of the outcomes of the reporting under Resolution No. 8 (2012).

DECISION: The Standing Committee is invited to welcome the assessment of the reporting under Resolution No. 8 (2012) and encourage Contracting Parties to reply to a questionnaire on their own experience of the reporting which will be circulated in 2021.

PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

NB *Delegations and observers are kindly reminded that only written statements will be included in the report of the meeting.*

6. SPECIFIC SITES AND POPULATIONS

Relevant documents: T-PVS/Notes(2020)07 – Summary of open and possible case files
T-PVS/Notes(2020)08 – Summary of complaints on stand-by
T-PVS/Inf(2020)02 – Register of Bern Convention's case-files

6.1 Files opened

- 1995/6 - Cyprus: Akamas peninsula

Relevant documents : T-PVS/Files(2020)60 – Government Report
T-PVS/Files(2020)52 – Complainant Report

This case concerns the plans for tourist developments in the Peninsula of Akamas (Cyprus) with detrimental effect on an ecologically valuable area with many rare plant and animal species protected under the Bern Convention. It was first discussed at the 16th meeting of the Standing Committee in 1996.

Two on-the-spot appraisals (OSA) were carried out in 1997 and 2002 and the latest Recommendation adopted at the 36th meeting of the Standing Committee – Recommendation No. 191 (2016) on the conservation of the Akamas peninsula and the sea turtle nesting beaches of Chrysochou Bay (Cyprus).

The Bureau, at its second annual meeting on 15-16 September 2020, took note of the concerns of the complainant that the government has achieved little progress on the 13 points of Recommendation No. 191 (2016), and that, despite the restrictions imposed as a result of the Covid-19 pandemic, illegal activities have continued on and in the vicinity of the nesting beaches. The Bureau welcomed the awareness-raising activities of the authorities and proposed designation of a new marine protected area but stressed the need to finalise the designation soon so that the site would be well restricted from illegal activities. The recruitment of park rangers as soon as possible was also a positive sign. The Bureau expressed concern at the slow progress of the authorities in relation to several points of the Recommendation and urged them to step up efforts, in particular as regards addressing the illegal activities mentioned by the complainant such as off-road quad bikes, tourist pressure on beaches and illegal businesses continuing to operate. It further encouraged continuing good efforts at awareness-raising of the public, and to improve collaboration with the local NGOs. Both parties were invited

to make a brief presentation at the 40th Standing Committee meeting, focusing on any recent updates. The authorities should also give further information on the EU LIFE project. The Bureau also instructed the Secretariat to request information from the European Commission regarding the status of the LIFE project.

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

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

Relevant documents: T-PVS/Files(2020)6 - Government Report
T-PVS/Files(2020)67 - Complainant Report

This case was first submitted to question the building of wind farms in Balchik and Kaliakra, on the Black Sea coast; it has then extended to the exponential rise in wind farms' developments in Bulgaria.

At its 37th meeting, the Standing Committee decided to keep the file open and, on the proposal by the complainant NGO and with the agreement of the authorities, instructed the Secretariat to organise an OSA to the area during the wintering time of the geese, pending the availability of the necessary financial resources. The mandate of the OSA will be to provide support to the authorities in implementing Recommendation No. 130 (2007), to be further fine-tuned and agreed upon with the authorities and the NGO.

At its 38th meeting, the Standing Committee adopted Recommendation No. 200 (2018) on the windfarms planned near Balchik and Kaliakra, and other wind farm developments on the Via Pontica route (Bulgaria), developed following an OSA to the area in May 2018.

At its 39th meeting, the Standing Committee took note of and welcomed the progress report presented by the Bulgarian Government on the implementation of Recommendation No. 200 (2018), in particular in relation to the development of scientifically appropriate methods for the comprehensive independent assessment of the impact of operational windfarms in the Kaliakra area. It further noted the concerns shared by the Bulgarian Society for the Protection of Birds as regards to the lack of involvement of civil society by the Government, in the process of development of the above-mentioned assessment method. The Committee further noted that the European Commission is monitoring the implementation of the judgement of the Court of Justice of the European Union of 14 January 2016 on case C-141/14 (Kaliakra). The Committee requested the Bulgarian authorities to ensure a professional communication and collaboration with the NGO community, and to keep the Bureau informed on the progress in the implementation of Recommendation No. 200 (2018).

The Bureau, at its second annual meeting on 15-16 September 2020, thanked the Bulgarian authorities for the updated report which provides the 2nd part of the Study on “the Methodology for a monitoring of the Impacts of Wind Energy Development on Birds in the Region of Kaliakra, Bulgaria”. It also noted that the final study (Activity 3) was expected to be completed on time for the Standing Committee, despite delays due to Covid-19. It looked forward to receiving the final Study and also again requested that the authorities prepare a list of main obstacles of and possible solutions to the conditions of Recommendation 200 (2018) as well as provide an update on collaboration with the civil society. The Bureau invited the authorities to make a short presentation at the Standing Committee, and also urged the complainant to send an updated report for the same meeting, as it had been more than 18 months since the last update was received. Concerning the European Commission proceedings, the Bureau took note that Bulgaria had provided an update to the European Commission on the implementation of appropriate measures previously elaborated to comply with the judgement of the Court of Justice of the EU from 14 January 2016 in Case C 141/14, concerning in particular the enforcement of the designation orders for SACs and SPAs in the area and their prohibition regimes, the restauration of priority habitat 62CO* as well as the conservation of the red-breasted goose. The Bureau also instructed the Secretariat to request the European Commission to report to the Standing Committee regarding the European Court of Justice proceedings on the same case.

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

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

Relevant documents: T-PVS/Files(2020)XX – Government Report
T-PVS/Files(2020)56 – Complainant Report
T-PVS/Files(2020)62 – NGO Report (ARCHELON)

This complaint was lodged in August 2010 to denounce uncontrolled development on a NATURA 2000 site (THINES KYPARISSIAS - GR2550005), with potential impacts on *Caretta caretta*. The complaint was discussed as an open case-file at the 33rd Standing Committee meeting, following the persistent lack of concrete information on the conservation and management of the area, as well as the enforcement of relevant legislation.

An OSA carried out in July 2014 led the Standing Committee to adopt Recommendation No. 174 (2014) on the conservation of the loggerhead sea turtle (*Caretta caretta*) and of sand dunes and other coastal habitats in Southern Kyparissia bay (NATURA 2000 – GR 2550005 “Thines Kyparissias”, Peloponnesos, Greece). In addition, in 2016, the Court of Justice of the European Union declared its judgement in the case C-504/14.

The Bureau, at its second annual meeting on 15-16 September 2020, noted the lack of a report from the authorities. Further, it noted the concerns of the complainant that the measures under Recommendation No. 174 (2014) are not being fulfilled and especially the urgent need for a Management Plan and enforced Presidential Decree, as well as imposition of fines against illegal activities. It was also concerning that the NGOs were being blocked from assisting on the ground, while concurrently, there was insufficient staff to monitor and protect the area. The Bureau once again urged the Greek authorities to cooperate with the civil society in activities and elaboration of plans, provide concrete evidence of a thorough implementation of the Presidential Decree, of the development of a Management Plan and of all operational paragraphs of Recommendation No. 174 (2014). It urged that more rangers be deployed, and finally asked for a concrete update on the EU LIFE project. It further urged the Greek authorities to provide a report and present on the current situation at the 40th Standing Committee. The complainant was also invited to make a short presentation.

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

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

Relevant documents: T-PVS/Files(2020)17 Government Report
T-PVS/Files(2020)55 Complainant Report

This case concerns the severe threats posed to marine turtles by the lack of adequate management of Fethiye and Patara nesting beaches. The file was opened after the presentation by the NGO MEDASSET of a detailed report alerting the Standing Committee on the lack of adequate management of Fethiye and Patara SPAs. After an OSA in 2015, the Standing Committee adopted two Recommendations No. 182 (2015) and No. 183 (2015) identifying a set of recommended actions to be implemented by the national authorities.

At its meeting on 15-16 September 2020, the Bureau noted the information of the authorities on improved turtle nest numbers, as well as certain monitoring and conservation practices. However, it took note of the information provided by the complainant pointing to the construction of new hotels and a shipyard, drydock or marina near or on Fethiye nesting beaches, as well as to the construction of additional houses in Patara SPA. The Bureau acknowledged the proactive attitude of the authorities but was concerned with the lack of inter-ministerial and cross-sector cohesion. It also stressed that any development of houses, hotels, etc. must be subject to a comprehensive and transparent Environmental Impact Assessment (EIA) and requested that the management plan in preparation encompasses these outcomes of the assessment. The authorities were asked to provide information on the new hotel development and status of the shipyard construction project near or on Fethiye nesting beaches, as well as information on additional houses built outside the summer house construction project and the ongoing redetermination of the SPA's zoning in Patara, especially regarding an EIA in all cases. Further, they were encouraged to continue awareness-raising activities, and to impose penalties on illegal activities.

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

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

Relevant documents: T-PVS/Files(2020)18 - Draft Terms of Reference
T-PVS/Files(2020)69 - Government Report
T-PVS/Files(2020)64 - Complainant Report

A complaint, submitted in March 2013, denounced the possible breach of the Bern Convention by North Macedonia with regards to the development of two big hydro-power projects (HPP) within the territory of the Mavrovo National Park. Noting that the area is a key biodiversity hotspot in Europe and a candidate Emerald site, in 2014 the Standing Committee decided to open a case file and conduct an OSA.

Further to an OSA to the area, the Standing Committee adopted Recommendation No. 184 (2015) and since then the case-file was kept open in order to follow-up the implementation of the recommended measures.

The Bureau, at its second annual meeting in September 2020, took note that preparations for an OSA had not been initiated due to a lack of feedback from the North Macedonian authorities on the revised draft Terms of Reference following the Bureau decision in April, as well as ongoing travel restrictions due to the Covid-19 pandemic. The Bureau mandated the Secretariat to once again follow up with the North Macedonian authorities for comments on the revised draft Terms of Reference for the OSA, to hopefully take place in the first half of 2021. The authorities were asked to comment on time for the 40th Standing Committee. Both parties were invited to report on the general situation at the 40th Standing Committee.

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

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

Relevant documents: T-PVS/Files(2020)15 - Government Report
T-PVS/Files(2020)9 - Complainant Report

The case concerns the development of two large Hydro Power Plants (HPP), namely Poçem and Kalivac HPPs, on the Vjosa River in Albania. According to the complainants, the building permits for the HPPs were issued without proper EIAs. In addition, all HPPs on the river are planned without a proper EIA or SEA, while the river ecosystem has transboundary aspects - Vjosa/Aoos catchments (Albania/Greece).

In June 2018, an OSA to the area was organised, in order to clarify the matters at stake and in particular whether the necessary assessments of impact were developed for the river ecosystem including cumulative impact assessment for all the planned HPPs and in particular Poçem and Kalivac. At the 38th meeting of the Standing Committee to the Convention, Recommendation No. 202 (2018) on the planned hydro-power plant developments on the Vjosa river (Albania) was adopted. The Committee decided to open a case-file due to the high degree of concern on this file.

At its second annual meeting in September 2020, the Bureau noted that there have been no updates regarding Poçem HPP. Concerning Kalivac HPP, the complainant gained access to the full EIA but fears the public hearing process is flawed. According to a study mentioned by the complainant, the two HPPs are neither economically nor environmentally viable. As regards the river basin management plan, the process has been delayed due to the pandemic, but a feasibility study should be ready by the end of September. The revision process of the Protected Areas Network of Albania is ongoing, and the complainant continues to be concerned about the possible construction of Narta Airport. The Bureau again stressed the high nature conservation value of the river area, which is a real biodiversity hotspot, and urged the authorities to take this into consideration when making future decisions. It also asked the authorities to provide an update on the EU feasibility study which was due to be finalised in September 2020. The Bureau looked forward to hearing short presentations

from both parties at the 40th Standing Committee and requested in particular the authorities to focus on the results of the feasibility study.

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

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

Relevant documents: T-PVS/Files(2020)20 Government Report
T-PVS/Files(2020)7 Complainant Report

The case concerns the development of Porto Skadar Lake project within the territory of Skadar Lake National Park (NP) in Montenegro, the project including the development of villas, apartment buildings and hotel accommodation, as well as a leisure port. The area is a candidate Emerald network site and a Ramsar site.

Due to the complexity of the issues at stake, namely regarding the changes in the Spatial Plan of the National Park, the accompanying SEA studies for the Spatial Plan and the EIA developed for the project, the Bureau requested that an OSA takes place in the area, if possible, a joint Bern and Ramsar Conventions' mission.

In 2018 a joint Bern/Ramsar OSA mission to Skadar Lake took place in Montenegro and gave birth to a Recommendation No. 201 (2018), adopted at the 38th meeting of the Standing Committee, on the development of a commercial project in Skadar Lake (Montenegro).

At its 39th meeting, the Standing Committee, considering the evidence submitted by the NGO regarding the building works on the location of the White Village and the lack of concrete implementation in particular of operational paragraph 1 of the Recommendation No. 201 (2018), decided to open a case-file. The Standing Committee urged the national authorities to halt any further development in the area and to speed up the process of development of all required assessments and measures foreseen in Recommendation No. 201 (2018) for the safeguard of the ecological value of area, including potential Natura 2000 and Emerald Network sites and Ramsar sites.

At its second annual meeting in 2020, the Bureau welcomed the progress in certain areas of the authorities and their responses to some of the allegations of the complainant. However, it also noted the continued concern of the complainant that no meaningful progress has been achieved. It encouraged the authorities to keep it updated on the implementation of Recommendation 201 (2018), including on the status of the proposed highway and construction of new ports and marinas. Further, the Bureau requested both parties to present an update at the 40th Standing Committee meeting.

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

6.2 Possible files

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

Relevant documents: T-PVS/Files(2020)36 Government Report
T-PVS/Files(2020)65 Complainant Report
T-PVS/Files(2020)1 - Draft Terms of Reference

This case was brought to the attention of the Standing Committee by the Bureau, which received an alert about governmental plans for the construction of the last section of the Struma motorway through the Kresna Gorge, thus rejecting the alternative solution chosen in 2008 as a follow-up to the Standing Committee Recommendation No. 98 (2002). This Recommendation was adopted by the Standing Committee in 2002, as a follow-up to a complaint lodged by several NGOs from Bulgaria.

At the 37th Standing Committee meeting, the Standing Committee took note of the report presented by the national authorities on the alternative chosen for the development of Lot 3.2 of the Struma motorway passing through the Kresna Gorge, after careful examination of all alternatives studied in the frame of an EIA/Appropriate Assessment (AA). It further noted the concerns expressed by the complainant NGO coalition about the objectivity of the EIA. It decided to keep the file as a possible file in the light of the pending national court appeal of the EIA/AA and the pending submission of an application package to the European Commission for the funding of the Lot 3.2 construction.

At its 38th meeting, the Committee decided to keep the file as possible and to await that the application package to the European Commission is submitted and the evaluation by the European Commission services is made available, as this will certainly be done taking into account the EU acquis on nature conservation. Eventually, it decided to request the authorities to report to the Bureau and Standing Committee on progress in submitting the application package and any other relevant and new information, including on the mitigation and compensation measures planned in relation to the alternative chosen for LOT 3.2.

At its 39th meeting, the Standing Committee decided to keep the file as a possible file and to mandate an OSA involving all parties and stakeholders concerned, subject to the agreement of the authorities at a later stage.

At its second annual meeting in September 2020, the Bureau took note that the Bulgarian authorities have reported taking measures to improve the safety and environmental conditions of the existing road, and that expertise has been requested from the European Commission to support the development of the project. It also noted that the experts contracted have been specifically mandated to ensure that the project will comply with Bern Convention recommendations, and that in this regard the Bulgarian authorities suggest awaiting the results of this consultation, due in March 2021, before seeing if a special Bern Convention OSA would still be required. The Bureau remained concerned with the situation and lack of information on concrete mitigation/compensatory measures and preferred to maintain an OSA in 2021 as per the 39th Standing Committee decision, pending the outcome of the European Commission findings. Specialised experts should be mandated to consult and verify the situation on the ground. The Bureau asked both parties to present at the 40th Standing Committee meeting the current situation on the ground, including on concrete mitigation measures. It further instructed the Secretariat to request the European Commission to inform on its monitoring mission.

The Bureau invited the Standing Committee to consider mandating the Bureau to closely monitor the situation in regard to the EC monitoring mission, and to mandate the Bureau to update the Terms of Reference for an OSA in 2021 if it is deemed necessary. The Bureau recalled that the OSA had been originally intended to focus on the alternative routes and not on mitigation measures.

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

➤ 2017/1 - Norway: Lack of legal protection for Northern goshawk and birds of prey

Relevant documents : T-PVS/Files(2020)51 Government Report
T-PVS/Files(2020)53 Complainant Report

The complaint was submitted to the Bern Convention in January 2017 by the Norwegian Ornithological Society and concerns a possible breach of the Bern Convention by Norway. In the process of replacing the previous Norwegian Wildlife Act with the new Nature Diversity Act, an unintentional change was operated which opens protected raptors for destruction as a precautionary measure, under the cover of a self-defense clause.

A Supreme Court decision comments that if the law has mistakenly become different from what was intended then this must be rectified by law.

In their response to the Bureau inquiries, the national authorities agree that during the process of replacing parts of the Wildlife Act with the Nature Diversity Act, the wording of the legislation was unintentionally slightly changed and inform that they are monitoring the situation, aware of the risks, but do not inform on plans to correct the loophole in the current legislation.

At its 37th meeting of the Standing Committee noted that the authorities recognize the unintentional omission of the term “deemed necessary” from section 17 of the new Nature Diversity Act. It further agreed that this omission has created a lack of compliance with Article 9 of the Bern Convention. The Standing Committee decided to keep the file as a possible file and encouraged Norway to close the loophole and bring the specific section of the Act into line with Article 9 of the Bern Convention.

At its 39th meeting, the Standing Committee acknowledged the progress in the revision process of the national legislation. It took note that the public consultation initiated in early 2019 had ended in October and that replies were currently being assessed. Pending the results of the public consultation, the Norwegian Parliament could be invited to examine the revised Nature Diversity Act in 2020.

At its second annual meeting in 2020, the Bureau welcomed the amendment of Article 17 of the Nature Diversity Act and considered the matter resolved. It noted the complainants concern with parts of the wording of the law and that they recommended to wait and see how it may be interpreted in court.

Acknowledging the role of the Bern Convention in this success, the Bureau recommended to the Standing Committee to close the case.

DECISION: The Standing Committee is invited to take note of the progress in the file and close the case.

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

Relevant documents : T-PVS/Files(2020)31 Government Report
T-PVS/Files(2020)10 Complainant Report
T-PVS/Files(2020)63 NGO Report (ARCHELON)

This case-file was on the agenda for fourteen Standing Committee meetings between 1986 and 1999. Laganas Bay on the island of Zakynthos is a site of major ecological interest, especially because of its relatively well-preserved dunes, Posidonian formations and the fact that it is one of the main breeding grounds for *Caretta caretta* in the Mediterranean. However, the site’s population had fallen dramatically, mainly as a result of damage done to the breeding beaches by tourist development, and of accidental catches by fishermen.

At its 19th meeting in 1999, the Standing Committee declared that Greece had failed to comply with the conditions set up in its Decision of 24 March 1995; decided that in the 13 years it had discussed this case, the Committee had fulfilled more than sufficiently its obligations under Article 18, paragraph 1, of the Bern Convention; and decided to close the file.

The case-file came back on the agenda at the 37th Standing Committee in 2017, on the 30th anniversary of Recommendation No. 9 (1987), to give the Greek authorities and NGOs a chance to update on the situation on the ground.

At its second annual meeting in September 2019, the Bureau requested that the issues raised by the complainant on the follow-up of Recommendation No. 9 (1987) are discussed by the Standing Committee and instructed the Secretariat to invite the authorities of Greece to report on the case.

At its 39th meeting, the Standing Committee took note of the updated information provided by the Greek authorities as well as the presentation of the complainant which called upon the Standing Committee to reopen the case file due to the continuous and long-term dire situation of the area. Concerned with the continuous issues facing the area, decided to consider this closed file as a possible file, thus bringing it to the agenda of the next Bureau meeting.

At its second annual meeting in September 2020, the Bureau noted the lack of a report from the authorities. It noted the complainant’s on-going concerns about inadequate enforcement of the established protective management measures within the protected area, backed their urging to co-design and implement the national action plan for *Caretta caretta*, and noted their request that the case be re-opened and a new OSA organised.

The Bureau also thanked the European Commission for their update, which in particular emphasised that the ECJ had in July 2019 received the case of Greece failing to establish the necessary conservation objectives

and measures for 239 SACs including at Laganas Bay, thus compromising the integrity of the Natura 2000 network.

The Bureau was deeply concerned with the deteriorating situation and general lack of progress and regretted not receiving a governmental report - it was also concerned with the status of the EU LIFE project and asked for an update on this. It also urged the authorities to ensure that all stakeholders are involved in projects and decisions. The Bureau urged the Greek authorities to provide a report on the current situation for the 40th Standing Committee meeting and invited the complainant to also present a short report.

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

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

Relevant documents : T-PVS/Files(2020)33 – Government Report
T-PVS/Files(2020)23 – Complaint Form
T-PVS/Files(2020)54 - Complainant Report

This complaint was lodged in 2019. It concerns illegal constructions of a public beach and picnic area in the Municipality of Mersin Anamur, on a 13km stretch of Karaağaç Beach which is a nesting area for *Caretta caretta* sea turtles that is protected by Turkish law and international conventions and also contains endemic sand lilies.

This illegal work of the Municipality was initially stopped by the Ministry of Environment and Urbanization and the Ministry of Forestry and Water Affairs, National Parks Nature Conservation Directorate, and the Municipality was fined. However, they did not withdraw from the area, and the government failed to follow-up with its sanctions.

At its first annual meeting in April 2020, the Bureau noted the allegations of the complaint form, and the confirmation of facts by the authorities. It expressed its concern that the relevant ministries had not followed up on their sanctions to the Municipality concerned. Taking into consideration the rarity and risk of disappearance of marine turtles in the Mediterranean, as well as the obligations of Turkey to the Bern Convention, the Bureau hoped that the Administrative Court would apply the precautionary principle and forbid all further actions on and around the beach area and instruct the authorities to protect and restore the nesting sites, and proactively raise awareness and undertake actions on the importance of conservation of these species and habitats. All of these measures should urgently take place ahead of the high summer and nesting season. The Bureau also urged the authorities to enforce the necessary sanctions to the offending Municipality related to the breach of national law and international conventions, and to keep it updated of the outcome of the litigation procedures, results of the above actions, and any other updates for its next meeting in September. The complainant was also invited to keep the Bureau updated for the same meeting.

At its second annual meeting in September 2020, the Bureau noted that the administrative court decision on whether to fine the Municipality is ongoing, and that the authorities had initiated bilateral discussions with the Municipality to find a solution. The Bureau was very concerned with the allegations of the complainant that no rehabilitation work has begun, and that an even larger development project was planned to begin in September 2020 which could dramatically affect the nesting habitats. The Bureau acknowledged that the Turkish national authorities were making efforts to comply with the Bern Convention and to alleviate the situation. However, given the fragility of these species and their worrying conservation status and the actions of the Mersin municipality which is planning an imminent large development project on the habitat, the Bureau decided it must take urgent action and elevated the complaint to a Possible File, thus bringing it to the attention of the 40th Standing Committee. Both parties were urged to present updated reports at that meeting. The Bureau once again encouraged the Turkish authorities' efforts to enforce the relevant penalties on the Municipality, to cancel all planned projects which would affect the nesting habitats, and to begin restoration works. It encouraged the authorities to collaborate with the complainant organisation and other relevant local NGOs to find alternative solutions to the development projects, which would take into account the environmental conditions of the area.

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

6.3 Complaints on stand-by

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

Relevant documents : T-PVS/Files(2020)13 Government Report
T-PVS/Files(2020)08 Complainant Report

This complaint was lodged in 2017. It alleges a possible breach of the Convention by Iceland due to the development of new road infrastructure to pass through the Breiðafjörður Nature Reserve and more specifically the Teigsskógur birch woods. The initial plans for the road date back to 2004-2005, when the chosen options were rejected due to their high environmental impact. This decision of the National Planning Agency was confirmed also by the Supreme Court of Iceland. A new environment impact assessment was undergone in the period 2016-2017 based on new alternatives for the road, including a so called "leið D2" tunnel alternative and a new "leið Þ-H" road option still going through the Teigsskógur wood and passing over fjords. The complainants consider that the "leið Þ-H" route option is in practice the same as the "leið B" option rejected back in 2004-2005 due to its extensive environment impact.

At its first annual meeting in April 2020, the Bureau strongly regretted that the road construction plan is going ahead with no alternatives being envisaged, despite the numerous calls for concern and recommendations of the Bern Convention to halt development. It was particularly regrettable given the importance and fragility of this Nature Reserve, which is qualified to be an Emerald Network site, as well as a possible Ramsar site and World Heritage Property. The Bureau strongly called on the Icelandic authorities to guarantee compensatory and mitigation measures during construction, should the development go ahead. The Bureau also noted with great concern the continuing slow progress in the general development of the Emerald Network in Iceland, and on the lack of mechanisms to prevent damage to possible Emerald sites.

It mandated the Secretariat to write a letter to the Ministry for the Environment and Natural Resources expressing its grave concerns on the development of the road through Breiðafjörður Nature Reserve and requesting for a roadmap for the development of the Emerald Network. The letter should also call for the elaboration of a preventive mechanism to avoid replication of this situation in the future. The Ministry in coordination with the Icelandic Institute of Natural History would be asked to respond for its next meeting in September. The Bureau could then decide to upgrade the complaint on stand-by to a possible file thus bringing it to the 40th Standing Committee, depending on the information provided.

At its second annual meeting in September 2020, the Bureau acknowledged the short communications of both parties, noting that the complainant had reiterated its previous report, and the respondent had requested more time to receive an adequate reply from the Ministry for the Environment and Natural Resources regarding the setting up of the Emerald Network. The Bureau took note that no updates had occurred regarding the construction of the road, and it was assumed that development would eventually go ahead. The Bureau, deeply concerned with the situation and lack of cooperation from the Icelandic Ministry as well as the lack of commitment towards the Emerald Network decided to exceptionally bring the complaint to the agenda of the Standing Committee, in order to give all Contracting Parties an opportunity to hear presentations of the situation from the Icelandic authorities and the complainant. The Standing Committee would be invited to take a position on the complaint and consider an OSA. Therefore, both Parties are urged to attend and make a short presentation at the 40th Standing Committee- the case remains on stand-by.

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

- 2018/1: Ukraine: Presumed threat to Emerald site "Polonina Borzhava" (UA0000263) from wind energy development (taking into account the "Other Complaints" concerning Emerald Network sites in Ukraine)

Relevant documents: T-PVS/Files(2020)68 Government Report
T-PVS/Files(2020)14 Complainant Report

This complaint was submitted in 2018. According to the complaints, the breach of the Bern Convention results from wind energy developments on the territory of the adopted Emerald Site 'Polonina Borzhava' (UA0000263).

At its first annual meeting in April 2020, the Bureau recalled that an OSA had been suggested for this case, but that due to other priority visits and the ongoing Covid-19 pandemic, this visit would most likely take place in 2021. Furthermore, the Standing Committee would need to mandate such a visit, thus in its September meeting the Bureau would decide whether to bring this point to the agenda of the 40th Standing Committee. It could also decide if a more general OSA visit should take place taking into account the numerous other complaints on Ukrainian Emerald Network sites.

The Bureau instructed the Secretariat to continue communications with the Ukrainian authorities and to enquire if an independent evaluation of the relevant legislation on SEA in line with Recommendation No. 208 (2019) of the Standing Committee on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites exists. The Bureau further mandated the Secretariat to inform the complainant that the Bureau is looking into the situation and considering an OSA.

At its second annual meeting in September 2020, the Bureau noted again the lack of a report from the authorities. It welcomed the fact that the EIA conclusion statement favouring the development of the wind farm had been cancelled in court, while noting that the decision would go to an appeal. Very concerned with the ongoing lack of communication and progress of the authorities regarding this and several other Ukrainian Emerald Network related complaints, the Bureau decided to exceptionally bring this complaint to the 40th Standing Committee agenda. Both parties are urged to attend, and the authorities are asked to speak both about this case and more generally about the issues facing Emerald Network sites in Ukraine, and planned actions of the government. The Standing Committee would be invited to take a position on the complaint and consider mandating an OSA. The case remains on stand-by.

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

6.4 Follow-up of previous complaints and Recommendations

NB *Unless otherwise specified below, this agenda item is for information. Relevant States are invited to report on the follow-up of the below recommendations. The Committee is invited to take note of the information presented.*

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

Relevant documents: T-PVS/Files(2020)66 – Government Report

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

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

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

Relevant documents: T-PVS/Files(2020)37 - Swiss Government Report (FR)
T-PVS/Files(2020)48 - French Government Report (FR)
T-PVS/Files(2020)49 – Swiss Complainant Report (FR)
T-PVS/Files(2020)58 – French Complainant Report (FR)

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

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

PART V – COOPERATION AND COMMUNICATION ACTIVITIES AND PROGRAMME OF WORK 2021

NB *Delegations are kindly reminded that only written statements will be included in the report of the meeting.*

7. INTERNATIONAL COORDINATION WITH OTHER MEAS AND ORGANISATIONS

The Secretariat will inform on the coordination activities implemented throughout 2020 with other international MEAs and organisations.

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

8. AWARENESS AND VISIBILITY

The Secretariat will inform on the activities carried out to promote knowledge and understanding of the Bern Convention's action for biodiversity conservation, as well as on future plans of the Convention in terms of communication and visibility for 2021.

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

9. DRAFT PROGRAMME OF ACTIVITIES AND BUDGET FOR 2021

Relevant document: T-PVS(2020)07 – Draft Programme of Activities for 2021
T-PVS/Inf(2020)09 – Draft Calendar of meetings for 2021

The Secretariat will present a proposal for a draft programme of activities and budget for 2021, including a new column presenting alternatives to activities should the COVID-19 pandemic continue to cause disruption, as well as some additions.

Parties interested to volunteer for hosting and championing the organisation of Groups of Expert's meeting in 2021 are invited to inform the Standing Committee. Parties in need of financial support for the attendance of meetings organised under the Bern Convention are invited to indicate the events for which they would need such a support in 2021.

DECISION: The Standing Committee is invited to examine and, if appropriate, adopt the Programme of Activities and budget for 2021.

10. STATES TO BE INVITED AS OBSERVERS TO THE 41ST MEETING

The Secretariat will remind the Standing Committee that the following States have been invited to attend this 40th meeting as Observers:

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

DECISION: The Standing Committee is requested to decide unanimously which States, not members of the Council of Europe, are to be invited to attend its 41st meeting.

PART VI – OTHER ITEMS

11. ELECTION OF CHAIR, VICE-CHAIR AND BUREAU MEMBERS

Relevant document: T-PVS/Inf(2013)6 – Rules of Procedure: Standing Committee, on-the-spot enquiries, mediation

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

DECISION: The Standing Committee is invited to elect its Chair, Vice-Chair, and 2 Bureau members. According to Rule 19 of the Rules of Procedure of the Standing Committee, the Standing Committee will acknowledge the automatic election of the previous Chair.

12. DATE AND PLACE OF THE 41ST MEETING

The Secretariat will make a proposal for the date and place of the 41st meeting of the Standing Committee (30 November - 3 December 2021, in Strasbourg).

DECISION: In accordance with Article 1 of the Rules of Procedure, the Standing Committee is invited to decide on the date of its 41st meeting.

13. ADOPTION OF THE MAIN DECISIONS OF THE MEETING

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

14. OTHER BUSINESS (ITEMS FOR INFORMATION ONLY)

Any question which does not concern a preceding item of the agenda may be raised here. The Standing Committee will be invited to discuss the issues raised.

PLAN FOR DISCUSSION OF THE AGENDA

MORNINGS 9.00 am - 12.30 pm	AFTERNOONS 2.00 pm – 5.30 pm
MONDAY 30th November (<i>Contracting Parties only</i>)	
	<ol style="list-style-type: none"> 1. OPENING AND ADOPTION OF AGENDA 2. REPORT FROM CHAIRPERSON & COMMUNICATIONS 3. FINANCING AND DEVELOPMENT OF THE BERN CONVENTION <ol style="list-style-type: none"> 3.1 Financing and development of the Bern Convention 3.2 The Bern Convention in the post-2020 decade and its contribution to the post-2020 global biodiversity framework 4. MONITORING AND IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION <ol style="list-style-type: none"> 4.1 Biennial and quadrennial reports <ol style="list-style-type: none"> 4.1.1 <i>State of play of submissions of biennial reports</i> 4.1.2 <i>Biennial reports by Contracting Parties which are EU Member States: rules and instructions</i>
TUESDAY 1st December	
<ol style="list-style-type: none"> 5. MONITORING OF SPECIES AND HABITATS <ol style="list-style-type: none"> 5.1 Invasive Alien Species 5.2 Conservation of birds: eradication of illegal killing, trapping and trade of wild birds 5.3 Eradication of the Ruddy Duck 5.4 Review of the Plant Conservation Strategy 5.5 Pan-European Action Plan for Sturgeons 5.6 Action Plan for the Conservation of Marine Turtles 5.7 Conservation of habitats <ol style="list-style-type: none"> 5.7.1 <i>Emerald network of Areas of Special Conservation Interest</i> 5.7.2 <i>European Diploma for Protected Areas</i> 	<ol style="list-style-type: none"> 5.8 Reporting under Resolution No. 8 (2012) on the conservation status of species and habitats 6. SPECIFIC SITES AND POPULATIONS <ol style="list-style-type: none"> 6.1 Files opened <ul style="list-style-type: none"> ➤ 1995/6: Cyprus: Akamas peninsula ➤ 2004/2: Bulgaria: Wind farms in Balchik and Kaliakra – Via Pontica ➤ 2010/5: Greece: threats to marine turtles in Thines Kiparissias ➤ 2012/9: Turkey: Presumed degradation of nesting beaches in Fethiye and Patara SPAs
WEDNESDAY 2nd December	
<ol style="list-style-type: none"> 6.1 Files opened (continued) <ul style="list-style-type: none"> ➤ 2013/1: North Macedonia: Hydro power development within the territory of the Mavrovo national Park ➤ 2016/5: Albania: Presumed negative impact of hydro-power plant development on the Vjosa river ➤ 2016/4: Montenegro: Development of a commercial project in Skadar Lake National Park and candidate Emerald site 6.2 Possible files <ul style="list-style-type: none"> ➤ 2001/4: Bulgaria: Motorway through the Kresna Gorge ➤ 2017/01: Norway: Lack of legal protection for Northern goshawk and birds of prey ➤ 1986/8 - Greece: Recommendation No. 9 (1987) on the protection of Caretta Caretta in Laganas bay, Zakynthos ➤ 2019/5: Turkey: Habitat destruction in Mersin Anamur Beach 	<ol style="list-style-type: none"> 6.3 Complaints on stand-by <ul style="list-style-type: none"> ➤ 2017/6: Iceland: Possible negative impact on Breiðafjörður Nature Reserve’s authentic birch woods from new road infrastructure ➤ 2018/1: Ukraine: Presumed threat to Emerald site “Polonina Borzhava” (UA0000263) from wind energy development (taking into account the “Other Complaints” concerning Emerald Network sites in Ukraine) 6.4 Follow-up of previous complaints and Recommendations <ul style="list-style-type: none"> ➤ Closed file No. 2011/4: Threat to the Mediterranean monk seal (<i>Monachus monachus</i>) in Turkey ➤ Recommendation No. 169 (2013) on the Rhone streber (<i>Zingel asper</i>) in the Doubs (France) and in the canton of Jura (Switzerland) in the framework of a case-file on stand-by 2011/5: France / Switzerland
THURSDAY 3rd December	
<ol style="list-style-type: none"> 7. INTERNATIONAL COORDINATION WITH OTHER MEAS AND ORGANISATIONS 8. AWARENESS AND VISIBILITY 	<i>Possible continuation of unfinished work</i>

9. DRAFT PROGRAMME OF ACTIVITIES AND BUDGET FOR 2021	
10. STATES TO BE INVITED AS OBSERVERS TO THE 41ST MEETING	
FRIDAY 4th December (<i>Contracting Parties only</i>)	
11. ELECTION OF CHAIR AND VICE-CHAIR, AND BUREAU MEMBERS	<i>Possible continuation of unfinished work</i>
12. DATE AND PLACE OF THE 41ST MEETING	
13. ADOPTION OF THE MAIN DECISIONS OF THE MEETING	
14. OTHER BUSINESS	

Please note:

The 40th Standing Committee will be held virtually via KUDO.

Documents for the meeting are available at:

<https://www.coe.int/en/web/bern-convention/-/40th-standing-committee-meeting>