



Strasbourg, 4 February 2021

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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

## **INTER-SESSIONAL WORKING GROUP ON FINANCES**

**1<sup>st</sup> meeting** (*virtual*)

3<sup>rd</sup> February 2021 (9.00 am – 12.00 pm)

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### **Report**

*Memorandum of the Secretariat  
established by the Directorate of Democratic Participation*

### **1. Discuss a possible new functional structure of the Enlarged Partial Agreement of the Bern Convention with Mr Matjaž Gruden, Director of Democratic Participation**

The Director of Democratic Participation, Matjaž Gruden, opened the meeting and welcomed the participants (Annex 1). He informed the members that the environment is listed in the next four-year Strategic Framework of the Council of Europe (CoE), reflecting the key priorities for the CoE's longer-term mission. Priority n°10 out of 12, states: "[...] The fight against environmental degradation and climate change. Addressing the challenges that these pose to the protection of human rights has become a priority, in particular as their impact will undoubtedly increase in the coming years [...]."

There is now favourable political momentum for the environment in the CoE agenda. However, a specific reference is made to the environment and human rights-based approach and not to the existing instruments, such as the Bern Convention. A reference to the relationship between democracy and the environment is also missing. This good news concerning the environment as a key future priority represents an excellent opportunity for the Standing Committee to consider how to organise the future work of the Bern Convention, the possibility to expand its programme and to guarantee its sustainable funding.

In the light of these recent developments, the Director emphasised this provided an opportunity to be more ambitious, to simplify the rules of procedures of the Standing Committee of the Bern Convention and to design the future Enlarged Partial Agreement (EPA) in ways in which it will allow it to respond to the environmental priorities of the CoE, to ensure political coherence and support from member States. Aligning the objectives of the future EPA with the priorities of the Council of Europe is also likely to be a significant factor in the assessment of the project by the Committee of Ministers, which may be reluctant to agree to the setting up of a new partial agreement with a mandate restricted to the financing of existing activities. Therefore, the Director presented a draft structure on the possible functioning of, and source of funding for, the Bern Convention and the EPA (Annex 2). The core monitoring activities of the Convention should be financed by the ordinary budget of the CoE, as well as at least one staff member, to ensure the smooth functioning of the Secretariat. The standard setting, cooperation and assistance activities, and any possible new initiatives, could be part of the EPA.

The members of the Working Group thanked the Director for the encouraging updated information after so many years where the importance of the environment and climate change has been underestimated by the CoE. The members stressed the necessity to guarantee the CoE ordinary budget for the core monitoring activities of the Convention, including the case-file system. It was also underlined that the Standing Committee should maintain the emphasis on the EPA. Finally, it was noted that it is the responsibility of the Committee of Ministers to decide on the EPA.

### **2. Take note of the attached revised mandate of the Inter-sessional Working Group on Finances**

The Secretariat recalled the revised mandate of the Inter-sessional Working Group on Finances, as agreed by the 40<sup>th</sup> Standing Committee (30 November – 4 December 2020).

### **3. Appoint a Chair**

Mr Jan BROJÁČ, Czech Republic, was elected Chair of the Inter-sessional Working Group on Finances for 2021.

#### **4. Present the attached Draft Action Plan 2021 to set up the Enlarged Partial Agreement**

The Secretariat presented the Draft Action Plan 2021 and a calendar of sequential meetings to set up the EPA (e.g. the Inter-secretariat coordination, Inter-sessional Working Group on Finances, GR-C/CM, Bureau and Standing Committee to the Bern Convention). The rolling Action Plan and the dates of the various meetings will be updated according to the developments of the reform process.

A written consultation with Contracting Parties could also be envisaged, following the discussion and possible comments of the Committee of Ministers' Deputies on the Draft Resolution establishing the EPA on 18 March and subsequent revision by the Working Group on Finances.

#### **5. Present and discuss two provisional scales of contributions for the EPA and some scenarios based on different numbers of member States**

The Secretariat presented two scenarios including, respectively, 16 (the minimum threshold) and 24 countries, based on 1) the outcomes of the survey carried out in 2020 aiming to identify which countries wish to join the EPA and 2) the countries that already pay voluntary contributions to the Bern Convention on a regular basis.

The scenarios present simulations for budgets of 500,000 euros and 800,000 euros, considering two scales of contributions. The first scale reflects the scale of suggested voluntary contributions adopted by the Standing Committee in Resolution No. 9 (2019) and sets the minimum contribution at 1,300 euros and the maximum contribution at 55,000 euros for a budget of 500,000 euros. The second scale of contributions increases the minimum contribution to 2,000 euros and maintains the maximum contribution at 57,500 euros for the same budget of 500,000 euros. The same scales of contributions were used for a budget of 800,000 euros.

The Secretariat pointed out that, while it is possible to determine the minimum and/or maximum contributions, the intermediary contribution rates will be calculated automatically, according to the population and the Domestic Gross Product of the contributing countries.

The members of the Working Group were invited to discuss the financial scenarios and to advise the Secretariat on how they wish to proceed with possible further simulations.

The members considered that the scenario with the total EPA budget of 800,000 euros was unrealistic and decided to target a reasonable budget a little higher than the present total voluntary contributions received per year (about 280,000 euros), in order to also ensure a sustainable Secretariat.

They requested the Secretariat to prepare a simulation following the scale of voluntary contributions, in line with Resolution No. 9 (2019), by giving a range of the minimum and maximum contribution for all Contracting Parties. The Secretariat pointed out that this approach was not possible because the financial contributions are calculated accordingly to Resolution (1994)31 of the Committee of Ministers, which takes into account the population and the Gross Domestic Product of Contracting Parties.

As a result of the debate, the members requested the Secretariat to:

- prepare for the next meeting the financial scenarios with a total EPA budget of 400,000 euros for a simulation with 20, 25 and 30 countries, with the assumption that the core activities of the Convention will still receive 300,000 euros from the ordinary budget of the Organisation;
- assess the possibility to create a scenario with ranges of scales which would enable the calculation for each country of their minimum and maximum financial contribution, independently of the combination of countries that are members of the EPA;
- approach the greater financial contributors (e.g. France, Germany, Russian Federation, etc) to assess their possible interest in joining the EPA. In fact, the participation of these big payers would ensure a more important and stable budget to run the programme of work and finance staff;
- explore the opportunity to increase the contribution of big payers in order to ameliorate the impact of contributions from intermediary payers in order that the scale of contributions for the budget of the EPA

reflects the methodology of the CoE's budget with an appropriation for member States' contributions based on a formula which takes into account population and Gross Domestic Product.

## **6. Other business**

The members of the Working Group decided to meet after the Committee of Ministers' Deputies meeting scheduled on 18 March, to follow up on their possible comments on the draft Resolution establishing the EPA and to discuss the new financial simulation scenarios. They suggested that the second meeting also addresses the financial and functional consequences, as well as the human resources implications, of the new governance resulting from the creation of the EPA.

**ANNEX 1**

**LIST OF PARTICIPANTS**

<b>Contracting Party</b>	<b>Name</b>
<b>Czech Republic</b>	<p><b>Ms Eliška ROLFOVÁ</b>                      Unit of International Conventions                      Department of Species Protection and Implementation of                      International Commitments                      Ministry of the Environment</p> <p><b>Mr Jan BROJÁČ</b>                      Ministry of the Environment</p>
<b>Norway</b>	<p><b>Mr Øystein STØRKERSEN</b>                      Principal Advisor                      Norwegian Environment Agency</p>
<b>Slovenia</b>	<p><b>Ms Maja HUMAR</b>                      Nature Conservation Division                      Ministry of the Environment and Spatial Planning</p>
<b>Switzerland</b>	<p><b>Mr Martin KREBS</b>                      Département fédéral des affaires étrangères DFAE                      Secrétariat d'Etat DFAE                      Division prospérité et durabilité DPD                      Environnement, energie et santé</p>
<b>Turkey</b>	<p><b>Mr Burak TATAR</b>                      Senior Specialist - Conservation Biologist                      Department of Wildlife Management                      General Directorate of Nature Conservation and National Parks                      Ministry of Agriculture and Forest</p>
<b>United Kingdom</b>	<p><b>Mr Simon MACKOWN</b>                      Department for Environment, Food &amp; Rural Affairs</p>
<b>Council of Europe Secretariat</b>	<p><b>Mr Matjaž GRÜDEN</b>                      Director, Directorate of Democratic Participation</p>
	<p><b>Mr Gianluca SILVESTRINI</b>                      Coordinator of the Department of Culture, Nature and Heritage</p>
	<p><b>Ms Ursula STICKER</b>                      Secretary of the Bern Convention</p>
	<p><b>Mr Marc HORY</b>                      Bern Convention Project Manager</p>

## Annex 2 - Partial Agreement on the fund for the implementation of the Bern Convention

