Strasbourg, 6 December 2019 **T-PVS(2019)Misc**
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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

39th meeting
Strasbourg, 3 – 6 December 2019

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Opening of the meeting: 9:30am, Tuesday 3 December 2019, Room 5, Palais de l'Europe

LIST OF DECISIONS AND ADOPTED TEXTS

Document prepared by
the Directorate of Democratic Participation

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PART I – OPENING

1. OPENING OF THE MEETING AND ADOPTION OF THE AGENDA

Relevant documents: T-PVS/Agenda(2019)1 – Draft agenda
T-PVS(2019)16 – Draft annotated agenda

The Standing Committee was opened by the Chair, Ms Jana Durkošová. She noted the presence of 34 Contracting Parties at the meeting. The agenda was adopted with no amendments.

2. CHAIR'S REPORT AND COMMUNICATIONS FROM THE DELEGATIONS

Relevant documents: T-PVS(2019)4 and 15 – Reports of the Bureau meetings in March and September 2019
T-PVS(2018)17 – Report of the 38th Standing Committee meeting

The Standing Committee noted the reports of its 38th meeting and of the two meetings of the Bureau to the Standing Committee in 2019, it welcomed the successful implementation of the Programme of Work 2019 and praised the communication campaign on the 40th anniversary of the Bern Convention.

3. FINANCING AND DEVELOPMENT OF THE BERN CONVENTION

3.1 Future financing of the Bern Convention

Relevant documents: T-PVS/Inf(2019)4rev - Mandate of the inter-sessional WG on financing
T-PVS(2019)1rev - Financing the Bern Convention: options and legal and feasibility aspects
T-PVS(2019)5 - Draft Resolution on the financing of the Bern Convention
T-PVS(2019)11 - Budget and staff of the Bern Convention from 2020 onwards: Note from the Chair of the WG on Financing and the Secretariat
T-PVS(2019)18 – Draft Programme of Activities for 2020-2021

The Standing Committee thanked the Working Group on Financing and the Secretariat for the work achieved throughout the year. It expressed its strong regret and disapproval of the decision to re-organise the Department of Culture, Nature and Heritage in the Directorate of Democratic Participation which resulted in the removal of the credits for the position of Secretary of the Bern Convention. It stressed that the work of the Bern Convention is essential to delivering on environmental and biodiversity matters on the European continent, for the sake of species and their habitats, but also for our society and democracies.

The Committee acknowledged the need for short- and medium-term measures to cope with the difficult situation and that Contracting Parties should steer the process.

The Committee agreed that replacing the position of Secretary of the Bern Convention with a secondment is not a viable option and instructed the Secretariat to proceed with a recruitment, pending the availability of financial resources from the Bern Convention special account.

The Committee discussed the document presenting the legal options for the establishment of a new mechanism for the financing of the Bern Convention and agreed that Options 1 and 3 contained in document T-PVS(2019)1rev, which could install a new system for obligatory financial contributions by Parties, should be further developed and presented to the 40th meeting of the Standing Committee for initial discussions and possible decision.

The Committee instructed the Bureau, with the support of the Secretariat, to engage in an exchange with the Committee of Ministers of the Council of Europe, to present the decisions taken on the issue of the future financing of the Convention and seek the Committee of Minister's support and approval. The Bureau is requested to keep Contracting Parties informed on any new development in relation to its discussions with the Committee of Ministers of the Council of Europe.

The Standing Committee further instructed the Bureau to oversee the implementation of the Programme of Work of the Convention for 2020-2021 and to advise the Secretariat in the prioritisation and savings, as well as on the use of the funds from the Special Account of the Bern Convention. It urged Contracting Parties to step up their efforts in supporting the Convention financially and requested that the Secretariat continues its efforts in facilitating the Council of Europe administrative procedure for the payment of the voluntary financial contributions which appears to be preventing many Parties from paying the pledged amounts to the Convention.

Eventually, the Standing Committee examined and adopted Resolution No. 9 (2019) on the financing of the Bern Convention, with some amendments, with a scale of suggested voluntary contributions for 520 000 Euros. The Committee decided to establish an inter-sessional working group on finances and invited it to further develop, with the support of the Secretariat and the Bureau, proposals on Option 1 and Option 3 as contained in document T-PVS(2019)1rev for the future financing and development of the Bern Convention.

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

Relevant documents: T-PVS/Inf(2019)22 - Bern Convention's contribution to the achievement of the Aichi targets
T-PVS(2019)9 - Draft Resolution on a vision for the Bern Convention in the decade 2020-2030

The Standing Committee thanked the Secretariat for preparing the document presenting the Bern Convention's contribution to the current global biodiversity framework and to the achievement of the Aichi targets. It decided that the development and adoption of a Resolution on a vision for the Bern Convention in the period 2021-2030 will be timelier and more appropriate after the new global Strategic Plan for Biodiversity is adopted.

The Committee instructed the Bureau to consider the best possible way for promoting further the Bern Convention in other international fora, its work and contribution to the shaping up of the post-2020 framework, including by mandating a country representative with this task.

The Committee instructed the Secretariat to further elaborate a long-term vision for the Convention, taking into account the post-2020 global biodiversity framework to be adopted by the Convention on Biological Diversity. The vision should be presented to Parties prior to the 40th meeting of the Committee. The establishment of a Working Group on a Strategic Plan will be decided at that meeting of the Committee in 2020.

PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

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 reports

Relevant documents: T-PVS/Inf (2019)23 – Summary tables of reporting under the Bern Convention
T-PVS/Inf(2019)19 – Registered users to the ORS System

The Standing Committee took note of the derogations' reports submitted by Parties for the periods 2015-2016 and 2017-2018 and regretted the difficulties encountered by Parties using the ORS and the lack of financial and human resources at the Secretariat to deal with the ORS issues in a convenient manner.

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 Standing Committee took note of the joint Note from the Secretariat of the Bern Convention and DG Environment clarifying the reporting procedure on exceptions granted under Article 9 of the Bern Convention for EU Member States, using the EU Habides + tool for reporting.

Taking into account the difficulties faced by many Parties in submitting their reports through the ORS, the Committee instructed the Secretariat to study the feasibility of using the Habides + tool by all Bern Contracting Parties and the possible compatibility issues between this tool and the Bern Convention Article

9 reporting requirements. Other alternative and available on-line tools for reporting should also be considered.

4.2 Proposal for amendment of the Convention's Appendices: Proposal for moving the Barnacle Goose (*Branta leucopsis*) from Appendix II to Appendix III of the Bern Convention

Relevant document: Notification of the amendment proposal by Norway from the Treaty Office of the Council of Europe, including the justification of the proposal

The Standing Committee took note of the arguments put forward by Norway for moving the Barnacle Goose (*Branta leucopsis*) from Appendix II to Appendix III of the Bern Convention.

Following a vote, the Chair noted that:

- 34 Contracting Parties were present in the room, including the EU;
- the European Union, speaking on behalf of its 28 Member States, Georgia and Turkey abstained;
- 9 other Parties (Andorra, Armenia, Iceland, Morocco, Monaco, Republic of Moldova, Norway, Switzerland and Ukraine) voted in favour of the proposal.

The Chair noted that according to Article 17 of the Convention which prevails over the Rules of Procedure of the Committee, the European Union votes on behalf of all of its 28 Member States, regardless of their presence in the room or not. The abstention from the EU did not allow for the proposal to be adopted, the Committee failing to reach the required 2/3rd majority of Parties.

PART III – MONITORING OF SPECIES AND HABITATS

5. MONITORING OF SPECIES AND HABITATS

5.1 Invasive Alien Species

Relevant documents: T-PVS(2019)10 – Report of the meeting of the Group of Experts
T-PVS/Inf(2019)2 – Draft Guidance on e-commerce and IAS
T-PVS/Inf(2019)17 – Draft Guidance on communication and IAS
T-PVS(2019)6 – Draft Recommendation on pollinators and IAS
T-PVS/Inf(2019)18 – Report on alien pathogens and pathogens spread by IAS in Europe

The Standing Committee took note of the report of the meeting of the Group of Experts on IAS and warmly thanked the Georgian authorities for the excellent hosting of the meeting.

The Committee welcomed the progress in the development of new voluntary tools and guidance in relation to the management and control of invasive alien species, namely on e-commerce and IAS and on communication and IAS. It instructed the Secretariat to further circulate the new draft versions of these documents to Parties, for possible comments and suggestions ahead of their final examination by the Group of Experts on IAS in 2020 and possible adoption by the Standing Committee at its 40th meeting.

The Standing Committee welcomed the outcomes of the study on alien pathogens and pathogens spread by IAS and instructed the Secretariat to circulate the second draft of the study to Parties for possible comments and suggestions before its finalisation. The Standing Committee also instructed the Group of Experts on IAS to discuss the proposed recommendations and avenues for future work on the issue by the Convention at its next meeting. It further instructed the Secretariat and the Group of Experts on IAS, to open discussions on how to improve and streamline reporting on the progress in implementing the European Strategy on IAS and on the use made by Parties and sectors of the Codes of conduct on IAS.

The Standing Committee examined and adopted, with some minor amendments, Recommendation No. 203 (2019) on pollinators and invasive alien species.

5.2 Conservation of large carnivores

Relevant documents: T-PVS(2019)7 – Conclusions of the Conference on the conservation of the Lynx
T-PVS(2019)12 – Draft Recommendation on the conservation of the Lynx in Central and West Europe

The Standing Committee warmly thanked the IUCN Cat Specialists Group and LCIE for the initiative to discuss the issue of lynx species conservation in Continental Europe. It took note of the conclusions of the expert meeting on the conservation of the species and related recommendations.

The Standing Committee examined and adopted, with some amendments, Recommendation No. 204 (2019) on the Conservation of the Eurasian lynx (*Lynx lynx*) in Continental Europe.

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

Relevant documents: T-PVS(2019)8 – Report of the Joint Bern/CMS IKB meeting
T-PVS/Inf(2019)10 – Assessment of the 1st national Scoreboard reporting by Parties to the Bern Convention and members of the CMS/MIKT on IKB
T-PVS(2019)17 – Draft Recommendation on the Rome Strategic Plan on IKB
T-PVS(2019)03rev – Draft Rome Strategic Plan on IKB

The Standing Committee took note of the outcomes of the joint meeting of the Bern Convention Special Focal Points Network and the CMS MIKT Task Force in Rome and warmly thanked the national authorities of Italy for the excellent hosting of the meeting.

The Committee welcomed the extremely fruitful cooperation between the Bern Convention and the CMS Secretariat and appreciated that the Rome Strategic Plan was initially designed as a joint Bern Convention/CMS MIKT Strategic Plan, resulting from a long drafting and consultation procedure. It noted however, that the CMS MIKT Members and Observers, some of which are outside the Bern Convention's range, need to be given the opportunity to discuss the version of the Rome Strategic Plan as amended at this meeting.

The Standing Committee examined and adopted, with amendments, Recommendation No. 205 (2019) on the Rome Strategic Plan 2020-2030 for the eradication of illegal killing, trapping and trade of wild birds, including the Plan itself as appended to the Recommendation.

The Committee invited the CMS MIKT Task Force to consider the present version of the Rome Strategic Plan and to possibly adopt it, which will result in a shared Plan between the Bern Convention and the CMS MIKT.

5.4 Biodiversity and Climate change

Relevant documents: T-PVS (2019)14 – Report of the meeting of the joint meeting of the Groups of Experts on Biodiversity and Climate Change and on protected areas
T-PVS (2019)13 – Draft Recommendation on nature-based solutions and management of protected areas in the face of Climate Change

The Standing Committee took note of the outcomes of the joint meeting of the two Groups of Experts and warmly thanked the Norwegian Environment Agency for the excellent hosting of the meeting.

The Standing Committee took note of the proposals for further work by the Group of Experts on Biodiversity and Climate Change.

The Committee examined and adopted, with several amendments, Recommendation No. 206 (2019) on nature-based solutions and management of protected areas in the face of climate change.

5.5 Conservation of habitats

5.5.1 Protected Areas and Ecological Networks

Relevant documents: T-PVS/PA(2019)15 - Report of the 10th meeting of the GoEPAEN

T-PVS/PA (2019)13 - Draft Recommendation on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites
T-PVS/PA(2018)13 - Guidance on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites
T-PVS/Inf(2019)3 - Flowchart of steps to be taken to assess, report and respond to changes in ecological character of Emerald network sites
T-PVS/PA(2019)5 - Mechanism for adding features to Resolutions No. 4 (1996) and No. 6 (1998)
T-PVS/PA(2019)6 - Proposal of addition of marine habitats to Resolution No. 4 (1996)
T-PVS/PA(2019)7 - Proposal of addition of Alpine and sub-alpine heaths to Resolution No. 4 (1996)
T-PVS/PA(2019)8 - Proposed revisions to the Interpretation Manual of Habitats
T-PVS/PA(2019)18 - Interpretation Manual of the Habitats listed in Resolution No. 4 (1996)
T-PVS/PA(2019)12 - Progress in the enforcement of the Revised calendar for the implementation of the Emerald Network (2011-2020)
T-PVS/PA(2019)11 - Draft Recommendation on the progress in the implementation of the Emerald Network
T-PVS/PA(2019)14 – Draft revised Recommendation No. 157 (2011) on the on the status of candidate Emerald sites and guidelines on the criteria for their nomination
T-PVS/PA(2019)16 – Draft list of candidate Emerald Sites
T-PVS/PA(2019)17 – Draft list of adopted Emerald Sites

a. Report of the 10th meeting of the Group of Experts on Protected Areas and Ecological Networks

The Standing Committee took note of the report of the meeting of the Group of Experts and warmly thanked the Norwegian Environment Agency for kindly hosting the meeting.

b. Progress in the constitution of the Emerald Network

The Standing Committee thanked the European Commission for the opportunity given to non-EU Contacting Parties to attend Networking Events within the frame of the Natura 2000 biogeographical process. It further acknowledged the support from the European Environment Agency and its European Topic Centre on Biological Diversity to the Emerald network biogeographical process in the Eastern Partnership countries, through the ENI SEIS East II project funded by the European Union.

The Standing Committee took note of the decision of the Group of Experts to update the national designation types of protected areas by 29 February 2020.

The Standing Committee welcomed the sufficiency index proposed which will back up the yearly review of the implementation of the Emerald Network and feed into an online barometer.

The Standing Committee examined and adopted, without amendment, Recommendation No. 207 (2019) of the Standing Committee on the progress in the implementation of the Emerald Network of Areas of Special Conservation Interest.

c. Updated lists of Emerald sites and draft updated lists of candidate Emerald sites

The Standing Committee took note of the statement of the Georgian authorities regarding the gap in the guidance of the Bern Convention for candidate Emerald Network sites. The Committee mandated the Secretariat in liaison with the Group of Experts on Protected Areas and Ecological Networks to take stock of the existing legal basis of Emerald Network candidate sites and to complement it accordingly.

In light of the declaration of the Georgian Delegate, the Standing Committee disregarded the nominated candidate Emerald Network sites from Georgia and adopted the updated list of officially nominated candidate Emerald Network sites[1]. The Committee noted the necessity to re-evaluate the sufficiency of the Georgian Emerald Network in light of eventual changes to the site proposals.

The Standing Committee examined and adopted the updated list of officially adopted Emerald Network sites[2].

The Standing Committee examined and adopted the revised Recommendation No. 157 (2011) on the status of candidate Emerald sites and guidelines on the criteria for their nomination.

d. The concept of ecological character of sites in the context of the Emerald Network under the Bern Convention

[1] https://rm.coe.int/updated-list-of-officially-nominated-emerald-sites-december-2019-/1680992d90
[2] https://rm.coe.int/updated-list-of-officially-adopted-emerald-sites-december-2019-/1680992d91

The Standing Committee examined and adopted, without amendment, Recommendation No. 208 (2019) of the Standing Committee on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites.

e. Revised Annex I to Resolution No. 4 (1996)

The Standing Committee examined the amendments proposed to the Annex I to Resolution No. 4 (1996) as reflected in the document T-PVS/PA(2019)19 and adopted the revised Annex I with the exclusion of the sub-habitat type A6.12 *Deep sea artificial hard substrata*.

f. Mechanism for adding features to Resolutions No. 4 (1996) and No. 6 (1998)

The Standing Committee took note of the agreement of the Group of Experts on a mechanism for adding features to Resolutions No. 4 (1996) and No. 6 (1998) as described in the document T-PVS/PA (2019)5.

g. Interpretation Manual of Habitats

The Standing Committee took note of the fourth version of the Interpretation Manual of Habitats listed in Resolution No. 4 (1996) as described in the document T-PVS/PA(2019)18 and invited Contracting Parties to amend it on a continuous-flow basis along the evolvement of scientific knowledge.

5.5.2 European Diploma for Protected Areas

Relevant documents: T-PVS/DE(2019)13 – Report of the meeting of the Group of Specialists on the EDPA
T-PVS/DE(2019)20 - EDPA: List of renewal resolutions adopted by the Committee of Ministers in 2019
T-PVS/DE(2019)19 - Renewal of the European Diploma in 2021: List of areas which could be visited in 2020

The Standing Committee took note of the report of the meeting of the Group of Specialists.

The Committee welcomed the application of the Regional Park Gallipoli Cognato (Italy) and the decision of the Group of Specialists to consider the application admissible and to carry out an on-the-spot appraisal visit to the area.

The Standing Committee expressed its concern regarding the situation of the Scandola Nature Reserve (France) and the absence of reaction from the regional and national authorities following the ultimatum addressed by the Group of Specialists. It welcomed the commitment of the French Delegate to provide in writing an update of the situation in reply to the letter of the Secretariat of 5 April 2019.

The Standing Committee further welcomed the decisions of the Group of Specialists to renew the European Diploma to eleven areas and the subsequent formal adoption of the renewal Resolutions by the Committee of Ministers and took note of the seventeen on-the-spot appraisal visits carried out in 2019 and of the lists of areas which are pending on-the-spot appraisal visits in 2020. It further noted the request of the Dutch Delegate that when the conditions attached to draft renewal Resolutions concern political issues, the terms of these conditions are discussed at adequate political level with the authorities of the countries concerned before the draft Resolutions are sent for formal adoption to the Committee of Minsters.

The Committee welcomed the update of the database of European Diploma holding areas which will result in the display of the European Diploma holding areas in the World Database on Protected Areas and the launch of the dashboard of the European Diploma holding areas which contributes to improved monitoring and increased visibility.

The Standing Committee welcomed the mapping of the multiple designations detained by the European Diploma holding areas and the resulting opportunity for seeking monitoring synergies and mandated the Secretariat to pursue the negotiations with UNESCO's World Heritage Center for agreeing on a Memorandum of Cooperation.

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

The Standing Committee thanked the European Environment Agency and its European Topic Centre on Biological Diversity for their support to two training workshops on the reporting under Resolution No. 8 (2012) through the ENI SEIS East II Project funded by the EU.

The Committee welcomed the state of preparation of the reporting under Resolution No. 8 (2012) and urged Contracting Parties to deliver their reports by 31 December 2019.

PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

6. SPECIFIC SITES AND POPULATIONS

Relevant documents: T-PVS(2019)XX – Summary of case files and complaints
T-PVS/Inf(2019)5 – Register of Bern Convention's case-files

6.1 Files opened

➢ 1995/6: Cyprus: Akamas peninsula

Relevant documents : T-PVS/Files(2019)42 - Government Report
T-PVS/Files(2019)32 - Complainant Report

The Committee thanked the authorities of Cyprus and the complainant organisation for their reports and noted the progress achieved by the Government. It welcomed current processes and in particular the LIFE project aimed at improving the conservation status of sea turtles in the EU, implemented in six countries, including Cyprus.

The Committee however noted the evidence provided by the complainant organisation, pointing out the insufficient current protection status of the area and the fact that it does not ensure full compliance with the operational paragraphs of Recommendation No. 191 (2016).

The Committee urged the Cyprus authorities to keep up their efforts and to continue cooperating with the relevant civil society organisations involved in the area.

The file is kept open and the authorities are requested to keep the Bureau informed on progress in the implementation of Recommendation No. 191 (2016).

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

Relevant documents: T-PVS/Files(2019)21 - Government Report
T-PVS/Files(2019)33 – NGO Report

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 file is kept open.

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

Relevant documents: T-PVS/Files(2019)XX - Government Report

T-PVS/Files(2019)36 – NGO Report (MEDASSET)
T-PVS/Files(2019)47 – NGO Report (Archelon)

The Standing Committee took note of the oral update on progress in the implementation of Recommendation No. 174 (2014) presented by the Greek authorities and the written report by the complainant, MEDASSET.

The Committee emphasised the urgency that the Greek authorities cooperate with the relevant civil society organisations and provide concrete evidence of a thorough implementation of the Presidential Decree and its provisions, of the development of an Action Plan funded by the EU LIFE programme and of all operational paragraphs of Recommendation No. 174 (2014).

The national authorities are requested to keep the Bureau and Standing Committee informed on the progress in the implementation of Recommendation No. 174 (2014).

The file is kept open.

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

Relevant documents: T-PVS/Files(2019)26 - Government Report
T-PVS/Files(2019)28 - Complainant Report

The Standing Committee took note of the updated information provided by the Turkish authorities and acknowledged the efforts made for monitoring the turtle nests and improving scientific knowledge. However, the Committee expressed again its concern regarding the numerous measures set in Recommendations No. 182 (2015) and No. 183 (2015) which remain unaddressed as pointed out by the complainant.

The Standing Committee requested again that the Turkish authorities develop and provide a detailed and timebound action plan for complying with the provisions of the above Recommendations, elaborated in close liaison with relevant actors, including civil society organisations.

The file is kept open.

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

Relevant documents: T-PVS/Files(2019)50 – Draft terms of reference for a Bern Convention advisory mission
T-PVS/Files(2019)XX - Government Report
T-PVS/Files(2019)XX - Complainant Report

The Committee noted the absence of an updated report on the case and the absence of the national authorities from the meeting. The Committee acknowledged however that the national authorities of North Macedonia have contacted the Secretariat over the summer seeking information on the possible terms of reference of the expert mission to the area, a mission to which they have already agreed. It was recalled that North Macedonia is a candidate to the EU and has committed to progressively align with the EU acquis, and that in particular the EU EIA, SEA, Water Framework and Nature directives are to be applied when developing plans for hydropower plants in the country.

The Committee further acknowledged the complainant organisation's concerns about the newly developed Energy Strategy in the country, which is currently under public consultations and which proposes 230 MW of installed capacity in low performing hydro power plants corresponding to around 50 projects, including in the area of Mavrovo NP, but also in other candidate Emerald Network sites. The complainant also raised concerns about the continuous development and permitting processes for the hydropower projects in Mavrovo National park.

The Committee agreed that the draft terms of reference for the expert mission, as presented to the Committee, should be extended in order to allow the collection of information on all Emerald network sites, but also on all pending cases which concern North Macedonia before the Bern Convention. The Committee instructed the Secretariat to contact the national authorities and seek their agreement on the mission, which should ideally take place in the spring/summer 2020.

The Committee therefore urges the Government of North Macedonia to suspend all developments, concession and permitting processes for new hydropower projects until the expert mission delivers the recommendations.

The file is kept open.

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

Relevant documents: T-PVS/Files(2019)25 - Government Report
T-PVS/Files(2019)20 - Complainant Report

The Committee regretted the absence of an updated report by the national authorities as well as their absence in the meeting. It noted with concern the complainant organisation's worry about the new developments and renewed investment interest in the building of the two HPPs subject of the case-file and the development of EIA assessments for one of the plants. It was recalled that Albania is a candidate to the EU and has committed to progressively align with the EU acquis, and that in particular the EU EIA, SEA, Water Framework and nature directives are to be applied when developing plans for hydropower plants in the country.

The Committee urged the national authorities to implement the relevant provisions of Recommendation No. 202 (2018) and to prepare an integrated River Basin Management Plan, and strategic environmental impact assessment including social aspects, before any new development takes place in respect of the HPPs subject to the complaint. It recalled that a programme of work on the implementation of the Recommendation is still not provided by the authorities.

The Committee also noted with concern the reported plans for the decrease of the boundaries of the Vjosë-Nartë Protected Landscape which is a candidate Emerald site.

The authorities of Albania are requested to urgently provide, as requested, an updated progress report on the implementation of Recommendation No. 202 (2018) and on the newest information provided by the complainant.

The file is kept open.

6.2 Possible files

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

Relevant documents: T-PVS/Files(2019)22 - Government Report
T-PVS/Files(2019)23 + Annex 1 + Annex 2 + Annex 3 - Complainant Report

The Committee noted the updated written report on the case submitted by the Bulgarian authorities and the information provided orally on the received observations from the European Commission on the application package for EU funds for the construction of Lot 3.2 of the highway. The Committee acknowledged that the Bulgarian authorities are currently preparing an answer to these observations.

The Committee noted the complainant organisations' concern that the European Commission observations point to serious failures in the implementation of the EU acquis on nature conservation, including corrections to the EIA/AA with respect of EU Nature conservation legislation.

Five Contracting Parties called for opening the case file while Bulgaria and 3 other Parties called for closing the file. Several NGOs called for holding an on-the-spot appraisal, which was seconded by several Contracting Parties.

In a spirit of compromise, the Chair proposed that the file is kept as a possible file and an on-the spot appraisal is organised, as a means to collect information from the field, from the various assessments, reports and data available and to meet with relevant actors, in view of formulating recommendations on ways to find a solution that will be acceptable for both the safeguard of the protected wild fauna and flora and for putting in place a safe and effective road connection. The concrete Terms of Reference would be discussed at the next Bureau meeting, in coordination with the concerned Party, subject to its agreement.

The Bulgarian authorities informed that they do not have a mandate to accept an on-the-spot appraisal.

The Standing Committee decided to keep the file as a possible file and to mandate an on the spot appraisal involving all parties and stakeholders concerned, subject to the agreement of the authorities at a later stage.

➢ 2017/01: Lack of legal protection for Northern goshawk and birds of prey in Norway

Relevant documents : T-PVS/Files(2019)34 - Government Report
T-PVS/Files(2018)XX – Complainant report

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.

The Committee decided to keep the file as a possible file and requested the national authorities to report on the case again at its 40th meeting.

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

Relevant documents: T-PVS/Files(2019)27 - Government Report
T-PVS/Files(2019)24 – Complainant report

The Standing Committee took note of the progress report presented by the Montenegrin authorities on the implementation of Recommendation No. 201 (2018) on the development of a commercial project in Skadar Lake, as well as of the request of the Informal Citizens group from Virpazar to upgrade the case from possible file to open file.

The Committee noted the efforts of the national authorities and mainly their work on mapping the area and its habitats. However, 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), the Committee decided to open a case-file, supported by a large number of Parties.

The 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. The authorities are requested to submit an updated report to the Bureau for its 1st annual meeting in 2020.

The file is opened.

6.3 Follow-up of previous complaints and Recommendations

➢ Recommendation No. 190 (2016) on the conservation of natural habitats and wildlife, specially birds, in afforestation of lowland in Iceland

Relevant documents: T-PVS/Files(2019)XX - Government Report
T-PVS/Files(2019)XX - Complainant Report

The Standing Committee expressed once again its concern regarding the absence of a written report submitted by the national authorities of Iceland directly to the Bern Convention, but noted that a report on the implementation of this joint Bern/AEWA Recommendation had been submitted two days ago to the AEWA Secretariat. The report could not be assessed by the Committee.

Considering that AEWA's Standing Committee meets during the second week of December 2019 and will assess the report by the Icelandic authorities, the Standing Committee to the Bern Convention invited the AEWA Secretariat to communicate the result of this assessment to the Bureau of the Bern Convention, for consideration at its first annual meeting in 2020.

The Standing Committee reminded Iceland that a report on the implementation of the Recommendation No. 190 (2016) is expected to be sent each year to both AEWA and the Bern Convention.

➢ Recommendation No. 199 (2018) on the Pan-European Action Plan for the conservation of the sturgeon

Relevant document: T-PVS/Inf(2019)21 – List of nominated national focal points for the PANEUAP

The Standing Committee thanked WWF Central and Eastern Europe and the World Sturgeon Conservation Society (WSCS) for the side event on sturgeon conservation which had taken place at the margins of its meeting. The event was aimed at taking stock of the first steps in the implementation of the Pan-European Action Plan for the conservation of the sturgeon.

The Committee noted with regret that several range countries had not yet committed to the implementation of the action plan and urged the Parties concerned to appoint without delay their national focal points to enable the setting up of a coordination mechanism.

- **Recommendation No. 95 (2002) on the conservation of marine turtles in Kazanli beach (Turkey)**

Relevant documents: T-PVS/Files(2019)49 - Government Report
T-PVS/Files(2019)41 – Complainant report

The Standing Committee took note of the updated information provided by the Turkish authorities as well as the presentation of the complainant, MEDASSET, which called upon the Standing Committee to urge the authorities to implement all conditions of the recommendation without further delay. It also expressed its concern about the continuing pressures on the area and in particular the erosion of the beach.

It further noted the information provided about the new complaint related to Anamur Beach, expressed its concern, but reminded that this complaint was not on the agenda and would be considered at the next Bureau meeting.

The Standing Committee urged the Turkish authorities to implement all conditions of Recommendation No. 95 (2002) and requested an updated report in two years.

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

Relevant documents: T-PVS/Files(2019)XX - Government Report
T-PVS/Files(2019)37 – Complainant report (MEDASSET)
T-PVS/Files(2019)48 – Complainant report (Archelon)

The Standing Committee took note of the updated information provided by the Greek authorities as well as the presentation of the complainant, MEDASSET, which called upon the Standing Committee to reopen the case file due to the continuous and long-term dire situation of the area.

The Standing Committee, 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.

PART V – COOPERATION AND COMMUNICATION ACTIVITIES AND PROGRAMME OF WORK 2019

7. INTERNATIONAL COORDINATION WITH OTHER MEAS AND ORGANISATIONS

The Standing Committee took note of the information provided by the Secretariat and expressed its appreciation of the cooperation developed throughout the year with other MEAs, namely the CMS, UNEP/AEWA, as well as with the European Commission, the European Environment Agency and its European Topic Centre for Biological Diversity. It further welcomed the ongoing discussions with UNESCO's World Heritage Centre aiming to agree on monitoring synergies for protected areas which are both awarded the European Diploma for Protected Areas and listed as World Heritage Properties. Finally, the Committee acknowledged the fruitful cooperation with various national and international non-governmental organisations, such as RSPB, Natural England, the EUROPARC Federation, WWF, IUCN and BirdLife International.

8. AWARENESS AND VISIBILITY

The Standing Committee welcomed the awareness raising campaign on biodiversity conservation, designed both online and on social media for the 40th anniversary of the Bern Convention and the exhibition on the European Diploma for Protected Areas, which reuses and builds on materials previously produced for the 50th anniversary of the European Diploma.

9. DRAFT PROGRAMME OF ACTIVITIES AND BUDGET FOR 2020-2021

Relevant document: T-PVS(2019)18 – Draft Programme of Activities for 2020-2021
T-PVS/Inf(2019)20 – Draft Calendar of meetings for 2020

The Standing Committee adopted the Programme of Activities and budget for 2020-2021, to be implemented subject to the availability of financial resources

10. STATES TO BE INVITED AS OBSERVERS TO THE 40TH MEETING

The Standing Committee decided unanimously to invite the following States to attend its 40th meeting: the Russian Federation, San Marino, Egypt, the Holy See and Jordan.

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 Committee elected:

- Ms Jana Durkošová (Slovak Republic) as Chair;
- Ms Merike Linnamägi (Estonia) as Vice-Chair;
- Mr Jan Plesnik (Czech Republic) and Mr Carl Amirgulashvili (Georgia) as Bureau members.

According to Rule 19 of the Rules of Procedure, the Committee acknowledged the automatic election of the previous Chair, Mr Øystein Størkersen (Norway), as a Bureau member.

12. DATE AND PLACE OF THE 40TH MEETING

The Standing Committee agreed to hold its next meeting on 1 - 4 December 2020, in Strasbourg.

13. ADOPTION OF THE MAIN DECISIONS OF THE MEETING

The Standing Committee adopted document T-PVS(2019)Misc.

14. OTHER BUSINESS (ITEMS FOR INFORMATION ONLY)

There was no other business.

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Resolution No. 9 (2019) of the Standing Committee, adopted on 6 December 2019, on the financing of the Bern Convention and on initiating the establishment of a new system for obligatory financial contributions by Parties

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

Recalling that the Bern Convention on the Conservation of European wildlife and Natural Habitats is the main legal instrument in the field of biological diversity at pan-European level, having been ratified by fifty States and the European Union, encompassing the entire European Continent and beyond, thanks to the ratification by four North African states;

Recalling the celebration of the 40th anniversary of the signature of the Bern Convention on 19 September 2019;

Recalling the main mission of the Bern Convention, which is to ensure conservation of wild flora and fauna species and their habitats within its geographic scope, giving special attention to endangered and vulnerable species, including endangered and vulnerable migratory species, as reflected in Article 1 of the Convention;

Recalling that since the adoption of the UN Agenda 21 and later the Millennium Development Goals (MDGs) and the current Sustainable Development Goals (SDGs), the objectives of the Bern Convention were acclaimed as being largely in line with and contributing to the objectives set for the sustainable development of our Planet (Monaco Declaration on the role of the Bern Convention in the implementation of worldwide international instruments for the protection of biodiversity, 25 September 1994);

Recalling Resolution No. 7 (2000) on the medium-term strategic development of the Convention on the Conservation of European wildlife and Natural Habitats, adopted by the Standing Committee on 1st December 2000, which sets a role for the Convention in supporting the implementation of the world targets and strategic priorities for biodiversity set at the level of the Convention on Biological Diversity (CBD);

Recognising the importance of the Bern Convention as a tool for intergovernmental cooperation at the level of the continent, for ensuring coordinated action and synergies by all relevant actors in their efforts to protect nature for the benefit of all and for contributing towards the achievement of the Sustainable Development Goals;

Stressing that for forty years this Council of Europe treaty has developed a high number of standards and guidance documents on threatened species and natural habitats in Europe and has been continuously assisting its Parties in their compliance efforts, while thoroughly monitoring the implementation of obligations and standards;

Recognising the major progress in the setting up of the Emerald Network of Areas of Special Conservation Interest in the past ten years and the key importance of this Network in ensuring that a coherent and complementary approach to site conservation is applied across the European continent;

Recognising the efficiency of the monitoring system of the Bern Convention, based on both reporting obligations and complaints submitted by individuals and civil society organisations, in supporting national authorities in the successful termination of many case-files on possible violation of the Convention, including using on-the-spot appraisals and mediation as problem-solving tools;

Recognising the productive working relationships that the Bern Convention has established and nourished over the years with other relevant treaties, organisations and processes;

Stressing that today it is largely recognised that biodiversity is fundamental for maintaining ecosystems which deliver essential services for ensuring the full enjoyment of human rights, including human health and well-being;

Recalling that the Global assessment of biodiversity and ecosystem services developed and adopted by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) in May 2019 in Paris, recognised five main direct drivers of biodiversity loss today: (1) changes in land and sea use; (2) direct exploitation of organisms; (3) climate change; (4) pollution; and (5) invasion of alien species, and also presents an array of root causes or indirect drivers of change which are in turn underpinned by societal values and behaviours;

Recalling the work carried out by the Bureau and the Ad Hoc Advisory Group on Budgetary matters, in the period 2011-2013, aimed at identifying a viable system for funding the Convention and the Decision of the 33rd Standing Committee, adopted on 6 December 2013, on financing the Bern Convention;

Recognising that although always secured, the allocation of a financial contribution from the Council of Europe's Ordinary Budget to the implementation of the Bern Convention has strongly diminished over the years and in particular in the past 10 years and has reached a level where further cuts would jeopardise the existence of the Convention, including its Secretariat;

Noting also the recent financial difficulties of the Council of Europe and the contingency plan of the Organisation planned for a period of three years (2020-2023), which was abandoned but could have had an impact on the Bern Convention's allocation by the organisation for both its staff and operational budget;

Having regard to the work of the inter-sessional Working Group on the financing of the Bern Convention throughout 2019 and document T-PVS(2019)1rev, presenting options for identifying a viable new system of funding for the Convention;

Stressing again that the Convention can function well only if it receives adequate and predictable funding for the implementation of its Programme of Activities, for its Secretariat and for the fulfilment of its mandate and objectives;

Noting that the dual funding system of the Convention -budget allocation from the Council of Europe ordinary budget and additional financial support provided by Contracting Parties, although having constituted a good option for ensuring the financial resources for the Convention in the past, is constantly challenged through budgetary cuts operated by the Committee of Ministers to the Council of Europe and is therefore very fragile;

The Standing Committee:

1. Notes the scale of suggested voluntary financial contributions to the budget of the Convention by its Contracting Parties as provided in Annex 1;

2. Urges all Contracting Parties to the Convention to contribute to the budget of the Convention according to the scale of suggested voluntary contributions and invites them to contribute above these suggested amounts;

3. Instructs the Bureau to closely monitor Parties' voluntary contributions and to present the state of payments at each meeting of the Standing Committee to the Convention;

4. Without prejudice to the discretion of each party to set the level of its voluntary contribution, instructs the Secretariat to prepare, on an annual basis, a revised scale of suggested voluntary contributions, considering the level of the financial allocation by the Council of Europe through the Ordinary Budget to the Convention's overall budget, and to present this to the Standing Committee for consideration;

5. Without prejudice to future positions of Contracting Parties on voluntary or obligatory financing mechanisms, an inter-sessional working group on finances shall, with the support of the Secretariat and the Bureau, in pursuance of options 1 and 3, draft full proposals for amending the Convention and for a Partial Agreement concerning financing. Both proposals shall be made available to Parties four months before the date of the 40th Standing Committee, for discussion, possible adoption, and possible submission of either or both proposals for approval by the Committee of Ministers of the Council of Europe.

Annex 1: Scale of contributions by Contracting Parties for 2020

Contracting Party	**% of total amount**	**Total amount of annual contribution (Euros)**
Albania	0,25%	1 300,00
Andorra	0,25%	1 300,00
Armenia	0,25%	1 300,00
Austria	1,50%	7 800,00
Azerbaijan	0,25%	1 300,00
Belgium	1,75%	9 100,00
Bosnia & Herzegovina	0,25%	1 300,00
Bulgaria	0,63%	3 250,00
Croatia	0,63%	3 250,00
Cyprus	0,25%	1 300,00
Czech Republic	0,63%	3 250,00
Denmark	1,50%	7 800,00
Estonia	0,63%	3 250,00
Finland	1,50%	7 800,00
France	10,00%	52 000,00
Georgia	0,25%	1 300,00
Germany	10,00%	52 000,00
Greece	0,63%	3 250,00
Hungary	0,63%	3 250,00
Iceland	1,50%	7 800,00
Ireland	1,50%	7 800,00
Italy	10,00%	52 000,00
Latvia	0,63%	3 250,00
Liechtenstein	0,25%	1 300,00
Lithuania	0,63%	3 250,00
Luxembourg	0,25%	1 300,00
Malta	0,25%	1 300,00
Moldova	0,25%	1 300,00
Monaco	0,25%	1 300,00
Montenegro	0,25%	1 300,00
Netherlands	2,50%	13 000,00
Norway	10,00%	52 000,00
Poland	2,00%	10 400,00
Portugal	2,00%	10 400,00
Romania	0,63%	3 250,00
Serbia	0,25%	1 300,00
Slovak Republic	0,63%	3 250,00
Slovenia	0,63%	3 250,00

Spain	4,00%	20 800,00
Sweden	1,50%	7 800,00
Switzerland	10,00%	52 000,00
North Macedonia	0,25%	1 300,00
Turkey	1,50%	7 800,00
Ukraine	0,63%	3 250,00
United Kingdom	10,00%	52 000,00
Belarus[3]	0,25%	1 300,00
Burkina Faso	0,25%	1 300,00
European Union	4,75%	24 700,00
Morocco	0,25%	1 300,00
Senegal	0,25%	1 300,00
Tunisia	0,25%	1 300,00
Total	**100,00%**	**520 000,00**

[3] Belarus, Burkina Faso, the European Union, Morocco, Senegal and Tunisia, are Parties to the Bern Convention, but non-member States to the Council of Europe.

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 203 (2019) of the Standing Committee, adopted on 6 December 2019, on pollinators and invasive alien species

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

Having regard to the aim of the Convention to ensure the conservation of wild flora and fauna, by giving particular attention to species, including migratory species, which are threatened with extinction and vulnerable;

Recalling that under Article 11, paragraph 2.b of the Convention, each Contracting Party undertakes to strictly control the introduction of non-native species;

Recalling its Recommendation No. 91 (2002) on invasive alien species that threaten biological diversity in islands and geographically and evolutionary isolated ecosystems;

Recalling its Recommendation No. 99 (2003) on the European Strategy on Invasive Alien Species;

Recalling its Recommendation No. 125 (2007) on trade in invasive and potentially invasive alien species in Europe;

Recalling its Recommendation No. 126 (2007) on the eradication of some invasive alien plant species;

Recalling its Recommendation No. 141 (2009) on potentially invasive alien plants being used as biofuel crops;

Recalling its Recommendation No. 142 (2009), adopted on 26 November 2009, interpreting the CBD definition of invasive alien species to take into account climate change;

Recalling its Recommendation No. 160 (2012) on the European Code of Conduct for Botanic Gardens on Invasive Alien Species;

Recalling its Recommendation No. 178 (2015) on the control of feral ungulates in island of the Mediterranean and Macaronasian Regions;

Recalling its Recommendation No. 193 (2017) on the European Code of Conduct for Invasive Alien Trees;

Recalling Decision VI/23 of the 6th Conference of the Parties of the Convention on Biological Diversity, on Alien species that threaten ecosystems, habitats or species, and the definitions used in that text;

Recalling the Strategic Plan for Biodiversity 2011-2020 with its 20 headline Aichi targets for 2020, adopted at COP 10 of the CBD and in particular Target 9 devoted to invasive alien species (IAS): “By 2020, invasive alien species and pathways are identified and prioritised, priority species are controlled or eradicated, and measures are in place to manage pathways to prevent their introduction and establishment”;

Recalling the EU Biodiversity Strategy to 2020, endorsed by the Council of the European Union in June 2011, and in particular its Target 5, calling on Member States to combat IAS so that by 2020 IAS and their pathways are identified and prioritised, priority species are controlled or eradicated, and pathways are managed to prevent the introduction and establishment of new IAS;

Recalling the EU Regulation No. 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species;

Recalling the EU Pollinators initiative, established in June 2018 through the adoption of a European Commission Communication which identifies invasive alien species as key threats to pollinators and aware of the work of the European Commission to develop guidance in support of the initiative's specific action to reduce the impacts of IAS on pollinators;

Recalling that the Assessment Report of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) on Pollinators, Pollination and Food Production (2016) named invasive alien species as one of the main threats to pollinators, among intensive agricultural management and pesticide use, pollution, pathogens and climate change;

Recognising that the IPBES Report on Pollinators, Pollination and Food Production (2016) defines a native pollinator as a pollinator species living in an area where it evolved, or dispersed without human intervention and defines a wild pollinator as a pollinator that can live without human husbandry, although some may depend on agricultural settings for survival;

Conscious that invasive alien species are assessed as one of the five direct drivers of biodiversity loss in the IPBES Global Assessment on Biodiversity and Ecosystem Services, approved by the IPBES Plenary at its 7th session in May 2019 in Paris, France (IPBES-7);

Conscious that pollination is a key process in nature that enables the reproduction of plants and is thus essential for food production and that the conservation status of wild pollinators is worrying;

Conscious as well that it is essential that knowledge on the causes of the decline in pollinators is improved in order to support streamlined action to tackle it;

Urges Contracting Parties to:

1. Consider the effects of invasive alien species on wild native pollinators to ensure that solid scientific information is at the base of new conservation efforts,
2. Establish and implement effective action plans for priority pathways to prevent the introduction of invasive alien species that pose a threat to wild native pollinators,
3. Identify and eradicate, if possible, or control invasive alien species that pose a threat to wild native pollinators,
4. Identify appropriate stakeholders in scientific and research institutes, in other levels of government and in NGOs, that may support prevention, control and eradication programmes and involve them as appropriate in the planning and implementation of prevention, control and eradication efforts,
5. Co-operate with other States, as appropriate, including transfer of technology on mutually agreed terms or expertise, financially or otherwise in prevention, control and eradication programmes,
6. Keep the Standing Committee informed on the measures taken to implement this recommendation.

Invites Observer States to take note of this recommendation and implement as appropriate.

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 204 (2019) of the Standing Committee, adopted on 6 December 2019, on the Conservation of the Eurasian lynx (*Lynx lynx)* in Continental[4] Europe

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

Having regard to the aims of the convention to conserve wild fauna and its natural habitats;

Considering that the European lynx *(Lynx lynx)* is a fundamental part of the European natural heritage;

Conscious that international co-operation by all relevant Parties is necessary for the long-term preservation and management of the small and isolated populations in Continental Europe, also considering other populations which have an unfavourable conservation status;

Recalling that one of the aims of the convention is to conserve wild fauna and its habitats, especially those species whose conservation requires the co-operation of several states, and to promote such co-operation;

Stressing the need to advance to a more coordinated management of the small and isolated populations of lynx in the whole of its range in Continental Europe;

Desirous to avoid a further loss of biological diversity in Europe and wishing to promote co-existence of viable populations of lynx in Europe with sustained development of its rural areas and noting that lynx conservation is compatible with other human activities such as livestock raising and hunting;

Recalling Recommendation No. 115 (2005) on the conservation and management of transboundary populations of large carnivores and Recommendation No. 137 (2008**)** on population level management of large carnivores' populations;

Convinced that illegal killing of lynx and other illegal activities affecting the species should be actively eradicated using preventive measures and law enforcement;

Taking note of the Conclusions of the expert workshop on lynx conservation in Bonn, Germany, 16–19 June 2019,

Recommends that relevant Contracting Parties to the Convention:

1. Strengthen conservation of endangered native populations of lynx, such as the Balkan Lynx listed in Appendix II of the Convention;
2. Monitor and improve genetic diversity of all reintroduced populations aiming to avoid the threat of inbreeding depression;

[4] For the purpose of this Recommendation, Continental Europe refers to the existent and former distribution area of the three Eurasian lynx subspecies in West-, Central and South-eastern Europe; hence ignores the Iberian, Appenine and Scandinavian peninsulas.

3. Monitor and manage transboundary populations of lynx following the principles and guidelines endorsed in the Standing Committee Recommendation No.137 (2008) on population level management of large carnivore populations; develop in particular a common conservation strategy for the native Carpathian population;

4. Improve as necessary connectivity of different lynx subpopulations, based on genetic and population data; use, as appropriate, restoration of corridors, green bridges, mitigation of human-induced mortality, habitat improvement, and, where necessary, translocations; in that context promote knowledge of migration of lynx between populations, improving information on the movement of individuals and monitoring their genetic status;

5. Monitor genetics of all small and isolated lynx populations in Europe; the monitoring needs to include tracking of genetic diversity and inbreeding over time, assessing effective population size and detecting genetic flow between neighbouring populations;

6. Develop a system for assessing and exchanging animals to facilitate an assisted metapopulation management; for that purpose, facilitate the establishment of a permanent lynx genetics working group which could develop a detailed protocol for genetic monitoring and conservation aiming to reduce the inbreeding of wild populations and guide genetic management of metapopulations;

7. When restocking populations of reintroduced populations, use preferably genetic stock from the same source as the original population, or, where appropriate, properly managed specimens from the European Association of Zoos and Aquaria (EAZA) Carpathian lynx European Studbook (ESB), following the IUCN *Guidelines for Reintroductions and Other Conservation Translocations* (IUCN/SSC 2013); make sure when animals are taken from free-ranging populations that removal of individuals will not be detrimental to the source population; for reintroductions in the "Baltic lowland lynx" populations should come from the Baltic or Karelian population or from the EAZA Northern lynx ESB of the Fenno-Baltic line;

8. Develop specific protocols for (1) breeding, husbandry, training and assessment of zoo-born lynx designated to be released, and (2) for the husbandry and testing of orphaned lynx to be released. These protocols must be jointly developed by lynx experts, the EAZA Felid TAG and ESB, and relevant IUCN SSC institutions (e.g. Cat Specialist Group, Reintroduction Specialist Group, and LCIE);

9. Support, as appropriate, the creation of a permanent Eurasian lynx Working Group, e.g. affiliated with IUCN SSC specialist groups such as the Cat Specialist Group and the LCIE; this group could be charged with (1) drafting detailed protocols for capturing, treating/examining and transporting Eurasian lynx; (2) developing and maintaining practical protocols for lynx conservation and management as outlined under the recommendations above; (3) engaging with other experts to develop concepts for a wider outreach and communication in order to reach the institution and interest groups mentioned above, but also the general public.

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 205 (2019) of the Standing Committee, adopted on 6 December 2019, on the Rome Strategic Plan 2020-2030 for the eradication of illegal killing, trapping and trade of wild birds

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

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

Recalling that Article 1, paragraph 2 of the Convention requires Parties to give particular emphasis to the conservation of endangered and vulnerable species, including endangered and vulnerable migratory species;

Recalling that Article 6 requires Parties to take the necessary and administrative measures to ensure the special protection of the wild fauna species specified in Appendix II, prohibiting in particular all forms of deliberate capture and keeping, and deliberate killing, as well as the possession and internal trade in these animals, alive or dead;

Recalling its Recommendation No. 5 (1986) on the prosecution of persons illegally catching, killing or trading in protected birds, which encouraged Parties to ensure the prosecution of persons illegally catching or killing birds or establishments commercialising live and/or protected birds and Recommendation No. 90 (2001) on the catching, killing or trading of protected birds in Cyprus, which encouraged Cyprus to properly implement the actions suggested in Recommendation No. 5 (1986);

Further recalling its Recommendation No. 155 (2011) on the illegal killing, trapping and trade of wild birds, which identified the main challenges related to the legal, biological and institutional aspects, and suggested a series of urgent measures for enhancing national and international cooperation, fostering adequate enforcement of existing legislation, and promoting dialogue between all relevant interest groups, noting traditions, cultures and values;

Recalling the Larnaca Declaration, adopted at the 1st European Conference on illegal killing, trapping and trade of birds (Larnaca, Cyprus, 6-8 July 2011), which called on responsible stakeholders, governments, local communities, law enforcement agencies, and nature conservation NGOs, including hunting associations, to unequivocally condemn all forms of illegal taking and trading of wild birds, to pledge a zero tolerance approach to illegal killing, trapping and trade of birds, and to adopt a full and proactive role in fighting against these illegal activities;

Recalling the European Charter on Hunting and Biodiversity, adopted by the Standing Committee on 29 November 2007, and particularly its Principles No. 2 – Ensure that regulations are understandable and respected; No. 3 – Ensure that harvest is ecologically sustainable; No. 8 – Empower local stakeholders and hold them accountable; and No. 11 - Encourage cooperation between all stakeholders in management of harvested species, associated species and their habitats;

Recalling the 2nd Conference on Illegal killing, trapping and trade of birds which took place in Tunis on 29-30 May 2013 and which has identified, through an open and collaborative process, three areas where urgent action should be implemented by relevant actors for ensuring the eradication of IKB, namely legislation enforcement, awareness and education and biological aspects;

Recalling its Recommendation No. 164 (2013) on the implementation of the Tunis Action Plan (TAP) 2013-2020 for the eradication of illegal killing, trapping and trade of wild birds;

Recalling its Recommendation No. 171 (2014) of the Standing Committee, adopted on 5 December 2014, on the setting-up of national policing/investigation priorities to tackle illegal killing, trapping and trade of wild birds, recommending Parties to improve efforts aimed at enhancing inter-sector cooperation at national level and involving all relevant Ministries, particularly the Ministries of Environment, Agriculture, Interior or Home Affairs, Justice and Education;

Further recalling its Recommendation No. 177 (2015) on the gravity factors and sentencing principles for the evaluation of offences against birds, and in particular the illegal killing, trapping and trade of wild birds;

Recalling the EU Biodiversity Strategy 2020 and its target 1 "Fully implement the Birds and Habitats Directives", and the Roadmap elaborated for addressing illegal killing of birds in EU member states, in line with the Tunis Action Plan 2013-2020;

Acknowledging the setting-up of an Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT) under the Convention on the Conservation of Migratory Species of Wild Animals (CMS), pursuant to Resolution 11.16 (Rev. COP12) adopted at CMS COP11, and revised at COP12, entitled "The Prevention of Illegal Killing, Taking and Trade of Migratory Birds", that aimed to facilitate the implementation of the Bern Convention Tunis Action Plan 2013-2020; and stressing the Cairo Declaration on supporting a zero-tolerance approach to the Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean Region developed at the 1st meeting of the MIKT in July 2016;

Noting the Programme of Work of the MIKT developed for the period (2016-2020) at the Task Force's 1st meeting in July 2016;

Recalling the mid-term review of the Tunis Action Plan, developed in 2016, and its conclusion, among others, of the need for more action by Parties in the identification of policy and investigation priorities, on improving the awareness of the judiciary about IKB and on identifying black spots and understanding the drivers of IKB;

Acknowledging the benefits of the coordinated approach successfully followed at the international level by the Bern Convention together with other concerned and partner MEAs, organisations and stakeholders, and in particular the excellent cooperation with the CMS, the AEWA and the EU and its Member States, on matters related to the eradication of illegal killing, trapping and trade of wild birds;

Recalling the 1st Joint Meeting of the Bern Convention Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT) in Sliema, Malta, on 22-23 June 2017 and the development of a joint Bern Convention - CMS MIKT Scoreboard which supports Parties in self-assessing their national progress on the implementation of their commitments in this area;

Recalling its Recommendation No. 196 (2017) on the establishment of a Scoreboard for measuring progress in combating illegal killing, taking and trade of wild birds;

Noting with concern the results of the BirdLife International 2015 Review of the scale and extent of illegal killing and taking of birds in the Mediterranean and their 2017 Review of illegal killing and taking of birds in Europe, the Arabian Peninsula, Iraq and Iran;

Recalling the results of the first assessment of national Scoreboard reporting [document T-PVS/Inf(2019)10], presented at the 2nd Joint Meeting of the Bern Convention Network of Special Focal Point on Eradication of Illegal Killing, Trapping and Trade in Wild Birds and the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean, which took place in Rome in May 2019;

Welcoming the transparent and consultative process, initiated in 2018 by the Bern Convention, for shaping the post-2020 strategic priorities on IKB, starting from a questionnaire for Bern Convention Parties and MIKT members and observers, through a high-level analysis of developments since the adoption of the TAP 2013-2020, a strategic assessment of the state of implementation of the TAP and a SWOT report, which led to the development of recommendations for a draft post-2020 strategic framework for action which includes a vision, objectives and high-level targets;

Reminding that this initial post-2020 strategic framework was then transformed into a Strategic Plan, debated at the 2nd Joint Meeting of the Bern Convention Network of Special Focal Point on Eradication of Illegal Killing, Trapping and Trade in Wild Birds and the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean and further consulted with all relevant actors through two electronic consultations;

Further reminding that the 2nd Joint meeting of the Bern SFPS Network and CMS MIKT suggested that the Rome Strategic Plan on Illegal Killing of Birds 2020-2030 should become a joint strategic document of the Bern Convention and the CMS MIKT;

Aware of the urgency of stepping up efforts towards the eradication of illegal practices affecting bird populations and acknowledging the widespread adoption of the zero-tolerance approach towards IKB;

Recommends and encourages Contracting Parties to the Convention and invites Observer States to:

1. Implement appropriate actions of the Rome Strategic Plan 2020-2030 appended to this Recommendation in order to;

    a) understand the scope, scale of and motivations behind IKB;
    b) establish an active prevention of the illegal killing, taking and trade of birds;
    c) ensure that illegal killing of birds is addressed effectively and efficiently in national legislation;
    d) ensure that effective and efficient enforcement of relevant legislation is undertaken;
    e) ensure effective and efficient justice for IKB-related offences;

2. Inform the Standing Committee on relevant actions taken under the plan.

The Bern Convention Secretariat is requested to cooperate with the CMS Secretariat to support, as appropriate, Parties in their use of the Rome Strategic Plan, in coordination with the Special Focal Points Network for IKB under the Bern Convention and the CMS MIKT.

Annex: Rome Strategic Plan 2020-2030: Eradicating Illegal Killing, Taking and Trade in Wild Birds in Europe and the Mediterranean region

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 206 (2019) of the Standing Committee, adopted on 6 December 2019, on nature-based solutions and management of protected areas in the face of climate change

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, in accordance with Article 14 of the Convention,

Having regard to the aims of the Convention to conserve wild flora and fauna and its natural habitats and to its requirements that Parties (1) take requisite measures to maintain the populations of wild flora and fauna at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic requirements and (2) consider the conservation of wild fauna and flora in their planning and development policies, and in their measures against pollution;

Recalling all of the previous climate change related Recommendations of the Standing Committee to the Bern Convention:

- No. 122 (2006) on the conservation of biological diversity in the context of climate change
- No. 135 (2008) and No. 143 (2009) on addressing the impacts of climate change on biodiversity
- No. 145 (2010) on guidance for Parties on biodiversity and climate change in mountain regions
- No. 146 (2010) on guidance for Parties on biodiversity and climate change in European islands
- No. 147 (2010) on guidance for Parties on wildland fires, biodiversity and climate change
- No. 152 (2011) on Marine Biodiversity and Climate Change
- No. 158 (2012) on Conservation translocations under changing climatic conditions and
- No. 159 (2012) on the effective implementation of guidance for Parties on biodiversity and climate change;

Recalling that in 2008, the Bern Convention stressed the need to adapt conservation work to the challenges of climate change, so as to minimise its impact on the species and natural habitats protected under the Convention;

Reminding that in 2009, the Bern Convention stressed the need for the development of adaptation strategies for maintaining and increasing ecosystem resilience, and for improving the ability of ecosystems to mitigate the effects of climate change whilst maintaining and increasing biodiversity;

Reminding that again in 2009, the Bern Convention called on Parties to make full use of the large potential for synergies and co-benefits between biodiversity conservation and climate change mitigation and adaptation, including ecosystem-based approaches;

Recalling the CBD COP Decision VII/11 on Ecosystem approach, the CBD COP Decisions X/31 on Protected Areas and X/33 on Biodiversity and climate change and its guidance, the Aichi Targets 10 and 15 on minimising pressures on vulnerable ecosystems and on enhancing their resilience to climate change, the CBD COP Decision XI/21 on Other matters related to biodiversity and climate change, the CDB COP Decision XIII/5 on Ecosystem Restoration - short term action plan and the CBD COP Decision 14/5 on Biodiversity and Climate Change and the Voluntary Guidance on the design and effective implementation of ecosystem-based approaches to climate change adaptation and disaster risk reduction and Decision 14/8 on Protected areas and other effective area-based conservation measures;

Recognising the EU 2020 Biodiversity Strategy, particularly the strategic objective aiming at a more climate resilient, low-carbon economy and its Target 2 on maintaining ecosystems and their services and enhancing them by establishing green infrastructure and restoring at least 15 % of degraded ecosystems;

Recalling that the Global assessment of biodiversity and ecosystem services developed and adopted by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) in May 2019 in Paris, recognised climate change among the five main direct drivers of biodiversity loss today and also presented an array of root causes or indirect drivers of change which are in turn underpinned by societal values and behaviours;

Also recalling that the IPBES defines nature-based solutions as "*Actions to protect, sustainably manage, and restore natural or modified ecosystems, that address societal challenges effectively and adaptively, simultaneously providing human well-being and biodiversity benefits"* in the glossary to the Global Assessment of Biodiversity and Ecosystem Services;

Recalling that the Special Reports[5] of the Intergovernmental Panel on Climate Change (IPCC) demonstrated the biodiversity-climate change link and the important role of ecosystems for climate change mitigation and adaptation;

Recalling the Sustainable Development Goals (SDGs) and in particular SDG 13 calling for urgent action to combat climate change and its impacts, as well as SDGs 14 and 15 on the conservation of marine and terrestrial ecosystems;

Emphasising the clear interlinkages between the conservation and sustainable use of biological diversity and human rights, with respect to the intrinsic value of wild flora and fauna, which needs to be preserved and passed to future generations and which is essential for sustaining ecosystem services indispensable for human life and well-being and for the full enjoyment of all human rights;

Acknowledging the outcomes of the survey developed by the Bern Convention in 2018 on the needs of Contracting Parties on the management of protected areas from a climate change perspective, stressing that adaptation action lags far behind awareness across Emerald Network sites [document T-PVS/Inf(2018)12: Report on the survey on climate change and protected areas];

Acknowledging the recommendations formulated in the study on potential synergies concerning climate change between the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and the European and Mediterranean Major Hazards Agreement (EUR-OPA) developed in 2018 [document T-PVS/Inf(2018)11];

Acknowledging that it is widely recognised by Governments that a state of emergency now exists to avoid the breakdown of both the climate and biodiversity, as well as of ecosystems that support life on Earth as it has been known since the emergence of current civilisation, and recognising that the choices made now on both greenhouse gas emissions' reduction and biodiversity conservation and restoration targets determine the very nature of the planet and human society which will be passed on to future generations;

Acknowledging that the causes as well as impacts of climate change and disaster risk are strongly intertwined and that measures to adapt to climate change and to reduce disaster risks should be designed and implemented in a collaborative manner;[6]

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[5] IPCC SR1.5 Special report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty; IPCC Special Report on Global Warming of 1.5°C; IPCC SRCCL Special report on climate change, desertification, land degradation, sustainable land management, food security, and greenhouse gas fluxes in terrestrial ecosystems; IPCC SROOC Special report on the ocean and cryosphere in a changing climate.

[6] IPCC SREX Special Report on Managing the Risks of Extreme Events and Disasters to Advance Climate Change Adaptation and the UNDRR Sendai Framework for Disaster Risk Reduction 2015-2030 Sendai Framework for Action.

Aware that the current challenges require a change in approach to address the climate and biodiversity crisis, which are inextricably linked and interdependent in both cause and in solution, and particularly to address biodiversity conservation in the context of the trajectory of climate change;

Conscious of the growing global awareness that nature-based solutions with safeguards are an essential component for climate change mitigation, adaptation and disaster risk reduction, whilst also providing multiple benefits including for biodiversity and human health;

Stressing, however, the need to recognise the different definitions of nature-based solutions ranging from naturally occurring ecosystems, to solutions that copy nature and natural traits and abilities, hence acknowledging the need to focus on solutions that also maintain wildlife and their natural habitats;

Reminding of the nature-based solutions for climate Manifesto developed for the UN Climate Action Summit which took place on 23 September 2019 in which its supporters, including Governments, recognised the important role of nature in climate action and confirmed their commitment to unlock its full potential of nature through a range of actions;

Reminding that besides the multiple benefits it provides to people, photosynthesis by nature is the only proven, effective and low-cost instrument for CO_2 removal from the atmosphere, essential to meet Net Zero targets;

Reminding that nature-based solutions and ecosystem-based approaches share the assumption that ecosystems in a healthy condition deliver multiple benefits and services for human well-being and address economic, social and environmental goals, including climate change adaptation and mitigation and biodiversity conservation and restoration;

Highlighting that ecosystem-based approaches to climate change adaptation and mitigation, including biodiversity conservation, the reduction of ecosystem degradation, restoration of ecosystems, and sustainable soil management ("nature-based solutions or "natural climate solutions") could provide about one third of the cost-effective CO_2 mitigation by 2030 in order to have a greater than 66 per cent chance of limiting warming to below 2°C. These measures are generally more cost-effective and immediately accessible and thus could be implemented as "no-regret" priority actions;[7]

Welcoming the outcomes of the Joint meeting of the Groups of Experts on Biodiversity and Climate Change and on Protected Areas and Ecological Networks under the Bern Convention (Trondheim, 3-4 October 2019), which concluded that although climate change is impacting protected areas, this is not yet reflected in many site management plans, nor in strategic assessment of the network's ability and opportunity to assist the adaptation of European biodiversity to climate change as a pan-European ecological network;

Acknowledging that funding for the management of the Emerald and Natura 2000 Networks and for adapting nature to climate change, for ensuring the continuation of ecosystem services and for scaling-up and effectively implementing nature-based solutions for mitigation and human adaptation to climate in harmony with nature is an investment in the future of our societies and will provide a profitable return in both economic and environmental accounting;

Aware that nature-based solutions need strong environmental and social safeguards;

Aware that the Emerald and Natura 2000 Networks are a vital asset from which to build a climate smart biodiversity network across Europe's biogeographic regions, and which are also nature-based climate solutions;

Aware that nature conservation objectives may be required to move to robustly reflect more dynamic species, habitats and ecosystems as they respond to climate change;

Conscious that there is a need to imagine and evaluate future scenarios for biodiversity, ecosystem services and nature-based solutions with the trajectory of changing climate and develop appropriate adaptation responses and aware that the uncertainties inherent in such scenarios must not be a hindrance to action;

Aware as well that adaptive response will require appropriate monitoring, learning and development of actions as experience is gained;

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[7] Source CBD/SBSTTA/23/3

Aware of the need to act quickly (within 10 years according to the IPCC) and boldly and to trigger fast transformative change to avoid passing tipping points in the climate system of the Planet;

Recommends Contracting Parties to the Convention and invites Observer States to:

1. Urgently ensure regular inter-ministerial/inter-sectoral communication at national and local levels and bring senior stakeholders in Governments together, in view of promoting a multidisciplinary, integrated and inclusive approach to climate change action for both adaptation and mitigation and in particular nature-based solutions;
2. Invest and focus sectoral funding streams towards nature-based solutions, including within the management of the Emerald and Natura 2000 Network sites as well as protected areas in general, in view of unlocking nature's potential for climate change mitigation and adaptation and for providing multiple societal benefits;
3. Join the 'Nature-based solutions for climate Coalition', set up on the occasion of the Climate Action Summit of the United Nations in September 2019 and contribute to its follow-up work;
4. Develop and implement management plans for Emerald and Natura 2000 sites and protected areas in general, to adapt to the local and regional conditions of a significantly warmer world, taking the climate scenarios and their projected impacts, as developed by the IPCC, as critical reference, including to accommodate the biogeographical implications of climate change across the site network;
5. Use the Emerald and Natura 2000 Networks and protected areas in general to actively deliver a comprehensive range of ecosystem services, through their primary biodiversity objectives and the features for which they are designated and managed, and ensure they will continue to do so along the trajectory of climate change;
6. Expand existing protected areas and ecological networks to achieve win-win measures for adapting sites, habitats and species to climate change and for developing nature-based solutions to mitigate climate change and disaster risk reduction;
7. Seek to engage wider land management, beyond Emerald and Natura 2000 sites and other protected areas' boundaries, to adapt to climate change in ways that support biodiversity and habitats condition both in sites and in the wider countryside;
8. Promote climate change adaptation, climate mitigation and biodiversity conservation in agricultural and other relevant land management policies, thus enabling win-win measures and practices;
9. Analyse national protected areas and ecological networks to assess how they contribute to adaptation and mitigation challenges of climate change, including the reduction of disaster risks;
10. Develop strategic spatial planning for nature-based solutions/ecosystem-based approaches to climate change mitigation, adaptation and disaster risk reduction and green infrastructure implementation, thereby supporting and encouraging land managers to implement them;
11. Step up awareness-raising on the benefits of biodiversity and nature-based solutions in the context of climate change and disaster-risk reduction, aiming at closing the communication gap between scientists and conservation practitioners, policymakers, relevant sectors and businesses as well as contributing to multiple SDGs simultaneously;
12. Develop communication plans, including cooperation with media, social networks and other communication channels, to raise the awareness of the public and to draw the attention of decision makers on the importance of nature-based solutions, of considering local knowledge in disaster risk reduction strategies and in improving the prevention of natural hazards;
13. Promote formal and vocational education programmes for practitioners and managers which include climate adaptation management, both in and beyond Emerald and Natura 2000 Network sites and protected areas in general;
14. Report to the Standing Committee, in 2022, on the progress made in the implementation of this Recommendation.

Recommends to the Committee of Ministers of the Council of Europe and any other of its institutions, if relevant, to:

15. Seek ways to enhance and communicate the organisation's role in strengthening the links between environmental protection and human rights, the right to a healthy environment, the rights of future generations to a rich and diverse biological diversity and the relevant obligations of Governments, including by considering and strengthening the role of the Bern Convention which is the only Council of Europe Treaty on environmental matters with an operational monitoring mechanism in force;

Instructs the Secretariat to the Bern Convention, in cooperation with the Group of Experts on Biodiversity and Climate Change, the Group of Experts on Protected Areas and Ecological Networks and the Group of Specialists on the European Diploma for Protected Areas, to:

16. Advertise the existing Bern Convention standards, expert studies and reports on climate change and biodiversity and encourage that they are used by authorities, stakeholders and partners;
17. Develop, subject to the availability of financial resources, a knowledge exchange platform, making use of and building on existing ones,[8] for guiding successful conservation of habitats and species protected through the Convention in the face of climate change and other pressures, in particular in Emerald Network sites through appropriate adaptive management;
18. Continue the Bern Convention's role in capacity building and collating and sharing of good practices and lessons learned in nature-based solutions and protected areas management with a climate change adaptation and mitigation component;
19. Ensure adaptive management in the context of climate change is included, as appropriate, in Resolutions for the award or renewal of the European Diploma for Protected Areas (EDPA);
20. Support the involvement of Emerald Network and EDPA sites in testing ways of scaling up and transferring nature-based solutions, as a response to climate change and for the prevention of natural disasters;
21. Continue to develop synergies with relevant actors and organisations to promote and scale up the implementation of nature-based solutions for climate change mitigation, adaptation and disaster risk reduction.

Instructs the Bern Convention Group of Experts on Biodiversity and Climate Change and invites the European and Mediterranean Major Hazards Agreement (EUR-OPA) of the Council of Europe to:

22. Assist Contracting Parties in the implementation of this Recommendation, in particular the operational paragraphs 15 to 21, in collaboration with other international actors, NGOs and stakeholders and to monitor progress.

[8] Eg. OPPLA https://oppla.eu/about

Convention on the Conservation
of European Wildlife and Natural Habitats

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Standing Committee

Recommendation No. 207 (2019) of the Standing Committee, adopted on 6 December 2019, on the progress in the implementation of the Emerald Network of Areas of Special Conservation Interest

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

Recalling that the Bern Convention on the Conservation of European wildlife and Natural Habitats is the main legal instrument in the field of biological diversity at pan-European level, having been ratified by fifty States and the European Union, encompassing the entire European Continent and beyond, thanks to the ratification by four North African states;

Recalling Article 4 of the Bern Convention, requiring each Contracting Party to take appropriate measures to ensure the conservation of (i) natural habitats that are endangered and (ii) the habitats of wild flora and fauna, especially those species listed in Appendices I and II of the Convention and endangered and vulnerable migratory species;

Recalling that Article 4 of the Bern Convention also requests Parties to use their planning and development policies to avoid or minimise deterioration of the areas they protect for the purposes of Article 4;

Recalling Resolution No. 1 (1989) on the provisions relating to the conservation of habitats;

Recalling Recommendation No. 16 (1989) inviting Contracting Parties to designate areas of special conservation interest to ensure that necessary and appropriate conservation measures are taken for each area situated within their territory and to review regularly or continually in a systematic fashion their performance in the implementation;

Recalling Resolution No. 3 (1996) on the setting-up of a pan-European Ecological Network, creating a group of experts mandated to carry out the necessary activities related to the building up of the Emerald Network by Contracting Parties and observer states;

Recalling Resolution No. 5 (1998) concerning the rules for the Network of Areas of Special Conservation Interest (Emerald Network) entrusting the Standing Committee with the periodic review of the contribution of the Emerald Network towards the achievement of the objectives of the Convention;

Recalling the Calendar for the implementation of the Emerald Network of Areas of Special Conservation Interest (2011-2020) [document T-PVS/PA(2010)8], committing Contracting Parties and Observer states to the Bern Convention to the completion of the Emerald Network constitution process by 2020;

Recalling the three dimensional Road Map for achieving a fully operational Emerald Network in seven countries of Central and Eastern Europe and the South Caucasus [document T-PVS/PA(2016)10], identifying key steps to be undertaken by relevant national authorities and others between 2016 and 2019 to conclude the establishment by 2020 of a complete and fully operational Emerald Network in four countries of Central & Eastern Europe (Belarus, the Republic of Moldova, the Russian Federation and Ukraine) and three countries in the South Caucasus (Armenia, Azerbaijan and Georgia);

Bearing in mind that for Contracting Parties which are Member States of the European Union, the Emerald Network sites are those of the Natura 2000 Network and that the procedures established under the European Union Directives 2009/147/EC (codified version of the amended Directive 79/409/EEC) and 92/43/EEC apply for them;

Bearing in mind the CBD Strategic Plan for Biodiversity 2011-2020, including the Aichi Biodiversity Targets, in particular Target 11 establishing a conservation target of 17% of terrestrial and inland water areas and 10% of marine and coastal areas and Target 12 aiming to prevent the extinction of known threatened species and to improve and sustain their conservation status, particularly of those most in decline;

Welcoming the overall progress in the development of the Emerald Network since 2010 and in particular the 3,260 Emerald Network sites[9], representing on average 14% of the national territory of participating countries;

Acknowledging the fifteen countries which have benefited from at least one biogeographical evaluation of their proposed Emerald Network sites according to the Revised criteria for assessing the National Lists of proposed Emerald sites (ASCIs) at biogeographical level and procedure for examining and approving Emerald candidate sites [document T-PVS/PA(2015)16] adopted in 2013 by the Standing Committee;

Acknowledging the seven countries which have initiated phase III of the Emerald Network constitution process and have adopted Emerald Network sites on their territories, namely Andorra, Belarus, Georgia, the Republic of Moldova, Norway, Switzerland and Ukraine;

Concerned however by the numerous Contracting Parties lagging behind despite the technical and scientific assistance provided by the Secretariat and despite their commitment to step up their efforts in order to achieve the objectives of the revised Emerald Network Calendar 2011 – 2020;

Conscious of the approaching deadline for the achievement of the milestones set in the Calendar for the implementation of the Emerald Network of Areas of Special Conservation Interest (2011-2020);

Stressing the urgent need for bolder action at national level by relevant authorities;

Urges Parties to take urgent action for ensuring the Emerald Network is in capacity to meet its objective;

Recommends to:

1. The Albanian authorities to address the conclusions of the biogeographical evaluation seminar held in November 2011 and to update their Emerald Network database based on the outcomes of the Natura 2000 projects funded through EU's Instrument of Pre-accession Assistance;
2. The Andorran authorities to address the conclusions of the biogeographical evaluation seminar held in June 2019 and to identify new selected sites to complement the 2 Emerald Network sites already adopted;
3. The Armenian authorities to address the conclusions of the biogeographical evaluation seminars held in November 2017 and October 2019 and to request to the Standing Committee the formal adoption of their Emerald Network candidate sites;
4. The Azerbaijani authorities to address the conclusions of the biogeographical evaluation seminars held in November 2017 and October 2019 and to request to the Standing Committee the formal adoption of their Emerald Network candidate sites;
5. The Belarussian authorities to address conclusions of the biogeographical evaluation seminars held in May 2018 and June 2019 and to request to the Standing Committee the formal adoption of their remaining Emerald Network candidate sites;
6. The authorities of Burkina Faso to follow up on the pilot project of 2004 and to start with the implementation of the Emerald Network by submitting a database containing scientific information on the sites selected for ensuring the long-term survival of the species and habitats to be protected according to the relevant resolutions of the Bern Convention;
7. The authorities of Bosnia and Herzegovina to address the conclusions of the biogeographical evaluation seminar held in November 2011 and to update their Emerald Network database based on the outcomes of the Natura 2000 projects funded through EU's Instrument of Pre-accession Assistance;

[9] Figures from December 2019

8. The Georgian authorities to address the conclusions of the biogeographical evaluation seminars held in November 2017 and October 2019 and to request to the Standing Committee the formal adoption of their remaining Emerald Network candidate sites;

9. The authorities of Iceland to begin with the implementation of the Emerald Network and to submit a database containing scientific information on the sites selected for ensuring the long-term survival of the species and habitats to be protected according to the relevant resolutions of the Bern Convention;

10. The authorities of Liechtenstein to begin with the implementation of the Emerald Network and to submit a database containing scientific information on the sites selected for ensuring the long-term survival of the species and habitats to be protected according to the relevant resolutions of the Bern Convention;

11. The authorities of Monaco to begin with the implementation of the Emerald Network and to submit a database containing scientific information on the sites selected for ensuring the long-term survival of the species and habitats to be protected according to the relevant resolutions of the Bern Convention;

12. The Montenegrin authorities to address the conclusions of the biogeographical evaluation seminar held in November 2011 and to update their Emerald Network database based on the outcomes of the Natura 2000 projects funded through EU's Instrument of Pre-accession Assistance;

13. The Moroccan authorities to follow up on the pilot project of 2009 and to start with the implementation of the Emerald Network by submitting a database containing scientific information on the sites selected for ensuring the long-term survival of the species and habitats to be protected according to the relevant resolutions of the Bern Convention;

14. The authorities of North Macedonia to address the conclusions of the biogeographical evaluation seminar held in November 2011 and to update their Emerald Network database based on the outcomes of the Natura 2000 projects funded through EU's Instrument of Pre-accession Assistance;

15. The Norwegian authorities to address the conclusions of the biogeographical evaluation seminar held in June 2016 and to request to the Standing Committee the formal adoption of their remaining Emerald Network candidate sites;

16. The Moldovan authorities to address the conclusions of the biogeographical evaluation seminars held in May 2018 and June 2019;

17. The authorities of Senegal to follow up on the pilot project of 2004 and to start with the implementation of the Emerald Network by submitting a database containing scientific information on the sites selected for ensuring the long-term survival of the species and habitats to be protected according to the relevant resolutions of the Bern Convention;

18. The Serbian authorities to address the conclusions of the biogeographical evaluation seminar held in November 2011 and to update their Emerald Network database based on the outcomes of the Natura 2000 projects funded through EU's Instrument of Pre-accession Assistance;

19. The Swiss authorities to address the conclusions of the biogeographical evaluation seminar held in July 2012, to urgently identify new selected sites to complement the 37 Emerald Network sites already adopted and to deliver an updated Emerald Network database;

20. The Tunisian authorities to start with the implementation of the Emerald Network by submitting a database containing scientific information on the sites selected for ensuring the long-term survival of the species and habitats to be protected according to the relevant resolutions of the Bern Convention;

21. The Turkish authorities to follow up on the pilot project of 2000 and to start with the implementation of the Emerald Network by submitting a database containing scientific information on the sites selected for ensuring the long-term survival of the species and habitats to be protected according to the relevant resolutions of the Bern Convention;

22. The Ukrainian authorities to address the conclusions of the biogeographical evaluation seminars held in May 2018 and June 2019;

Instructs the Group of Experts on Protected Areas and Ecological Networks, in liaison with the Bureau to the Standing Committee:

i. to prepare a detailed evaluation of the Calendar for the implementation of the Emerald Network of Areas of Special Conservation Interest (2011-2020), including on its contribution to the achievement of the Convention's objectives and to present it to the Standing Committee at its 40th meeting;

ii. to draft a post-2020 Strategic Plan for the completion of the Emerald Network of Areas of Special Conservation Interest grounded on the outcomes of the evaluation referred to in point i. above and which should cover the period 2021-2030 and take into account the new global biodiversity framework and its eventual targets for protected areas, to be finalised at the CBD COP 15 in Kunming (China) in 2020;

iii. to design a monitoring framework of the setting-up of the Emerald Network of Areas of Special Conservation Interest and to report on progress on a yearly basis to the Standing Committee.

Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 157 (2011) of the Standing Committee, adopted on 2 December 2011 and revised on 6 December 2019, on the status of candidate Emerald sites and guidelines on the criteria for their nomination

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

Considering Articles 3 and 4 of the Convention;

Having regard to Resolution No. 1 (1989) on the provisions relating to the conservation of habitats;

Having regard to its Recommendation No. 14 (1989) on species habitat conservation and on the conservation of endangered natural habitats;

Having regard to its Recommendation No. 16 (1989) on Areas of Special Conservation Interest;

Having regard to its Resolution No. 3 (1996) on the setting-up of a pan-European Ecological Network;

Recalling its Resolution No. 4 (1996) listing endangered natural habitats requiring specific habitat conservation measures;

Recalling its Resolution No. 5 (1998) concerning the rules for the Network of areas of special conservation interest (Emerald Network);

Recalling its Resolution No. 6 (1998) listing the species requiring specific habitat conservation measures;

Recalling the Calendar for the implementation of the Emerald Network of Areas of Special Conservation Interest (2011-2020) adopted in December 2010, committing Contracting Parties and Observer states to the Bern Convention to the completion of the Emerald Network constitution process by 2020;

Recalling the "Bern Declaration on the conservation and sustainable use of biodiversity in Europe: 2010 and beyond" and in particular its principle 6 which urges Parties to pursue the setting up of the Emerald Network of Areas of Special Conservation Interest, in order that it can be completed in Europe by 2020, at the latest, and developed in other regions with Contracting Parties of the Convention, and recalls the positive implications for local development that may be derived;

Welcoming the Strategic Plan for Biodiversity (2011 – 2020) and the 'Aichi 2020 targets' adopted at the 10th COP of the Convention on Biological Diversity and taking note in particular of target 11, committing Parties to conserve at least 17% of terrestrial and inland water and 10% of coastal and marine areas through well managed, ecologically representative and connected protected areas;

Taking note, with appreciation, of the EU 2020 biodiversity Strategy, endorsed by the Council of the European Union in June 2011, and more particularly its target 1, which calls on Member States to fully implement the Birds and Habitats Directives;

Welcoming the efforts of Contracting Parties and Observer states and the support of the European Commission and the European Environment Agency in the development of the Emerald Network, as a contribution to step up averting global biodiversity loss, with regard to the Aichi headline target 11;

Recognising the work of the European Union and its Member States on the development of the Natura 2000 Network and their current efforts on improving the management of the Network and achieving a favourable conservation status for threatened species and habitats;

Welcoming the considerable efforts of Contracting Parties on the implementation of the Revised Calendar for the implementation of the Emerald Network of Areas of Special Conservation Interest (2011 – 2020) (T-PVS/PA (2015) 16) in view of the identification of potential Emerald Network sites on their territory;

Considering the *Revised Criteria for assessing the National Lists of proposed Areas of Special Conservation Interest (ASCIs) at biogeographical level and procedure for examining and approving Emerald candidate sites* (T-PVS/PA (2013) 13) adopted by the Standing Committee to the Bern Convention on 6 December 2013, as well as the official "candidate Emerald Network site" status it provides for;

Conscious that the ecological quality of proposed Emerald Network sites should be preserved as soon as they are officially nominated as 'candidate Emerald Network sites' by the Standing Committee to the Bern Convention;

Recommends that Contracting Parties:

1. Take the necessary protection and conservation measures in order to maintain the ecological characteristics of the candidate Emerald Network sites;
2. Ensure that, if and when appropriate, these measures include administrative, management or development plans corresponding to the ecological requirements for the long term survival of species and habitats present in the proposed Emerald Network sites, in particular those of the Bern Convention Resolutions No. 4 (1996) and No. 6 (1998) or specified by Recommendation 16 (1989) and that these are set in place at the latest once ASCIs have officially been adopted by the Standing Committee to the Bern Convention;
3. Ensure that the site proposals submitted to the Standing Committee to the Bern Convention for official nomination as candidate Emerald Network sites comply with the minimum criteria proposed in the guidance set out in Appendix 1 to the present Recommendation.
4. Nominate as Emerald Network candidate sites all proposed sites which have been evaluated at biogeographical level and confirmed as meeting the criteria defined in Appendix I.

Invites Contracting Parties, the European Commission and the European Environment Agency to consider listing biodiversity among the programme priorities for the neighbourhood policy.

APPENDIX

Guidance

This guidance draws on the discussions of the Group of Experts on Protected Areas and Ecological Networks at its 3rd meeting (2011) as well as on the expert opinion of the European Topic Centre on Biological Diversity. It complements the provisions of the *Revised Criteria for assessing the National Lists of proposed Areas of Special Conservation Interest (ASCIs) at biogeographical level and procedure for examining and approving Emerald candidate sites,* adopted by the Standing Committee to the Bern Convention at its 33rd meeting in 2013.

National sites' proposals can be submitted to the Standing Committee to the Bern Convention for official nomination as Emerald Network candidate sites once they fulfil the following minimum criteria:

a. Are described according to the Emerald standard data form (Appendix I to resolution No. 5 (1998) of the Standing Committee to the Bern Convention);

b. Contain at least one habitat and/or species listed in the Revised Annex I of Resolution No. 4 (1996) of the Standing Committee to the Bern Convention and/or in Resolution No. 6 (1998) of the Standing Committee to the Bern Convention and/or specified by Recommendation No. 16 (1989);

c. Provide information on site name, site code and site area, together with the site boundary in an agreed GIS format (in the case of an individual cave, the central coordinate of the cave entrance should be provided).

Convention on the Conservation
of European Wildlife and Natural Habitats

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Standing Committee

Recommendation No. 208 (2019) of the Standing Committee, adopted on 6 December 2019, on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites

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

Recalling that the Bern Convention on the Conservation of European wildlife and Natural Habitats is the main legal instrument in the field of biological diversity at pan-European level, having been ratified by fifty States and the European Union, encompassing the entire European Continent and beyond, thanks to the ratification by four North African states;

Recalling Article 4 of the Bern Convention, requiring each Contracting Party to take appropriate measures to ensure the conservation of (i) natural habitats that are endangered and (ii) the habitats of wild flora and fauna, especially those species listed in Appendices I and II of the Convention and endangered and vulnerable migratory species;

Recalling that Article 4 of the Bern Convention also requests Parties to use their planning and development policies to avoid or minimise deterioration of the areas they protect for the purposes of Article 4;

Recalling Resolution No. 1 (1989) on the provisions relating to the conservation of habitats;

Recalling Recommendation No. 16 (1989) inviting Contracting Parties to designate areas of special conservation interest (ASCI), to ensure the sites are subject to an appropriate regime designed to conserve the factors that are the basis for their inclusion in the Network, to conduce appropriate and coordinated research to further the understanding of critical elements in the management of ASCIs and the monitoring of their status and to ensure that activities adjacent to or in the vicinity of the sites do not adversely affect them;

Recalling Resolution No. 5 (1998) requiring Parties to inform the Secretariat of any important changes likely to affect negatively in a substantial way the ecological character of the designated ASCIs or the conditions having justified their designation. Where any such changes come to light, the Standing Committee may advise the government concerned on steps to be taken;

Recalling Recommendation No. 157 (2011) inviting Contracting Parties to take the necessary protection and conservation measures in order to maintain the ecological characteristics of the candidate Emerald sites and to ensure that, if and when appropriate, these measures include administrative, management or development plans corresponding to the ecological requirements for the long term survival of species and habitats present in the proposed Emerald Network sites, in particular those of the Bern Convention Resolutions No. 4 (1996) and No. 6 (1998) or specified by Recommendation 16 (1989);

Acknowledging that at present the Bern Convention does not have guidance about the steps to be taken in response to the deterioration of the values of Emerald Network sites which justified their designation and the case file system under the Bern Convention is triggered in a largely ad hoc manner rather than from a basis of systematic monitoring, and the principles and practices which guide it are framed in terms of procedures rather than ecological aspects;

Welcoming the document developed by Dr David Pritchard, explaining the Concept of the "ecological character" of sites in the Bern Convention/Emerald Network context, and formulating options for addressing changes in ecological character (T-PVS/PA (2017)8) and to the resulting Guidance on

detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites (T-PVS/PA (2018)13);

Referring to the Flowchart of steps to be taken to assess, report and respond to changes in ecological character of Emerald network sites (T-PVS/Inf(2019)3);

Reminding that the Guidance on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites does not create new obligations but aims to support the implementation of existing provisions;

Stressing that the Bern Convention case-file system is facing a drastic increase of complaints regarding threats to Areas of Special Conservation Interest and is lacking on a methodology for processing and evaluating the complaints in a systematic way;

Recalling that Article 4 (points 4.1 and 4.2) of Resolution No. 5 (1998) requires that Governments undertake surveillance of the conservation status of species and natural habitats in designated ASCIs (Emerald Network sites) and inform the Secretariat of any important changes likely to affect negatively in a substantial way the ecological character of the designated ASCIs or the conditions having justified their designation;

Recalling that point 4.4 of the same Article 4 of Resolution No. 5 (1998) foresees that exceptions to the provisions of Articles 4, 5, 6 and 7 of the Convention in designated ASCIs shall be regulated by Article 9 of the Convention;

Recalling the provisions of Article 6 of the Habitats Directive 92/43/EEC which requires that projects likely to have a significant effect on a Natura 2000 site should only be permitted when the assessment of their implications shows that there will not be an adverse effect on the site's integrity and that in the absence of alternative solutions, such projects can only be carried out for imperative reasons of overriding public interest;

Aware of the difficulties Contracting Parties encounter in improving the sufficiency of their Emerald Network, in developing the management systems for their designated Emerald Network sites and of the additional workload the description of the ecological character of these sites might represent;

Recommends to Contracting Parties and invites Observer States to make use of the Guidance and flowchart referred to above to describe, monitor and preserve the ecological character of their Emerald Network sites.

Instructs the Bureau to the Standing Committee to make use of the guidance and of the flowchart referred to above when assessing complaints received within the frame of the Bern Convention case-file system which involve adopted or candidate Emerald Network sites.

Annex 1 : Guidance on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites - T-PVS/PA(2018)13

Annex 2 : Flowchart of steps to be taken to assess, report and respond to changes in ecological character of Emerald network sites - T-PVS/Inf(2019)3