



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate D - Natural Capital
ENV.D.3 - Nature Protection

**DIRECTORATE GENERAL OF DEMOCRACY
BERN CONVENTION**

Brussels, 11 October 2019
Ares(2019)6299348

**To the delegates of Habitats & ORNIS Committee
&
National Focal Points of Contracting Parties to the Bern Convention**

This note aims to clarify the reporting procedure on exceptions granted under Article 9 of the Bern Convention for EU Member States. As already communicated in a previous note (see in annex, ARES(2018)5324541), the European Commission's DG ENV and the Secretariat of the Bern Convention recommend that EU Member States use the Habides+ tool to produce comprehensive reports covering both, the obligations under the Bern Convention and the Nature Directives. In addition, at its 38th meeting, the Standing Committee to the Bern Convention confirmed that, from 2019 onwards, EU Member States can submit one and single report for both EU Nature Directives and Bern Convention derogation/exceptions purposes, through the EEA's Central Data Repository¹.

Reports should be uploaded to EEA's Central Data Repository in the respective country folder. The folder has been renamed from "Derogations Reporting (Birds and Habitats Directive)" to "Derogations Reporting (Birds and Habitats Directive) and Biennial Reporting (Bern Convention Article 9)". Once the Member States have released their national reports, both DG ENV and the Secretariat of the Bern Convention will receive an automatic notification and will have access to the reports. No further formal notification is required. The Habides+ manual and the accompanying reporting guidelines² have been updated to reflect these changes.

As done already for the reporting periods 2013-2014 & 2015-2016, the European Commission will compile a report based on the national reports on derogations under Article 9 of the Birds Directive and Article 16 of the Habitats Directive (that have been submitted for this reporting period) and will submit it to the Standing Committee of the Bern Convention. Therefore, EU Member States are not expected to provide any other report in addition to those uploaded to EEA's Central Data Repository for the reporting periods 2015-2016 or 2017-2018, if these reports have already covered both obligations.

Delegates of the Habitats & ORNIS Committee and national focal points to the Bern Convention are requested to take note of the above information.

Nicola Notaro
Head of Unit, ENV.D.3

Iva Obretenova
Secretary of the Bern Convention

Cc: Stefan Leiner, ENV.D.2 – Biodiversity, Anne Burrill, ENV.D – Natural Capital

¹ <https://cdr.eionet.europa.eu/>

² <https://circabc.europa.eu/w/browse/cfc38522-bd5e-4237-af4b-37928504ee87>