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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

**DRAFT RESOLUTION
ESTABLISHING AN ENLARGED PARTIAL AGREEMENT
FOR THE CONSERVATION OF
EUROPEAN WILDLIFE AND NATURAL HABITATS**

*Document prepared by
the Directorate of Democratic Participation*

**Draft Resolution CM/Res(2021)...
of the Committee of Ministers to member States
establishing an Enlarged Partial Agreement for the conservation of European wildlife and natural
habitats**

*(Adopted by the Committee of Ministers on
at theth meeting of the Ministers' Deputies)*

The representatives to the Committee of Ministers of ...,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members;

Considering the wish of the Council of Europe member States to co-operate with each other and with other States in the field of nature conservation;

Considering that biodiversity and the benefits it provides are fundamental to human well-being and a healthy planet. Despite ongoing efforts, biodiversity is deteriorating worldwide, and this decline is projected to continue or worsen under business-as-usual scenarios;

Underlining that the Convention on the Conservation of European Wildlife and Natural Habitats (ETS No. 104, Bern Convention) is the main legal instrument in the field of biodiversity at pan-European level, having been ratified by 50 States, the European Union and by several ~~North~~¹ African States;

Recalling that the conservation of biological diversity is a common concern of humanity and referring to the Sustainable Development Goals (SDGs) of the United Nations and those established by the parties² to the Convention on Biological Diversity.²

Stressing that for over forty years, this Council of Europe treaty has ~~had remarkable success in the~~ **carried out remarkable actions to the benefit of the**² conservation of wild flora and fauna species and their habitats within its geographic scope, paying special attention to the conservation of endangered and vulnerable species and habitats through the Emerald Network;

Stressing that implementation of the policies and activities of the Bern Convention can only be enhanced when they receive adequate and predictable funding, and therefore desiring to take concrete measures to this end in order to contribute to the conservation and management of biodiversity in Europe;

Considering Statutory Resolution (93) 28 on partial and enlarged agreements, adopted by the Committee of Ministers on 14 May 1993 at its 92nd Session;

Having regard to Resolution (96) 36 establishing the criteria for Partial and Enlarged Agreements of the Council of Europe, adopted by the Committee of Ministers on 17 October 1996 at the 575th meeting of the Ministers' Deputies, as amended by Resolution CM/Res(2010)2, adopted by the Committee of Ministers on 5 May 2010 at the 1084th meeting of the Ministers' Deputies,

Resolve as follows:

1. that the Enlarged Partial Agreement for the conservation of European wildlife and natural habitats is hereby created, to be managed in accordance with the provisions contained in the statute appended to this Resolution;
2. that the staff of the enlarged partial agreement will be part of the Council of Europe Secretariat;
3. that the enlarged partial agreement shall be set up for an initial period of three years, at the end of which the Committee of Ministers shall be presented with a report on its achievements and its specific contribution. On the basis of this report, the Committee of Ministers shall review the mandate of the enlarged partial agreement and decide on its future.

¹ Amendment proposed by Monaco.

² Amendment proposed by the delegation of France.

Appendix to Resolution CM/Res(2021)...

Statute of the Enlarged Partial Agreement for the conservation of European wildlife and natural habitats

Article 1 – Aims and tasks

1.1. Purpose ~~and resources~~²

The enlarged partial agreement shall work to resolve current biodiversity challenges **in Europe**² by fostering actions for the implementation of the Convention on the Conservation of European Wildlife and Natural Habitats (STE n° 104, Bern Convention) and, thus supporting the implementation of the United Nations Sustainable Development Goals (SDGs) and the Global Biodiversity Framework of the Convention on Biological Diversity.

~~The enlarged partial agreement shall receive, hold and use the resources allocated to it in accordance with Article 4 below. [moved under Article 4. Budget]²~~

1.2. Programme

The enlarged partial agreement shall implement ~~a programme as decided by the governing board in accordance with~~ **activities of**² the work programme adopted by the Standing Committee to the Bern Convention.

Article 2 – Accession and membership

2.1. Any ~~member State of the Council of Europe and any~~² Party to the Bern Convention may join the enlarged partial agreement by sending a notification addressed to the Secretary General of the Council of Europe.

~~2.2. The Committee of Ministers, in its composition restricted to the representatives of the member States of the enlarged partial agreement, may, by the majority stipulated in Article 20. d of the Statute of the Council of Europe (ETS No. 1), invite any non-member State of the Council of Europe to join the enlarged partial agreement, following consultation of the members of the enlarged partial agreement that are not members of the Council of Europe. A non-member State which receives such an invitation shall notify the Secretary General of its intention to become a member of the enlarged partial agreement.²~~

2.3. Member States of the Council of Europe and ~~other contracting Parties to Council of Europe conventions to the~~ **Bern Convention**² not joining the enlarged partial agreement may request the status of observer for a maximum of two years. Decisions in such matters, including on possible financial contributions by observers, shall be made by the Governing Board of the enlarged partial agreement.

~~2.4. The Parliamentary Assembly, the Congress of Local and Regional Authorities of the Council of Europe and the Conference of INGOs, may participate in the work of the enlarged partial agreement in accordance with Article 3.4 below.²~~

Article 3 – Governing board

3.1. The governing board of the enlarged partial agreement shall be composed of one representative appointed by each member of the enlarged partial agreement

3.2. The governing board shall elect from among its members a bureau comprised of a chair, one vice-chair and three other members, for a term of office of two years, renewable only once.

3.3. The governing board shall:

- be responsible for the general implementation of the tasks conferred to the enlarged partial agreement;
- adopt ~~the~~ **a** draft annual programme of activities of the enlarged partial agreement **in accordance with the work programme adopted by the Standing Committee of the Bern Convention and the political priorities of the Council of Europe, and**² submit it, in conformity with the Financial Regulations of the

Council of Europe, to the Secretary General of the Council of Europe for preparation of the draft annual budget, prior to its transmission to the organ set up under Article 4.2 below;

~~– decide on projects consistent with the Council of Europe's political priorities;²~~

– monitor the implementation of the programme of activities;

– **report on the activities implemented by the Enlarged Partial Agreement to each Standing Committee of the Bern Convention;**²

– adopt and transmit an annual activity report to the Committee of Ministers ~~and to the Standing Committee to the Bern Convention.~~²

3.4. The governing board shall meet once a year. It may invite representatives of the relevant Council of Europe bodies to attend its meetings, without voting rights, according to the items on its agenda.

3.5. The governing board may assign operational tasks to its bureau. The bureau shall be convened by the chair of the governing board at least once a year.

3.6. The governing board shall adopt its decisions by a two-thirds majority of the votes cast, with each member having one vote. Procedural matters shall be settled by a majority of the votes cast. In all other matters, the governing board shall adopt its own rules of procedure and modus operandi, and any other arrangements for the implementation of its activities.

3.7. In order to discharge the Secretary General from responsibility for the management of the enlarged partial agreement for the financial year in question, the governing board shall transmit to the Committee of Ministers the annual accounts, together with its approval or any comments, and the report drawn up by the external auditor, as provided for in the Financial Regulations.

Article 4 – Budget

4.1. The enlarged partial agreement **receives, holds and commits the resources allocated to it.**³ The resources of the enlarged partial agreement shall comprise:

– annual contributions from each member of the enlarged partial agreement and, if appropriate, contributions by observers in pursuance of Article 2.3;

– any other contribution, donation or bequest to the enlarged partial agreement, subject to the provisions of paragraph 4.4 below.

The enlarged partial agreement may receive contributions from the European Union.

4.2. The budget of the enlarged partial agreement and the specific scale of contribution shall be adopted annually by the governing board, **according to Resolution (94) 31 of the Committee of Ministers**³. ~~composed of the representatives on the Committee of Ministers of the member States participating in the enlarged partial agreement and the representatives of the other members who shall thus be entitled to vote.~~²

4.3. Expenditure related to the implementation of the programme **of activities**⁴ and to both the secretariat of the enlarged partial agreement and that of the Bern Convention, **when supporting delivery of the programme**⁵ **of activities,**⁴ shall be covered by the enlarged partial agreement.

4.4. The enlarged partial agreement may also receive voluntary ~~and other~~ contributions ~~connected with~~ **to finance**² the work of the enlarged partial agreement, subject to the authorisation of the governing board prior to their acceptance. These contributions shall be paid into a special account, opened under the terms of Article 4.2 of the Financial Regulations of the Council of Europe, monitored by the governing board and earmarked for the objectives and tasks specified, provided that they are consistent with the aims of the Statute.

4.5. The enlarged partial agreement assets shall be acquired and held on behalf of the Council of Europe and shall benefit as such from the privileges and immunities applicable to the Organisation's assets under existing agreements.

³ Amendment proposed by the delegation of Switzerland.

⁴ Amendment proposed by the delegation of Norway

⁵ Amendment proposed by the delegation of the United Kingdom

4.6. Travel and subsistence expenses of persons attending meetings of the governing board shall be borne by the State or the organisation concerned.

4.7. The Financial Regulations of the Council of Europe shall apply, *mutatis mutandis*, to the adoption and management of the budget of the enlarged partial agreement.

Article 5 – Secretariat

5.1. The secretariat of the enlarged partial agreement shall be provided by the Secretariat General of the Council of Europe.

5.2. The secretariat of the enlarged partial agreement may call on institutions and independent experts to support the delivery of the programme of work agreed by the governing board of the enlarged partial agreement.

5.3. The headquarters of the enlarged partial agreement will be located at the Council of Europe, in Strasbourg.

Article 6 – Amendments

The Committee of Ministers, in its composition restricted to the representatives of the member States of the enlarged partial agreement and after consultation with members of the enlarged partial agreement that are not members of the Council of Europe, may adopt amendments to this Statute by the majority provided for under Article 20.d of the Statute of the Council of Europe.

Article 7 – Withdrawal

7.1. Any member may withdraw from the enlarged partial agreement by means of a declaration sent to the Secretary General of the Council of Europe.

7.2. The Secretary General shall acknowledge receipt of the declaration and so inform the members of the enlarged partial agreement.

7.3. By analogy with Article 7 of the Statute of the Council of Europe, withdrawal shall take effect:

- at the end of the financial year in which it is notified, if such notification is given before 1 June of that financial year;
- at the end of the following financial year, if notification of withdrawal is given on or after 1 June of the financial year.

7.4. In accordance with the Financial Regulations of the Council of Europe, the governing board shall examine the financial consequences of the withdrawal of a member and shall make the appropriate arrangements.

7.5. The Secretary General shall immediately inform the member concerned of the consequences of its withdrawal.