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T-PVS (2017) 29

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

37<sup>th</sup> meeting

Strasbourg, 5-8 December 2017  
Palais de l'Europe, Room 9

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**- REPORT -**

*Document prepared by  
the Directorate of Democratic Citizenship and Participation*

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## **PART I – OPENING**

### **1. OPENING OF THE MEETING AND ADOPTION OF THE AGENDA**

Relevant documents: T-PVS (2017) 1 - Draft agenda  
T-PVS (2017) 27 - Annotated draft agenda

The Chair of the Standing Committee to the Bern Convention opened the meeting. Mr Matthew Johnson, Director of Democratic Citizenship and Participation addressed the Standing Committee.

The draft agenda was adopted.

### **2. CHAIRMAN'S REPORT AND COMMUNICATIONS FROM THE DELEGATIONS AND FROM THE SECRETARIAT**

Relevant documents: T-PVS (2017) 9 and 25 - Reports of the Bureau meetings in March and September 2017  
T-PVS (2016) 29 – Report of the 36<sup>th</sup> Standing Committee meeting

The Standing Committee took note of the information presented by the Chair on the activities carried out to implement the Convention's Programme of Work for 2017.

## **PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS**

### **3. MONITORING OF THE IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION**

#### **3.1 Biennial reports 2013-2014, 2015-2016 concerning exceptions made to Articles 4, 5, 6, 7 or 8 and quadrennial reports 2009 – 2012 and 2013 - 2016**

Relevant documents: T-PVS/Inf (2017) 12 – Summary tables of reporting under the Bern Convention  
T-PVS/Inf (2017) 24 – Registered users to the ORS System

The Standing Committee took note of the successful update of the Bern Convention Online Reporting System (ORS) operated in 2017. It further noted that the 2015-2016 reporting form is now available in the ORS and that an official reporting request for that period will be sent to Parties after the 37<sup>th</sup> Standing Committee meeting.

#### **3.2 Legal analysis of the draft Law on the conservation of natural habitats, biodiversity and landscape of Andorra**

The Standing Committee welcomed the cooperation implemented throughout 2017 with Andorra in support of the development of a new legislation on nature conservation for the country.

#### **3.3 Proposal for amendment of the Convention: Proposal for listing the Balkan lynx (*Lynx lynx balcanicus*) in the Appendix II of the Bern Convention**

Relevant document: T-PVS (2017) 17 – Proposal for amendment of Appendix II to the Bern Convention + Annex1 + Annex2

The Standing Committee examined the proposal and the scientific justifications presented by Albania in favor of listing the Balkan lynx (*Lynx lynx balcanicus*) in the Appendix II of the Bern Convention. The Standing Committee welcomed the proposal and adopted it by consensus.

#### **3.4 Gender mainstreaming and the Bern Convention**

Relevant documents: T-PVS (2017) 21 – Draft Recommendation on mainstreaming a gender equality perspective in the implementation of the Convention  
Council of Europe Gender Equality Strategy 2014 - 2017

**a. Draft Recommendation on mainstreaming a gender equality perspective in the implementation of the Convention as well as in the work of the Convention Secretariat**

The Standing Committee welcomed the initiative by the Bureau to propose a Recommendation aiming to mainstream a gender perspective into the work of the Convention.

The Standing Committee examined and adopted, with amendments, the following Recommendation:

- Recommendation No. 192 (2017) on mainstreaming a gender equality perspective in the implementation of the Convention as well as in the work of the Convention Secretariat.

## **PART III – MONITORING OF SPECIES AND HABITATS**

### **4. MONITORING OF SPECIES AND HABITATS**

Documents for information only:

- T-PVS/Files (2016) 30: Compilation of 2016 reports by Parties on the follow-up of Recommendation No. 176 (2015)
- T-PVS/Inf (2017) 18: Compilation of Parties' replies to the 2017 Questionnaire for the reporting by Parties on the implementation of Recommendation No. 176 (2015)
- T-PVS/Inf (2017) 20: Compilation of national reports for 2017 on the conservation of amphibians and reptiles

#### **4.1 Biodiversity and Climate Change**

Relevant documents: T-PVS (2017) 19 – Report of the 1<sup>st</sup> meeting of the Restricted Group of Experts on Biodiversity and Climate Change  
T-PVS (2017) 18 – Mandate of the Restricted Group of Experts

**a. Report of the 1<sup>st</sup> meeting of the Restricted Group of Experts on Biodiversity and Climate Change**

The Standing Committee took note of the report of the 1<sup>st</sup> meeting of the Restricted Group of Experts on Climate Change and Biodiversity and of its future programme of activities. The terms of reference of the Restricted Group of Experts was endorsed with some minor amendments (appendix I).

#### **4.2 Invasive Alien Species**

Relevant documents: T-PVS/Inf (2017) 3 - Report of the Expert meeting on the eradication of the ruddy duck  
T-PVS (2017) 12 - Report of the 12<sup>th</sup> meeting of the Group of Experts on IAS  
T-PVS (2017) 14 - Draft Recommendation on the European Code of Conduct for Invasive Alien Trees  
T-PVS/Inf (2017) 8 - Draft Code of Conduct for Invasive Alien Trees  
T-PVS (2017) 15 - Draft Recommendation on the European Code of Conduct on International Travel and IAS  
T-PVS/Inf (2017) 1 - Code of Conduct on International Travel and IAS  
T-PVS (2017) 16 - Draft Recommendation on the control and eradication of IAS on islands

**a. Expert Meeting on the implementation of the Action Plan for the eradication of ruddy duck in Europe**

The Standing Committee took note of the report of the Expert meeting, thanking the Spanish authorities for the excellent organisation of the meeting.

The Standing Committee took note of the progress in the implementation of the Action Plan for the eradication of the ruddy duck in the Western Palaearctic endorsed in its Recommendation No. 149 (2010), recognised the efforts made by all Parties implicated and invited all Parties to continue as appropriate the implementation of the Action Plan.

The Standing Committee was informed that France hopes to receive support from the LIFE Programme to intensify her eradication efforts.

**b. Report of the 12<sup>th</sup> meeting on the Group of Experts on IAS and its back-to-back Seminar on the eradication of IAS in small European islands**

The Standing Committee took note of the report of the Expert meeting and, in particular of the reports presented by Contracting Parties, the European Commission and other international organisations on the progress in the implementation of the Convention's European Strategy on Invasive Alien Species, and thanked the Portuguese authorities, the Region of Madeira and the University of Madeira for the great hospitality and excellent preparation of the meeting.

**c. Draft recommendation of the European Code of Conduct for Invasive Alien Trees**

The Standing Committee took note of the comments presented by the European Union to amend the European Code of Conduct for Invasive Alien Trees and accepted them.

The Standing Committee examined and adopted the following Recommendation:

- Recommendation No. 193 (2017) on the European Code of Conduct on Invasive Alien Trees

**d. Draft Recommendation on the European Code of Conduct on International Travel and Invasive Alien Species**

The Standing Committee took note of the minor amendments by the European Union to the European Code of Conduct on International Travel and Invasive Alien species and accepted them.

The Standing Committee examined and adopted, with some small amendments, the following Recommendation:

- Recommendation No. 194 (2017) on the European Code of Conduct on International Travel and Invasive Alien Species.

**e. Draft Recommendation on the control and eradication of IAS in islands**

The Standing Committee took note of the results of the Seminar held in the framework of the meeting of experts on control and eradication of invasive alien species in islands.

The Standing Committee examined and, after small amendments, adopted the following Recommendation:

- Recommendation No. 195 (2017) on the control and eradication of invasive alien species in islands.

### **4.3 Conservation of Birds**

Relevant documents: T-PVS (2017) 23 - Report of the 6<sup>th</sup> meeting of the Group of Experts on the conservation of birds  
T-PVS (2017) 22 – Report of the Joint Bern SFPs Network/CMS MIKT meeting  
T-PVS (2017) 10 - Draft Recommendation on the establishment of a Scoreboard for measuring progress in combatting illegal killing, taking and trade of wild birds  
T-PVS/Inf (2017) 14 - Scoreboard for measuring progress in combatting illegal killing, taking and trade of wild birds

#### **4.3.1 Group of Experts on the Conservation of Birds**

**a. Report of the 6<sup>th</sup> meeting of the Group of Experts on the Conservation of Wild Birds**

The Standing Committee took note of the report of the meeting of the Group of Experts and thanked the Maltese authorities for the excellent hosting of the meeting. The Committee welcomed the decision by the Group to revise its mandate and to develop a Framework Programme of Work with clear expected outcomes. It encouraged the Group to seek to ensure the necessary synergies with the CMS instruments and actions.

### ***4.3.2 Eradication of illegal killing, trapping and trade of wild birds***

#### **a. Report of the 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)**

The Standing Committee took note of the report of the Joint Bern SFPs Network/CMS MIKT meeting and thanked the national authorities of Malta for their warm hospitality and the excellent preparation of the meeting as well as for their initiative on and contribution to the preparation of the Scoreboard for measuring progress at national level in combatting IKB.

The Standing Committee welcomed the development of the Joint Bern Convention/CMS MIKT Scoreboard for measuring progress in combatting illegal killing, taking and trade of wild birds and expressed a wish that all Parties report within the deadline.

#### **b. Draft Recommendation on the establishment of a Scoreboard for measuring progress in combating illegal killing, taking and trade of wild birds**

The Standing Committee examined and adopted, with several amendments, the following Recommendation:

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

## **4.4 Amphibians and Reptiles**

Relevant documents: T-PVS (2017) 28 – Report of the meeting of the 9<sup>th</sup> Group of Experts on amphibians and reptiles  
T-PVS (2017) 26 – Draft recommendation on biosafety measures for the prevention of the spread of amphibian and reptile species diseases

#### **a. Report of the 9<sup>th</sup> meeting of the Group of experts on the Conservation of Amphibians and Reptiles (including Marine Turtles)**

The Standing Committee took note of the report of the meeting of the Group of Experts on Amphibians and Reptiles and thanked the Norwegian Environment Agency for the excellent hosting of the meeting. The Committee welcomed the proposals by the Group for its future work priorities and working methods, in particular the establishment of a sub-group of experts on pathogens.

#### **b. Draft Recommendation on biosafety measures for the prevention of the spread of amphibian and reptile species diseases**

The Standing Committee examined and adopted, with minor changes the following Recommendation:

- Recommendation No. 197 (2017) on biosafety measures for the prevention of the spread of amphibian and reptile species diseases

The Standing Committee further instructed the Secretariat to seek opportunities to raise awareness among public at large on the issue linked to the spread of diseases.

## **4.5 Conservation of other threatened Species**

#### **a. Workshops on the revision of the Strategy for the Leopard Conservation in the Caucasus and coordinating the Monitoring of Leopard and Prey Species in the Ecoregion**

Relevant document: T-PVS/Inf (2017) 21 – Results from the Strategic Planning Workshop on Leopard Conservation in the Caucasus (Tbilisi, Georgia, 25 – 26 April 2017)

The Standing Committee took note of the revised Strategy for the Leopard Conservation in the Caucasus and encouraged the States concerned to support the conservation of the species in the region.

**b. Action Plan for the conservation of sturgeons (*Acipenseridae*) in the Danube River Basin – state of implementation and future needs**

Relevant document: T-PVS/Inf (2017) 22 –Status of implementation of the Action Plan for the Conservation of sturgeons (*Acipenseridae*) in the Danube River Basin

The Standing Committee took note with concern of the report on the state of implementation of the Action Plan for the conservation and restoration of sturgeons in the Danube river basin and the recommendations made by the Danube Sturgeon Task Force to prevent further extinctions.

The Standing Committee encourages the Danube river basin States to scale up the implementation of the Action Plan for the conservation and restoration of Danube sturgeons and to report on progress at the 39<sup>th</sup> meeting of the Standing Committee to the Bern Convention in 2019.

## **4.6 Habitats**

### **4.6.1 Protected Areas and Ecological Networks**

Relevant documents: T-PVS/PA (2017) 12 - Report of the 2<sup>nd</sup> meeting of the ad-hoc Restricted Group of Experts  
T-PVS/PA (2017) 13 - Report of the 8<sup>th</sup> meeting of the GoEPAEN  
T-PVS/Inf (2017) 11 - Legal analysis of the Emerald Network reporting requirements under the Bern Convention  
T-PVS/PA (2017) 9 - Draft reporting format for the period 2013-2018  
T-PVS/PA (2017) 11 – Subset of species from Resolution No. 6(1998) and habitats from Resolution No. 4 (1996) for the reporting under Resolution No. 8(2012) over the period 2013-2016  
T-PVS/PA (2017) 15 - Updated list of officially nominated candidate Emerald sites  
T-PVS/PA (2017) 16 - Updated list of officially adopted Emerald sites  
T-PVS/PA (2017) 8 - The concept of the “ecological character” of sites in the Bern Convention/Emerald Network context, and options for addressing changes in ecological character

**a. Report of the Ad Hoc Restricted Group of Experts on reporting on the Emerald Network**

**b. Report of the 8<sup>th</sup> meeting of the Group of Experts on Protected Areas and Ecological Networks**

The Standing Committee took note of the reports of the 2<sup>nd</sup> meeting of the Ad-Hoc Restricted Group on reporting on the Emerald Network and of the 8<sup>th</sup> meeting of the Group of Experts on Protected Areas and Ecological Networks and endorsed the reporting on the conservation status of species and habitats under the Resolution No. 8 (2012) over the period 2013 - 2018.

The Standing Committee welcomed the cooperation agreement with the European Environment Agency to provide financial support to activities related to the development of the Emerald Network in the Eastern Partnership until the end of 2018 within the framework of the ENI SEIS EAST II project funded by the European Union.

The Standing Committee took note of the launch of the Emerald Network Viewer and of the request of the Secretariat for financial support from Contracting Parties to develop it further.

The Standing Committee noted the intention of the Contracting Parties from South East Europe to deliver updated databases regarding their respective Emerald Network sites by 28 February 2019.

**c. Draft Format on reporting under Resolution No. 8 (2012)**

The Standing Committee took note with satisfaction of the finalisation of the reporting format under Resolution No. 8 (2012) and welcomed the alignment with the EU Articles 17 and 12 reporting tools, which will allow to assess the conservation status of species and habitats at Pan-European level. The Standing Committee adopted the Reporting format (appendix II) and endorsed the subset of species (appendix III) the first reporting exercise will focus on. The Standing Committee took also note that the reporting exercise will be launched beginning of 2019 and of the deadline set on 31 December 2019 for the delivery of the national reports.

**d. Draft updated lists of candidate Emerald sites**

The Standing Committee adopted the:

- Updated list of officially nominated candidate Emerald sites (appendix IV)

#### e. **Draft updated lists of Adopted Emerald sites**

The Standing Committee welcomed the decision of Georgia and Norway to propose for official adoption part of their already nominated candidate Emerald sites and adopted the:

- Updated list of officially adopted Emerald sites (appendix V).

#### f. **The concept of ecological character of sites in the context of the Emerald Network under the Bern Convention**

The Standing Committee took note of the gap in guidance revealed in the report and mandated the Secretariat, subject to the availability of resources, to develop appropriate guidance describing the ecological character of Emerald Network sites and to review the Bern Convention case files that relate to the change of ecological character of Emerald Network sites with a view to identify the successful responses and define good practices for detecting, reporting, assessing and responding to changes.

#### **4.6.2 European Diploma for Protected Areas**

##### a. **Report of the meeting of the Group of Specialists on the European Diploma for Protected Areas, follow-up of decisions**

Relevant documents: T-PVS/DE (2017) 14 – Report of the meeting of the Group of Specialists on the European Diploma for Protected Areas  
T-PVS/DE (2017) 9 - Draft Resolutions on the renewal of the European Diploma for Protected Areas

The Standing Committee took note of the report of the Group of Specialists and of the statement of the Polish authorities regarding the Bialowieza National Park. The Standing Committee endorsed the draft resolutions on the renewal of the European Diploma for Protected Areas to 7 areas to be submitted to the Committee of Ministers for formal adoption in 2018.

#### **4.6.3 Conference for the protection of old growth forest in Europe**

The Standing Committee took note with interest of the report on the Conference for the protection of old growth forest on Europe (Brussels, 13-14 September 2017), presented by Mr Toby Aykroyd, from Wild Europe Initiative. The Committee stressed that old growth forests hold important European biodiversity so States were invited to give them particular conservation attention.

The Standing Committee took note of the possibilities of future co-operation with Wild Europe Initiative to further conservation of old growth forests and increase wilderness areas in Contracting Parties.

## **PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS**

### **5. SPECIFIC SITES AND POPULATIONS**

Relevant documents: T-PVS (2017) 24 – Summary of case files and complaints  
T-PVS/Inf (2017) 2 – Register of Bern Convention's case-files

#### **5.1 Files opened**

##### ➤ **1995/6: Cyprus: Akamas peninsula**

Relevant documents: T-PVS/Files (2017) 19 - Government Report  
T-PVS/Files (2017) 24 - Complainant Report  
T-PVS/Files (2017) 22 - EU Report

The Standing Committee took note of the reports by the national authorities, the NGOs and the European Commission and welcomed the news about new plans for the conservation of the area. The Standing Committee decided to keep the case-file open and expressed its wish that the whole area of Akamas and Limni was managed in a coordinated and environmentally friendly way, that a positive agreement was reached with the European Union for the designation of all areas of significant



biodiversity interest as Natura 2000 areas and that the projected development in Limni respected the limits reflected in Recommendation No. 191 (2016), thus minimizing negative effects on the nesting beaches.

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

Relevant documents: T-PVS/Files (2017) 18 – Government report  
T-PVS/Files (2017) 31 – NGOs report

The Standing Committee thanked the national authorities for the information provided on the measures foreseen for complying with the ECJ decision and noted the difficulties encountered at national level in implementing some of them. It further took note of the considerations by the complainant NGO that the measures currently planned will not address the operational paragraphs of Recommendation No. 130 (2007).

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

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

Relevant documents: T-PVS/Files (2017) 20 - Government Report  
T-PVS/Files (2017) 37 – NGO Report  
T-PVS/Files (2017) 30 - Complainant Report

The Standing Committee took note of the information presented by the Government of Greece, the NGOs and the European Commission. It welcomed the news of a planned new Presidential Decree forbidding building in the Natura 2000 sites and regulating the whole area and hoped the Greek Parliament would agree to the creation of a National Park. The Standing Committee decided to keep the case-file open and encouraged Greece to fully implement its Recommendation No. 174 (2014), avoiding any further deterioration of the nesting beaches and their surrounding area and especially controlling activities on the beach that may interfere with successful marine turtle nesting.

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

Relevant documents: T-PVS/Files (2017) 35 - Government Report  
T-PVS/Files (2017) 29 - Complainant Report

The Standing Committee took note of the updated information provided by the Turkish authorities and the complainant NGO on the implementation of Recommendations No. 182 (2015) and No. 183 (2015). It thanked the national authorities for the efforts made in past year for improving the protection of both areas, while noting with concern the many challenges still facing them. The Standing Committee decided to keep the file open and requested the Turkish authorities to provide, if possible by the Bureau meeting on 19 March 2018, a detailed Action Plan and a Timetable for the thorough implementation of all operational parts of the Recommendations, including describing the challenges they face and measures planned for responding to these.

➤ **2013/1: “The former Yugoslav Republic of Macedonia”: Hydro power development within the territory of the Mavrovo National Park**

Relevant documents: T-PVS/Files (2017) 9 - Government Report  
T-PVS/Files (2017) 14 - Complainant Report

The Standing Committee took note of the report provided by the complainant NGO on the lack of progress in the implementation of Recommendation No. 184 (2015). It noted that the national authorities of “the former Yugoslav Republic of Macedonia” are not present at the meeting and cannot present their opinion on the complainant’s claims.

The Standing Committee decided to keep the case file open. It expressed its concern with the continued development of low-performing hydro power plants in the area of the National Park and reminded that the development of an SEA on the cumulative impact of all planned activities on the territory of the Park, as recommended, should be developed prior to the construction of new facilities, which will inevitably have an effect on biodiversity.

Eventually, the Standing Committee noted that a written report has been provided by the authorities on the day before the opening of the Standing Committee meeting and thanked the authorities for their efforts to submit it. Taking into account that the report arrived too late for allowing its publication among the working documents for the meeting, it instructed the Bureau to assess it at its upcoming meeting on 19 March 2018.

## 5.2 Possible files

### ➤ 2001/4: Bulgaria: Motorway through the Kresna Gorge

Relevant documents: T-PVS/Files (2017) 10 + Annex + Annex 2 + Annex 3 Part I & II + Annex 4- Government Report  
T-PVS/Files (2017) 33 + Annex 1 - Complainant Report

The Standing Committee took note of the report presented by the national authorities on the alternative chosen for the development of Lot 3.2 of the Struma motorway passing through the Kresna Gorge, after careful examination of all alternatives studied in the frame of an EIA/AA. It further noted the concerns expressed by the complainant NGO coalition about the objectivity of the EIA.

The Standing Committee decided to keep the file as a possible file in the light of the pending national court appeal of the EIA/AA and the pending submission of an application package to the European Commission for the funding of the Lot 3.2 construction. The Standing Committee invited the national authorities to send an updated report as soon as the results of the national Court appeal is available, possibly for the next Bureau meeting taking place on 19 March 2018. The Bureau to the Convention will continue the follow-up of the case ahead of the next Standing Committee meeting.

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

Relevant documents : T-PVS/Files (2017) 16 - Government Report  
T-PVS/Files (2017) 27 + Annex 1 + Annex 2 - Complaint Form

The Standing Committee took note of the reports presented by the national authorities of Norway and the complainant. The Committee noted that the authorities recognize the unintentional omission of the term “deemed necessary” from section 17 of the new Nature Diversity Act. It further agreed that this omission has created a lack of compliance with Article 9 of the Bern Convention. The Standing Committee decided to keep the file as a possible file and encouraged Norway to close the loophole and bring the specific section of the Act into line with Article 9 of the Bern Convention. Finally, the Standing Committee requested Norway to report back to the 2018 meeting of the Standing Committee on progress made to reintegrate the omitted terms.

## 5.3 Follow-up of previous complaints and Recommendations

### ➤ Closed case-file 1998/3: Habitats for the survival of the common hamster (*Cricetus cricetus*) in Alsace, France

Relevant documents: T-PVS/Files (2017) 25 - Government Report  
T-PVS/Files (2017) 39 – Complainant Report

In the light of the information provided by the national authorities and the NGO, the Standing Committee requested the Party to report back to the Standing Committee in 2019, on the evaluation of the current National Action Plan for the species, on the outcomes of the Alister LIFE + project and on the provisions of the new National Action Plan (2018 – 2022).

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

Relevant documents: T-PVS/Files (2017) 45 - Government Report  
T-PVS/Files (2017) 34 – Complainant Report

The Standing Committee took note of the updated information provided by the Turkish authorities and the NGO MEDASSET. It requested the Turkish authorities to provide a progress report on the implementation of Recommendation No. 95 (2002) for its meeting in 2019.

➤ **Recommendation No. 176 (2015) on the prevention and control of the *Batrachochytrium salamandrivorans* chytrid fungus**

Relevant document: T-PVS/Inf (2017) 18 - Compilation of National Replies to the questionnaire

The Standing Committee took note of the information provided by Parties on the implementation of the Recommendation.

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

Relevant document: T-PVS/Files (2017) 38 - Government Report

The Standing Committee took note of the information provided by the national authorities of Iceland on the implementation of the Recommendation. It further took note of the decision of the AEWA Standing Committee to request a revised programme of work for the implementation of some operational paragraphs of the set of recommendations addressed jointly by the Convention and AEWA to the Icelandic authorities.

The Standing Committee urged the national authorities to speed up their efforts in fully implementing the Recommendation and instructed the Secretariat and the Bureau to continue to collaborate with the AEWA Secretariat and the AEWA Standing Committee in closely following-up the implementation of the Recommendation. The issue will be revisited at the 38<sup>th</sup> meeting of the Standing Committee.

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

Relevant documents: T-PVS/Files (2017) 40 - Government Report  
T-PVS/Files (2017) 36 - NGO Report

The Standing Committee took note of the reports by the Party and the NGOs and regretted that the situation had further deteriorated since the file was closed, as nesting had kept falling in numbers close to 30% and, in spite of the creation of the National Park, its funding was not assured and the implementation of protection measures is very poor. The Standing Committee encouraged the Greek authorities to fully implement Bern Convention recommendations on the topic and increase cooperation with local authorities, with ARCHELON and other NGOs to redress the high mortality of marine turtles and improve the management of beaches in the area. The Standing Committee instructed the Bureau to reexamine the issue.

## **PART V – STRATEGIC DEVELOPMENT OF THE CONVENTION**

### **6. STRATEGIC DEVELOPMENT OF THE CONVENTION**

#### **6.1 International coordination with other MEAs and organisations**

The Standing Committee welcomed the strengthened coordination and cooperation developed by the Secretariat with other MEAs and organisations, in particular the EEA and its ETC/BD, the EU, the CMS, the AEWA, EUROBATS, IUCN, UNEP/WCMC, WWF and Birdlife Europe.

## **6.2 Implementation of the CBD Strategic Plan for biodiversity: the contribution of the Bern Convention**

Relevant document: T-PVS/Inf (2017) 23 – Draft Activity Report 2016-2017

The Standing Committee welcomed and endorsed the Activity Report 2016-2017.

## **6.3 Awareness and visibility**

The Standing Committee took note of the information presented by the Secretariat on the various activities carried out throughout 2017 to raise awareness on issues facing biodiversity conservation and the Bern Convention's action, in particular on the issue of illegal killing of birds and the Emerald Network.

## **6.4 Draft Programme of Activities and budget for 2018-2019**

Relevant document: T-PVS (2017) 20 – Draft Programme of Activities for 2018-2019

The Standing Committee examined and adopted the:

- Convention's Programme of Activities and Budget for 2018-2019 (appendix VI).

The Standing Committee stressed the importance of voluntary contributions for ensuring the smooth functioning of the Convention and invited Parties to step up their efforts in providing financial support to the Convention.

In the light of the information received on the budgetary crisis facing the Council of Europe and the uncertainty on the implication this will have on the Organisation's expected financial contribution to the Convention's budget for the next biennium, the Standing Committee gave mandate to the Bureau to monitor the situation and to seek solutions to possible shortages in the Convention budget, after the financial situation of the Council of Europe is clarified at the beginning of 2018.

## **6.5 States to be invited as observers to the 38<sup>th</sup> meeting**

The Standing Committee decided unanimously to invite the following States to attend its 38<sup>th</sup> meeting: the Russian Federation, San Marino, Algeria, Holy See, Jordan.

# **PART VI - OTHER ITEMS**

## **7. 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

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

In accordance with Article 18(e) of the Rules of Procedure, the Committee elected:

- Mr Øystein Størkersen (Norway) as Chair
- Ms Jana Durkošová (Slovak Republic) as Vice-Chair
- Ms Merike Linnamägi (Estonia) and Ms Hasmik Ghalachyan (Armenia) as Bureau members.

According to Rule 19 of the Rules of Procedure, the Committee acknowledged the automatic election of the previous Chair, Mr Jan Plesník (Czech Republic), as a Bureau member.

## **8. DATE AND PLACE OF THE 38<sup>TH</sup> MEETING**

The Standing Committee agreed to hold its next meeting on 27-30 November 2018, in Strasbourg.

**9. ADOPTION OF THE MAIN DECISIONS OF THE MEETING**

The Standing Committee adopted document T-PVS (2017) Misc.

**10. OTHER BUSINESS (ITEMS FOR INFORMATION ONLY)**

No other business.

## **AGENDA**

### **PART I – OPENING**

- 1. OPENING OF THE MEETING AND ADOPTION OF THE AGENDA**
- 2. CHAIRMAN'S REPORT AND COMMUNICATIONS FROM THE DELEGATIONS AND FROM THE SECRETARIAT**

### **PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS**

- 3. MONITORING OF THE IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION**
- 3.1 Biennial reports 2013-2014 and 2015-2016 concerning exceptions made to Articles 4, 5, 6, 7 or 8 and quadrennial reports 2009 - 2012<sup>1</sup>**
- 3.2 Legal analysis of the draft Law on the conservation of natural habitats, biodiversity and landscape of Andorra**
- 3.3 Proposal for amendment of the Convention: Proposal for listing the Balkan lynx (*Lynx lynx ssp. balcanicus*) in the Appendix II of the Bern Convention**
- 3.4 Gender mainstreaming and the Bern Convention**
  - a. Draft Recommendation on mainstreaming a gender equality perspective in the implementation of the Convention as well as in the work of the Convention Secretariat

### **PART III – MONITORING OF SPECIES AND HABITATS**

- 4. MONITORING OF SPECIES AND HABITATS**
- 4.1 Biodiversity and Climate Change**
  - a. Report of the 1<sup>st</sup> meeting of the Select Group of Experts on Biodiversity and Climate Change
- 4.2 Invasive Alien Species**
  - a. Report of the Expert meeting on the implementation of the Action Plan for the eradication of ruddy duck in Europe meeting
  - b. Report of the Group of Experts on Invasive Alien Species and its back-to-back Seminar on the eradication of IAS in small European islands
  - c. Draft recommendation of the European Code of Conduct on Invasive Alien Trees
  - d. Draft Recommendation on the European Code of Conduct on International Travel and Invasive Alien Species
  - e. Draft Recommendation on the control and eradication of IAS in islands
- 4.3 Conservation of Birds**
- 4.3.1 Group of Experts on the Conservation of Birds**
  - a. Report of the 6<sup>th</sup> meeting of the Group of Experts on the Conservation of Wild Birds

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<sup>1</sup> For information only, unless otherwise requested

#### **4.3.2 *Eradication of illegal killing, trapping and trade of wild birds***

- a. Report of the 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)
- b. Draft Recommendation on the establishment of a Scoreboard for measuring progress in combating illegal killing, taking and trade of wild birds

#### **4.4 *Amphibians and reptiles***

- a. Report of the 9<sup>th</sup> meeting of the Group of Experts on the Conservation of Amphibians and Reptiles (including Marine Turtles)
- b. Draft Recommendation on biosafety measures for the prevention of the spread of amphibian and reptile species diseases

#### **4.5 *Conservation of other threatened Species***

- a. Workshops on the revision of the Strategy for the Leopard Conservation in the Caucasus and coordinating the Monitoring of Leopard and Prey Species in the Ecoregion
- b. Action Plan for the conservation and restoration of the European sturgeon (*Acipenser sturio*) – state of implementation and future needs

#### **4.6 *Habitats***

##### **4.6.1 *Protected Areas and Ecological Networks***

- a. Report of the 2<sup>nd</sup> meeting of the Ad Hoc Restricted Group of Experts on reporting under Resolution No. 8 (2012)
- b. Report of the 8<sup>th</sup> meeting of the Group of Experts on Protected Areas and Ecological Networks
- c. Draft format on reporting under Resolution No. 8 (2012)
- d. Draft updated lists of candidate Emerald sites
- e. Draft updated lists of Emerald sites
- f. The concept of ecological character of sites in the context of the Emerald Network under the Bern Convention

##### **4.6.2 *European Diploma for Protected Areas***

- a. Report of the meeting of the Group of Specialists on the European Diploma for Protected Areas

##### **4.6.3 *Conference for protection of old growth forest in Europe***

- a. Report of the Wild Europe Initiative Conference for protection of old growth forest in Europe

## **PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS**

### **5. *SPECIFIC SITES AND POPULATIONS***

#### **5.1 *Files opened***

- 1995/6: Cyprus: Akamas peninsula
- 2004/2: Bulgaria: Wind farms in Balchik and Kaliakra –Via Pontica
- 2010/5: Greece: threats to marine turtles in Thines Kiparissias
- 2012/9: Turkey: Presumed degradation of nesting beaches in Fethiye and Patara SPAs
- 2013/1: “The former Yugoslav Republic of Macedonia”: Hydro power development within the territory of the Mavrovo National Park

#### **5.2 *Possible files***

- 2001/4: Bulgaria: Motorway through the Kresna Gorge
- 2017/01: Norway: Lack of legal protection for Northern goshawk and birds of prey

### **5.3 Follow-up of previous complaints and Recommendations**

- Closed case-file 1998/3: Habitats for the survival of the common hamster (*Cricetus cricetus*) in Alsace, France
- Recommendation No. 95 (2002) on the conservation of marine turtles in Kazanlı beach (Turkey)
- Recommendation No. 176 (2015) on the prevention and control of the *Batrachochytrium salamandrivorans* chytrid fungus
- Recommendation No.190 (2016) on the conservation of natural habitats and wildlife, specially birds, in afforestation of lowland in Iceland
- Recommendation No. 9 (1987) on the protection of *Caretta Caretta* in Laganas bay, Zakynthos (Greece)

## **PART V – STRATEGIC DEVELOPMENT OF THE CONVENTION**

### **6. STRATEGIC DEVELOPMENT OF THE CONVENTION**

#### **6.1 International coordination with other MEAs and organisations**

#### **6.2 Implementation of the CBD Strategic Plan for biodiversity: the contribution of the Bern Convention**

#### **6.3 Awareness and visibility**

#### **6.4 Draft Programme of Activities and budget for 2018-2019**

#### **6.5 States to be invited as observers to the 38<sup>th</sup> meeting**

## **PART VI - OTHER ITEMS**

### **7. ELECTION OF CHAIR, VICE-CHAIR AND BUREAU MEMBERS**

### **8. DATE AND PLACE OF THE 38<sup>TH</sup> MEETING**

### **9. ADOPTION OF THE MAIN DECISIONS OF THE MEETING**

### **10. OTHER BUSINESS (ITEMS FOR INFORMATION ONLY)**



## LIST OF PARTICIPANTS

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### I. CONTRACTING PARTIES / PARTIES CONTRACTANTES

#### **ALBANIA / ALBANIE**

Ms Elvana RAMAJ, Head of Programme of Environment and Biodiversity Protection, Ministry of Tourism and Environment

*[Apologised for absence / Excusée]*

Ms Avenilda DOKO, Deputy to the Permanent Representative, Permanent Representation of Albania to the Council of Europe

#### **ANDORRA / ANDORRE**

Mr Marc ROSSELL SOLER, Director General, Departament de Medi Ambient, Govern d'Andorra

#### **ARMENIA / ARMÉNIE**

Ms Hasmik GHALACHYAN, Head, Division of Plant Resources Management, Agency of Bioresources Management, Ministry of Nature Protection

#### **AUSTRIA / AUTRICHE**

Ms Simone KLAIS, Joint representative of the federal provinces of Austria on behalf of the Office of the Provincial Government of Vienna – Municipal Department for Environmental Protection, Amt der Wiener Landesregierung

Ms Edda-Maria BERTEL, Division I/8, National Parks, Nature Conservation & Species Protection, Federal Ministry of Agriculture, Forestry, Environment and Water Management

Mr Max ABENSPERG-TRAUN, PHD, CITES Representative for Austria, Ministry for the Environment

#### **AZERBAIJAN / AZERBAÏDJAN**

Ms Lala HAJIYEVA, Advisor of the Department for Protection of Biological Diversity and Development of Specially Protected Nature Areas, Ministry of Ecology and Natural Resources

#### **BELARUS / BÉLARUS**

Ms Yuliia FURSA, Researcher, Department of International Projects, Republican Research Unitary Enterprise « Belarusian Research Centre Ecology »

#### **BELGIUM / BELGIQUE**

Ms Sandrine LIEGEOIS, Attachée, Département de la Nature et des Forêts, Ministère de la Région wallonne

#### **BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE**

Mr Saša TANIĆ, Head of the Department for Agriculture, Forestry and Water Management of the Government of Brčko District

#### **BULGARIA / BULGARIE**

Mr Valeri GEORGIEV, Head of Biodiversity Division, National Nature Protection Directorate, Ministry of Environment and Water

Ms Malina KROUMOVA, Deputy Minister, Minister of Regional Development and Public Works,

Ms Angeliki ANTONIOU, Lawyer at the Hellenic Supreme Court, ML International Law, PhD European Law, Professor at the National School of Public Administration

Ms Tania BOUZEVA, Managing Partner, Bouzeva & Partners Law Firm,

Mr Angel ANGELOV, Managing Partner, Bouzeva & Partners Law Firm

Mr Nikolay NEDYALKOV, Consultant, Ministry of Environment and Water

Ms Iveta ANTONOVA KOLEVA, Director, Implementation of Projects under OP Transport and Transport Infrastructure, Road Infrastructure Agency

Mr Nikolay DOBRINOV NATCHEV, Senior expert, Road Infrastructure Agency

#### **CROATIA / CROATIE**

Ms Zrinka DOMAZETOVIĆ, Head of Biodiversity Service, Nature Protection Directorate, Ministry of Environment and Energy

#### **CYPRUS / CHYPRE**

Ms Despo ZAVROU, Environment Officer, Department of Environment, Ministry of Agriculture, Rural Development and Environment

#### **CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE**

Ms Eliška ROLFOVÁ, Unit of International Conventions, Department for the Species Protection and Implementation of International Commitments, Ministry of the Environment

Mr Jan PLESNIK, Adviser to Director, Nature Conservation Agency (NCA CR)

#### **ESTONIA / ESTONIE**

Mr Hanno ZINGEL, Head of Delegation, Advisor, Ministry of the Environment

Ms Merike LINNAMÄGI, Senior officer, Nature Conservation Department, Ministry of the Environment

Ms Kadri MÖLLER, Advisor, Nature Conservation Department, Ministry of the Environment

Ms Riinu RANNAP, Advisor, Nature Conservation Department, Ministry of the Environment

Ms Teele JAIRUS, Advisor, Nature Conservation Department, Ministry of the Environment

Ms Kaja LOTMAN, Advisor, Environmental Board, Ministry of the Environment

Ms Siiri KERGE, Senior Officer, EU and International Co-operation Department, Ministry of the Environment

Ms Kaidi TINGAS, Event Manager, EU and International Co-operation Department, Ministry of the Environment

#### **EUROPEAN UNION / UNION EUROPÉENNE**

Mr Andras DEMETER, Senior Expert, European Commission, Unit B.2 – Biodiversity, Directorate B – Natural Capital, Directorate-General for the Environment

#### **FINLAND / FINLANDE**

Ms Piia Soila Maria KÄHKÖLÄ, Senior Specialist, Ministry of the Environment, Department of the Natural Environment

**FRANCE / FRANCE**

Mr François LAMARQUE, Chargé de mission conventions et programmes internationaux sur la faune sauvage, DGALN/DEB/ET3, Ministère de la Transition écologique et solidaire

**GEORGIA / GÉORGIE**

Ms Mariam SULKHANISHVILI, Chief Specialist of Biodiversity and Forestry Policy department, Biodiversity Division, Ministry of Environment and Natural Resources Protection

Mr Carl AMIRGULASHVILI, Head of Biodiversity and Forestry Policy Department, Ministry of Environment and Natural Resources Protection

**GREECE / GRÈCE**

Mr Christos CHRYSSOMALIS, National Coordinator for UNESCO Natural Monuments, Ministry of Environment & Energy, General Directorate of Environmental Policy, Directorate of Management of Nature & Biodiversity, Protected Areas Department

Ms Eleni CHRYSSOFAKI, Permanent Representation of the Hellenic Republic to the Council of Europe

**HUNGARY / HONGRIE**

Mr Zoltan CZIRAK, Expert for Biodiversity, Unit of Nature Conservation, Ministry of Agriculture

**ICELAND / ISLANDE**

Mr Jón Gunnar OTTÓSSON, Director General, Icelandic Institute of Natural History

**ITALY / ITALIE**

Mr Vittorio DE CRISTOFARO, Directorate-general for nature and sea protection, Division IV – Protection of coastal and marine environment. Support for international activities, Ministry of the Environment, Land and Sea

**LATVIA / LETTONIE**

Mr Vilnis BERNARDS, Senior Desk Officer, Nature Protection Department, Ministry of Environment

**LUXEMBOURG / LUXEMBOURG**

Mr Claude ORIGER, Directeur de la Nature, Ministère du Développement durable et des Infrastructures, Département de l'Environnement

**MALTA / MALTE**

Mr Sergei GOLOVKIN, Head of Wild Birds Regulation Unit, Parliamentary Secretariat for Agriculture, Fisheries & Animal Rights

Mr Marko FILIPOVIC, Assistant Environment Protection Officer, Environment and Resources Authority

**REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDOVA**

Ms Veronica JOSU, Main Advisory Officer, Department on Biodiversity Policy, Ministry of Environment

**MONACO / MONACO**

Ms Céline VAN KLAVEREN-IMPAGLIAZZO, Chef de Section, Département des Relations extérieures et de la Coopération, Ministère d'Etat

**MONTENEGRO / MONTÉNÉGRO**

Ms Marina MIŠKOVIĆ SPAHIĆ, Head of the Directorate of the Nature Protection, Ministry of Sustainable Development and Tourism

**MOROCCO / MAROC**

Ms Hayat MESBAH, Chef de Service de la Conservation de la Flore et de la Faune Sauvages, Haut Commissariat aux Eaux et Forêts et à la Lutte Contre la Désertification

**THE NETHERLANDS / PAYS-BAS**

Ms Wilmar REMMELTS, Senior Policy Advisor, Directorate Nature and Biodiversity, Ministry of Agriculture, Nature and Food Quality

**NORWAY / NORVÈGE**

Mr Øystein STØRKERSEN, Principal Advisor, Norwegian Environment Agency

Mr Andreas B. SCHEI, Senior Adviser, Norwegian Environment Agency

Ms Solveig Margit PAULSEN, Senior Advisor, Ministry of Climate and Environment

**POLAND / POLOGNE**

Ms Ewa PISARCZYK, Chief Specialist, Nature Conservation Department, General Directorate for the Environmental Protection, Ministry of the Environment

Mr Jacek HILSZCZAŃSKI, Deputy Director, Forest Research Institute

Ms Iwona MARCZYK-STĘPNIEWSKA, Deputy to Permanent Representative, Political Division, Permanent Representation of Poland to the Council of Europe

**PORTUGAL / PORTUGAL**

Mr Mário REIS, Head of Biodiversity Conservation Division, Instituto da Conservação da Natureza e das Florestas, ICNF (Institute for the Conservation of Nature and Forests)

**ROMANIA / ROUMANIE**

Ms Antoaneta OPRISAN, Counsellor, Biodiversity Directorate, Ministry of Environment, Waters and Forests

Mr Nicolae MANTA, Counsellor, Biodiversity Directorate, Ministry of Environment, Waters and Forests

**SERBIA / SERBIE**

Ms Snezana PROKIC, Head of Department for ecological network and appropriate assessment, Ministry for Environmental Protection

**SLOVAK REPUBLIC / RÉPUBLIQUE SLOVAQUIE**

Ms Jana DURKOŠOVÁ, Director, Department of Nature and Landscape Protection, Ministry of the Environment

**SLOVENIA / SLOVÉNIE**

Mr Peter SKOBERNE, Ministry of the Environment and Spatial Planning

**SPAIN / ESPAGNE**

Ms Bárbara SOTO-LARGO MEROÑO, Jefa del Servicio de Evaluación Científica del Comercio de Especies Silvestres, Subdirección General de Medio Natural, Dirección General de Calidad y Evaluación Ambiental y Medio Natural, Ministerio de Agricultura y Pesca, Alimentación y Medio Ambiente

**SWITZERLAND / SUISSE**

Ms Danielle HOFMANN, Section Espèces et milieux naturels, Office fédéral de l'Environnement (OFEV)

Mr Martin KREBS, Chef de Section suppléant, Affaires internationales de l'Environnement, Département fédéral des affaires étrangères DFAE

Mr Reinhard SCHNIDRIG-PETRIG, Head of Wildlife Management Section, Federal Office for the Environment FOEN

**TURKEY / TURQUIE**

Mr Burak TATAR, Wildlife Biologist, Department of Wildlife Management, Ministry of Forestry and Water Affairs

**UKRAINE / UKRAINE**

Mr Viktor KLID, Director of the Department of EcoNet and Protected Areas, the Ministry of Ecology and Natural Resources

Ms Anastasiia DRAPALIUK, Acting Head of the Division on Formation and Development of the EcoNet and Protected Areas, Department of EcoNet and Protected Areas, Ministry of Ecology and Natural Resources

**UNITED KINGDOM / ROYAUME-UNI**

Ms Emma PHILLIMORE, Head of Wildlife Management and Crime, Natural Environment Policy, Department for Environment, Food and Rural Affairs (DEFRA)

Mr Clive PORRO, in charge of protected sites policy, and Habitats and Birds Directives, Department for Environment, Food and Rural Affairs (DEFRA)

Ms Donna MACKAY, Department for Environment, Food and Rural Affairs (DEFRA)

**II. MEMBER STATES NON CONTRACTING PARTIES AND OTHER STATES / ETATS MEMBRES NON PARTIES CONTRACTANTES ET AUTRES ETATS**

**RUSSIAN FEDERATION / FÉDÉRATION DE RUSSIE**

Mr Nikolas SOBOLEV, Senior Scientific Researcher, Institute of Geography, Russian Academy of Sciences

**HOLY SEE / SAINT SIÈGE**

Mr Jean-Pierre RIBAUT

*[Apologised for absence / Excusée]*

**III. INTERNATIONAL ORGANISATIONS AND SECRETARIATS OF CONVENTIONS / ORGANISATIONS INTERNATIONALES ET SECRÉTARIATS DE CONVENTIONS**

**Secretariat of the Agreement on the Conservation of African-Eurasian Waterbird (UNEP/AEWA) / Secrétariat de l'Accord sur la conservation des oiseaux d'eau migrateurs d'Afrique-Eurasie (UNEP/AEWA)**

Mr Sergey DERELIEV, Head of Science, Implementation and Compliance, UNEP/AEWA Secretariat, African-Eurasian Waterbird Agreement

**Secretariat of the Convention on the conservation of migratory species of wild animals (UNEP/CMS) / Secrétariat de la Convention sur la conservation des espèces migratrices appartenant à la faune sauvage (PNUE/CMS)**

Mr Andreas STREIT, representing the CMS.

Mr Olivier BIBER, Chair of the African-Eurasian Migratory Landbirds Working Group (AEML WG), UNEP/CMS

**Secretariat of the Agreement on the Conservation of Bats in Europe (EUROBATS) / Secrétariat de l'Accord sur la conservation des chauves-souris en Europe (EUROBATS)**

Mr Andreas STREIT, Executive Secretary, EUROBATS Secretariat, UN Environment Programme

**INGO Conference Council of Europe / OING du Conseil de l'Europe**

Ms Edith WENGER, Bureau Européen de l'Environnement, représentante près le Conseil de l'Europe

**IV. OTHER ORGANISATIONS / AUTRES ORGANISATIONS**

**Balkani Wildlife Society**

Mr Andrey KOVATCHEV, BALKANI Wildlife Society

**BirdLife International / BirdLife International**

Mr Willem VAN DEN BOSSCHE, Flyway Conservation Officer for Europe & Central Asia, BirdLife Europe

*BirdLife Bulgaria / Bulgarian Society for the Protection of Birds*

Ms Irina Nikolaeva MATEEVA KOSTADINOVA, EU Policy Officer, BSPB\BirdLife Bulgaria

*MBCC Migratory Birds Conservation in Cyprus and co-operate of Bird Life Cyprus*

Ms Edith LOOSLI, MBCC Migratory Birds Conservation, International Monitoring Organisation

**CEE Bankwatch Network**

Ms Ana COLOVIC LESOSKA, Project coordinator, CEE Bankwatch Network

Mr David CHIPASHVILI, IFIs monitoring program coordinator, CEE Bankwatch Network

**Danube Sturgeon Task Force (DSTF)**

Ms Simona MIHAILESCU, Scientific Secretary, Romanian Academy - Commission for Natural Monuments Protection

Ms Cristina SANDU, Coordinator, Danube Sturgeon Task Force – EUSDR PA 06, Institute of Biology Bucharest, Romanian Academy

**Environment Citizens Association “Front 21/42”**

Ms Aleksandra BUJAROSKA, Environmental lawyer, Environment Citizens Association “Front 21/42”

**Environmental Association Za Zemiata (For the Earth) - Friends of the Earth Bulgaria**

Ms Desislava STOYANOVA, Economic justice programme coordinator, Environmental Association Za Zemiata (For the Earth) - Friends of the Earth Bulgaria

**European Topic Centre on Biological Diversity / Centre Thématique Européen sur la Diversité Biologique**

Ms Laura Patricia GAVILAN, Officer Habitat and Birds Directive, Muséum national d'Histoire naturelle

**EuroNatur Foundation**

Mr Gabriel SCHWADERER, EuroNatur Foundation, CEO

Ms Annette SPANGENBERG, Head of Project Unit, Senior project manager, EuroNatur Foundation

Ms Theresa SCHILLER, Project Manager, EuroNatur Foundation

Ms Mareike BRIX, Project Manager, EuroNatur Foundation

Mr Ulrich EICHELMANN, Riverwatch, CEO

Ms Olsi NIKA, CEO, EcoAlbania

Mr Dimche MELOVSKI, Programme Manager, Protection of Wild Animals, Macedonian Ecological Society

**Federation of Associations for hunting and conservation of the EU (FACE)**

Ms Monia ANANE, Conservation Policy Officer, FACE - Federation of Associations for Hunting and Conservation of the EU

**Il Nibbio – Antonio Bana’s Foundation for research on ornithological migration and environmental protection / Il Nibbio – Fondation Antonio Bana pour la recherche des migrations ornithologiques et la protection de l’environnement**

Mr Giovanni BANA, President, Il Nibbio Foundation

*[Apologised for absence / Excusé]*

**International Association for Falconry and the Conservation of Birds of Prey (IAF) / Association Internationale de la Fauconnerie et de la Conservation des Oiseaux de Proies**

Mr Julian MÜHLE, IAF Secretariat, International Association for Falconry and the Conservation of Birds of Prey (IAF)

**Large Carnivore Initiative for Europe (LCIE)**

Ms Manuela van ARX, KORA

**Mediterranean Association to Save the Sea Turtles (MEDASSET) / Association méditerranéenne pour sauver les tortues marines (MEDASSET)**

Ms Anna STAMATIOU, General Secretary, MEDASSET

**Pro Natura – Friends of the Earth Europe**

Mr Friedrich WULF, Head, International Biodiversity Policy, Pro Natura

**Protection and Preservation of Natural Environment in Albania (PPNEA)**

Mr Aleksandër TRAJÇE, Managing director, Protection and Preservation of Natural Environment in Albania

**Sauvegarde Faune Sauvage (France-Alsace et Est de la France)**

Mr Jean-Paul BURGET, Président, Sauvegarde Faune Sauvage

Ms Céline TROIANO, Sauvegarde Faune Sauvage

Mr Jacky ILTY, Sauvegarde Faune Sauvage

**Terra Cypria (Cyprus Conservation Foundation)**

Ms Artemis YIORDAMLI, Trustee, Terra Cypria, the Cyprus Conservation Foundation

Mr Adrian AKERS-DOUGLAS, Member of Management Committee, Terra Cypria, the Cyprus Conservation Foundation

Mr Lefkios SERGIDES, Executive Director, Terra Cypria, the Cyprus Conservation Foundation

## **VI. CHAIRS OF GROUPS OF EXPERTS / PRESIDENTS DE GROUPES D'EXPERTS**

Mr Tore OPDAHL Senior Advisor, Norwegian Environment Agency, Section for Natural Heritage

Mr Rastislav RYBANIČ

Mr Jan Willem SNEEP

## **VII. SPEAKERS / INTERVENANTS**

Mr Toby AYKROYD, Wild Europe Initiative

Mr Giuseppe BRUNDU, PhD, Researcher on environmental and applied Botany (expert on IAS), Dipartimento di Agraria, Università degli Studi di Sassari

Mr Umberto GALLO-ORSI

Mr Dave PRITCHARD

Mr Marc ROEKAERTS

Mr Riccardo SCALERA, Programme Officer, IUCN/SSC Invasive Species Specialist Group

## **VIII. INTERPRETERS / INTERPRETES**

Ms Starr PIROT

Ms Chloé CHENETIER-KIPPING

Ms Claudine PIERSON

## **IX. COUNCIL OF EUROPE / CONSEIL DE L'EUROPE**

**Directorate of Democratic Citizenship and Participation / Direction de la Citoyenneté démocratique et de la Participation F-67075 STRASBOURG CEDEX, France**

Tel: +33 388 41 20 00. Fax: +33 388 41 37 51

Mr Matthew JOHNSON, Director of Democratic Citizenship and Participation / Directeur de la Citoyenneté démocratique et de la Participation DGII

Mr Eladio FERNÁNDEZ-GALIANO, Head of the Culture, Nature and Heritage Department, Directorate of Democratic Citizenship and Participation DGII / Chef du Service de la Culture, de la Nature et du Patrimoine, Direction de la citoyenneté démocratique et de la participation DGII

Mr Gianluca SILVESTRINI, Head of Division, Division of Major Risks and Environment, Directorate of Democratic Citizenship and Participation DGII / Chef de Division, Division des Risques majeurs et de l'Environnement, Direction de la citoyenneté démocratique et de la participation DGII

Ms Iva OBRETENOVA, Secretary of the Bern Convention / Secrétaire de la Convention de Berne, Biodiversity Unit / Unité de la Biodiversité

Mr Marc HORY, Project Support Officer, Biodiversity Unit / Agent de soutien aux projets, Unité de la Biodiversité

Mr Brendan LOOBY, Support Officer, Biodiversity Unit / Agent de soutien, Unité de la Biodiversité



Ms Véronique de CUSSAC, Administrative Assistant / Assistante administrative, Biodiversity Unit / Unité de la Biodiversité

Ms Tania BRAULIO, Administrative Assistant / Assistante administrative, Biodiversity Unit / Unité de la Biodiversité



Convention on the Conservation  
of European Wildlife and Natural Habitats

Standing Committee

**Recommendation No. 192 (2017) of the Standing Committee, adopted on 8 December 2017, on mainstreaming a gender equality perspective in the implementation of the Convention as well as in the work of the Convention Secretariat**

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 Preamble of the Convention recognises that wild flora and fauna constitute a natural heritage of aesthetic, scientific, cultural, recreational, economic and intrinsic value that needs to be preserved and handed on to future generations;

Recalling that the European Court of Human Rights has recognised that “the advancement of gender equality is today a major goal in the member states of the Council of Europe and references to traditions, general assumptions or prevailing social attitudes are insufficient justification for a difference in treatment on grounds of sex”;

Recognising the importance of ensuring a balanced participation of women and men in public decision-making and in the conservation and protection of the environment and biodiversity, including in the fight against climate change;

Recalling Article 3 of the Convention providing for Contracting Parties to promote education and disseminate general information on the need to conserve species of wild flora and fauna and their habitats as well as Recommendation CM/Rec (2007) 13 of the Committee of Ministers to the Council of Europe (“member states”) on gender mainstreaming in education;

Recalling that Article 11, paragraph 1 of the Convention provides that, in implementing the Convention, Parties undertake to co-operate whenever appropriate and in particular where this would enhance the effectiveness of measures taken under other articles of the Convention;

Noting that greater species and habitats diversity enhances the sustainability of all life forms, contributes to the maintain of healthy ecosystems on which we depend for food, clean air, fresh water and shelter, enhances human’s resilience to a variety of natural and human-made disasters, provides recreational benefits and fosters good health and well-being;

Noting that the Council of Europe, the international organisation hosting the Convention, is a leading international organisation in the promotion of gender equality and women’s rights and of policy-making that takes into account both women’s and men’s interests and needs as well as the specific impacts of its policies, measures and activities on diverse groups;

Recalling Recommendation No. R (90) 4 of the Committee of Ministers of the Council of Europe on the elimination of sexism from language;

Recalling the Council of Europe defines gender mainstreaming: “the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and all stages, by the actors normally involved in policy-making”;

Recalling Recommendation CM/Rec (2007) 17 of the Committee of Ministers of the Council of Europe to member states on gender equality standards and mechanisms, which calls for “the integration of a gender perspective into all areas of governance, both in laws and policies” and recognising that “gender equality is not a women’s issue but one that concerns men as well and affects society as a whole”;

Noting Recommendation Rec (2003) 3 of the Committee of Ministers of the Council of Europe to Member States on balanced participation of women and men in political and public decision-making, which establishes a minimum target of 40% for both women and men as balanced participation in any decision-making body;

Noting the Council of Europe Gender Equality Strategy 2014-2017 and its strategic objectives to achieve a balanced participation of women and men in political and public decision-making and gender mainstreaming in all policies and measures; taking further note of the ongoing work to finalise the Council of Europe Gender Equality Strategy 2018-2023, which would keep the same two objectives, among others, for the period 2018-2023;

Bearing in mind the cross-cutting United Nations Sustainable Development Goals, in particular Goal 5: Achieve gender equality and empower all women and girls, in addition to the specific goals and targets to protect ecosystems, halt biodiversity loss and combat climate change;

Bearing in mind Decision XII/7 on Mainstreaming gender considerations, adopted by the Conference of the Parties to the Convention on Biological Diversity (CBD) at its 12<sup>th</sup> meeting in Pyeongchang (Republic of Korea), 6-17 October 2014, and the recognition made by the Conference of the Parties to the CBD of the importance of gender equality considerations to the achievement of the CBD Aichi Biodiversity Targets;

Recalling the 2015-2020 Gender Plan of Action under the Convention on Biological Diversity and its four strategic objectives;

Convinced that addressing gender equality considerations in the work of the Convention would contribute to the achievement of its objectives, through action by both Contracting Parties and the Secretariat of the Convention,

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

1. Seek to achieve a balanced participation of women and men, in the public decision-making bodies working on nature conservation (the representation of either women or men should not fall below 40%);
2. Mainstream, when relevant, gender equality into all processes at national level linked to the development of national biodiversity-related legislation, biodiversity strategies, species action plans and other policy guidance documents;
3. Seek to include a gender equality perspective in the work of the Standing Committee at all stages, including when designing, implementing, monitoring and evaluating its programme and activities;
4. Take account of existing work, in particular done following Decision XII/7 on Mainstreaming gender considerations adopted by the Conference of Parties to the Convention on Biological Diversity (CBD) to evaluate how biodiversity loss impacts on both women and men, and on the different ways that women and men contribute to biodiversity loss;
5. Include a gender equality perspective when raising awareness among the general public on the need to conserve species of wild flora and fauna and their habitats;
6. Encourage the non-governmental organisations active in biodiversity conservation to seek gender equality in their environmental work;

7. Recognise the increased danger faced by environmental defenders, including women, and support them;
8. Engage and co-operate with the Council of Europe Gender Equality Commission, as appropriate;
9. Keep the Standing Committee informed of the implementation of this Recommendation;

Invites the Secretariat to:

1. Seek advice and support from the Council of Europe Gender Equality Commission and its Secretariat as well as gender mainstreaming experts and non-governmental organisations, in view of ensuring the best possible integration of gender equality considerations in the work of the Convention, including co-operation among Council of Europe bodies;
2. Consider possible ways to ensure a balanced participation of women and men in the Convention decision-making bodies, expert groups or any other activity implemented in the framework of the Convention's Programme of Work, including on-the-spot appraisals and visits related to the European Diploma for Protected Areas;
3. Support the development of a shared knowledge within the Secretariat, among Contracting Parties and with other international environmental instruments (such as the Convention on Biological Diversity (CBD), the Convention on Migratory species (CMS) and its Daughter agreements, and the Convention on International Trade in Endangered Species of Wild Fauna and Flora CITES) of the link between biodiversity, gender equality and the traditional knowledge and practice of local actors, land users and stakeholders, taking care to avoid duplication of efforts and to support the 2015-2020 Gender Plan of Action under the Convention on Biological Diversity.



Convention on the Conservation  
of European Wildlife and Natural Habitats

Standing Committee

**Recommendation No. 193 (2017) of the Standing Committee, adopted on 8 December 2017, on the European Code of Conduct for Invasive Alien Trees**

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 which is notably 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. 99 (2003) on the European Strategy on Invasive Alien Species;

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 that the 10<sup>th</sup> Conference of the Parties of the Convention on Biological Diversity adopted the Strategic Plan for Biodiversity 2011-2020 with its 20 headline Aichi targets for 2020, 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”;

Welcoming 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;

Welcoming 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;

Noting the need to co-operate with all the actors involved in forestry activities in the prevention and management of the introduction and spread of IAS into the territory of the Convention;

Referring to the European Code of Conduct for Invasive Alien Trees [[document T-PVS/Inf \(2017\) 8](#)],

Recommends that Contracting Parties:

1. Take the European Code of Conduct mentioned above into account while drawing up other relevant codes - or where appropriate - draw up national codes of conduct on invasive alien trees;
2. Collaborate as appropriate with the actors involved in forestry activities in implementing and helping disseminate good practices and codes of conduct aimed at preventing and managing of introduction, release and spread of invasive alien trees;
3. Keep the Standing Committee informed of measures taken to implement this recommendation.

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



Convention on the Conservation  
of European Wildlife and Natural Habitats

Standing Committee

**Recommendation No. 194 (2017) of the Standing Committee, adopted on 8 December 2017, on the European Code of Conduct on International Travel 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 which is notably 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. 99 (2003) on the European Strategy on Invasive Alien Species;

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 that the 10<sup>th</sup> Conference of the Parties of the Convention on Biological Diversity adopted the Strategic Plan for Biodiversity 2011-2020 with its 20 headline Aichi targets for 2020, 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”;

Welcoming 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;

Welcoming 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;

Noting the need to co-operate with all the actors involved in international trade, tourism, shipping, ballast water, ground and air transport, including travel/transport agencies, tour operators, flight and boats operators and crews, customers, the military, importers and exporters in the prevention of the introduction and spread of invasive alien species into the territory of the Convention;

Referring to the European Code of Conduct on International Travel and Invasive Alien Species [[document T-PVS/Inf \(2017\) 1](#)],

Recommends that Contracting Parties:

1. Promote the principles of the European Code of Conduct to the actors involved in the travel and tourism sectors;
2. Collaborate as appropriate with the actors involved in international travel and trade in implementing and helping disseminate good practice aimed at preventing and managing of introduction, release and spread of invasive alien species,
3. Keep the Standing Committee informed of measures taken to implement this recommendation;

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



Convention on the Conservation  
of European Wildlife and Natural Habitats

Standing Committee

**Recommendation No. 195 (2017) of the Standing Committee, adopted on 8 December 2017, on the control and eradication of invasive alien species in islands**

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 which is notably 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 evolutionarily isolated ecosystems;

Recalling its Recommendation No. 99 (2003) on the European Strategy 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 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 that the 10<sup>th</sup> Conference of the Parties of the Convention on Biological Diversity adopted the Strategic Plan for Biodiversity 2011-2020 with its 20 headline Aichi targets for 2020, 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”;

Welcoming 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;

Welcoming 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;

Conscious of the high threat that invasive alien species cause to ecosystems, endemic species, vulnerable species in islands;

Aware that invasive alien species is the first cause of extinction of species in islands;

Conscious that the value of islands – particularly small islands – for the nesting of marine birds is significantly reduced by the presence of some non-native mammals,



Recommends that concerned Contracting Parties:

1. Monitor invasive alien species on islands and record success (and also eventual failure) of pest control and eradication programmes so that solid scientific information is at the base of new conservation efforts,
2. Consider launching ambitious multi-year programmes to strictly control or, where feasible, eradicate invasive alien species on islands; in this context prioritise action taking into account the number of endemic species threatened by invasive alien species, the feasibility of the eradication and the potential gains from eradication or control for native biodiversity,
3. Where appropriate, consider carrying out simultaneously multi-species eradication,
4. Examine and, where appropriate, remove legal barriers that may hinder control of invasive alien animals from islands,
5. Identify appropriate stakeholders in scientific and research institutes, in other levels of government and in NGOs, that may support control and eradication programmes in islands and involve them as appropriate in the planning and implementation of control and eradication efforts,
6. For each control/eradication programme create a specific dedicated team for the programme as the existence of such highly-motivated teams have proved key to achieve positive results,
7. Co-operate with other States, as appropriate, including transfer of technology on mutually agreed terms or expertise, financially or otherwise in control and eradication programmes in islands,
8. 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.



Convention on the Conservation  
of European Wildlife and Natural Habitats

Standing Committee

**Recommendation No. 196 (2017) of the Standing Committee, adopted on 8 December 2017, on the establishment of a Scoreboard for measuring progress in combatting illegal killing, taking 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 provides that the Convention aims 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 appropriate and necessary legislative 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 that Article 11, paragraph 1 of the Convention provides that, in implementing the Convention, Parties undertake to co-operate whenever appropriate and in particular where this would enhance the effectiveness of measures taken under other articles of the Convention;

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 or dead protected birds;

Recalling its Recommendation No. 155 (2011) on the illegal killing, trapping and trade of wild birds, identifying – among others, a series of urgent measures to enhance enforcement of existing legislation at each stage of the bird-crime chain through appropriate political, judicial, operational, scientific and technical support and cooperation;

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, urging Parties to implement – without further delays – the measures foreseen in the TAP, including those addressing or involving the judiciary;

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 to 2020 (COM (2011) 244) and, in particular, 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;

Noting the European Commission Communication COM(2017) 198 final “An Action Plan for nature, people and the economy” and the associated Commission Staff Working Document (2017) 139 final, “Factsheets providing details of actions in the Action Plan for nature, people and the economy and the Council Conclusions of 19 June, 2017;

Acknowledging the specific steps undertaken by the CMS for setting-up an Intergovernmental Task Force to address illegal killing, taking and trade of migratory birds in the Mediterranean (MIKT), pursuant to Resolution 11.16 adopted at COP11 entitled “The Prevention of Illegal Killing, Taking and Trade of Migratory Birds” and aimed to facilitate the implementation of the Bern Convention Tunis Action Plan 2013-2020;

Noting the Cairo Declaration supporting a zero-tolerance approach on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean Region developed at the 1<sup>st</sup> meeting of the MIKT in July 2016;

Acknowledging the important contribution of the MIKT and the Programme of Work for the period (2016-2020) developed at its 1<sup>st</sup> meeting and based on the Tunis Action Plan 2013-2020 and the proposals of MIKT members and observers at its 1<sup>st</sup> meeting;

Fully aware of 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;

Welcoming the fruitful cooperation between the Bern Convention and CMS Secretariats leading to the organisation of the 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 Scoreboard which will help Parties to self-assess their national progress on the implementation of their commitments in this area;

Noting with concern the results of the BirdLife International 2014 Review of the scale and extend 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;

Recognising the urgent need for bolder and concerted action at national level if the objectives of the Tunis Action Plan 2013-2020 are to be achieved and illegal killing of wild birds eradicated by 2020;

Convinced that the periodic self-assessment of progress in addressing the issue will constitute a major incentive for stronger action and effective response against the illegal killing, taking and trade of wild birds at national level and thus contribute to the implementation of the Convention;

Aware that the 12<sup>th</sup> meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species, which took place in Manila (23-28 October 2017), in point 2 bis of its resolution "*Acknowledges the work of MIKT in developing the scoreboard and promotes its use as a voluntary tool for Parties to assess their own progress in combating illegal killing, taking and trade of wild birds included in Annex 1 to this Resolution*",

Recommends Contracting Parties to the Convention which are MIKT members, and invites other Parties and observer States to:

1. Periodically use the Scoreboard in the Appendix to this Recommendation as a national tool to self-assess progress in addressing the illegal killing of wild birds,

2. Provide, on a voluntary basis, and to the extent of availability and relevance of information for the indicators, the Secretariat with the information identified in the Scoreboard, for the purposes of discussion within the Bern Convention Network of Special Focal Points and CMS MIKT, to facilitate information sharing and best practice,

Contracting Parties to the Convention and observer States are encouraged to implement the Programme of Work of MIKT 2016-2020;

The Secretariat is requested to cooperate with the CMS Secretariat to:

1. Compile, in the period between the 37<sup>th</sup> and 40<sup>th</sup> Meetings of the Standing Committee, the information duly provided by the Parties and observer States under paragraph 2 above;
2. Share that information with CMS MIKT and Bern Convention Special Focal Points Network members for the purposes outlined in paragraph 2 above, in the period between the 37<sup>th</sup> and 40<sup>th</sup> Meetings of the Standing Committee.

**Appendix to Recommendation No. 196 (2017) of the Standing Committee on the establishment of a Scoreboard for measuring progress in combatting illegal killing, taking and trade of wild birds**

**Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB)**

**A Self-Assessment Framework for National Use**

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IKB Scoreboard-----

**A. NATIONAL MONITORING OF IKB – DATA MANAGEMENT OF SCOPE AND SCALE OF IKB. --**

    1. Status and scale of IKB-----

    2. Number, distribution and trend of illegally killed, trapped or traded birds-----

    3. Extent of IKB cases known to national authorities -----

    4. Number of IKB cases prosecuted in the reporting period.-----

**B. COMPREHENSIVENESS OF NATIONAL LEGISLATION** -----

    5. National wildlife legislation -----

    6. Regulated use-----

    7. Prohibitions under national legislation -----

    8. Exceptions under national legislation-----

    9. Sanctions and penalties -----

    10. Proportionality of penalties -----

    11. Use of criminal law -----

    12. Organized crime legislation-----

    13. Transposition of international law and commitment to national legislation-----

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- 26. Demand-side activities -----
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- 28. Public awareness actions -----

**SUMMARY OF SCORES -----**

## List of Acronyms

AEWA	Agreement on the Conservation of African-Eurasian Migratory Waterbirds
CMS	Convention on the Conservation of Migratory Species of Wild Animals
COP	Conference of the Parties
EU	European Union
ICCWC	The International Consortium on Combating Wildlife Crime
IKB	Illegal Killing, Trapping and Trade in Wild Birds
MIKT	Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean
MOP	Meeting of Parties
NGO	Non-Governmental Organization
PoW	Program of Work
SC	Standing Committee
SFP	Special Focal Point
TAP	Tunis Action Plan 2013 - 2020

## Aim of the IKB Scoreboard

Over the past few years, the issue of illegal killing and taking of birds (IKB)<sup>2</sup> has steadily gained prominence on the international agenda. This prominence became embedded within a number of high profile international instruments and commitments, including those adopted under the framework of the Bern Convention, CMS and CITES, as well as within a plethora of initiatives spurred by the EU. The Bern Convention Tunis Action Plan (TAP), the EU Roadmap on the Eradication of Illegal Killing, Trapping and Trade in Wild Birds, the European Commission Communication and Council Conclusions on an EU Action Plan Against Wildlife Trafficking and the CMS Mediterranean Task Force on Illegal Killing, Taking and Trade of Migratory Birds (MIKT) are amongst the main examples of such commitments. A common feature of such instruments is that they often envisage regular assessment of progress.

At the first MIKT meeting which took place in Cairo in 2016, a Programme of Work 2016-2020 was adopted, which foresaw the development of a scoreboard as a high priority action to assess progress on the eradication of IKB at national level. Another high priority action was to harmonize reporting format and periodicity under the CMS COP and the Bern Convention TAP, in order to avoid duplication and extra burdens on member countries.

The CMS reporting system, which is more a general report on different issues will continue operate between COPs. On the other hand, the Scorecard reporting system is focused on a specific problem that needs to be addressed as soon as possible. The need to develop such a tool to be used jointly by the Bern Convention and CMS was also raised by the Chair of the Special Focal Points Network of the Bern Convention at the 36<sup>th</sup> meeting of the Standing Committee to the Convention in November 2016. The Standing Committee welcomed the increased coordination efforts shown in the past years by different organizations, Conventions and stakeholders, aimed to increase synergies in the work of their respective platforms and initiatives, as these efforts support the implementation of the TAP. As well as existing formal reporting by national administrations, self-assessment of progress is also supported by studies carried out by various non-governmental stakeholders. The recent study to estimate the extent of IKB in the Mediterranean led by BirdLife International is an example of such an initiative.

The present IKB Scoreboard proposal is intended to provide the national governments with a tool to provide an objective, fact-based national self-assessment of the current status of illegal killing of birds at national level, and enable States to measure their progress in implementing their commitments related to this area.

The indicators framework has been developed with the view of offering to the national administrations a simple tool, which, given the complexity of the issue at stake, is easy to compile and interpret and which may be applied either at national, or appropriate sub-national scales.

The present scoreboard is largely based on the format previously developed by the International Consortium in Combating Wildlife Crime<sup>3</sup> (ICWC) which provides an Indicator Framework for Combating Wildlife and Forest Crime. However, this format required a number of changes and adaptations, in order to focus on the specific requirements for the assessment and measurement of IKB, as opposed to a general assessment of the state of affairs with regard to international wildlife trade, of which IKB is only a limited component. In

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<sup>2</sup> IKB is defined for the purpose of this Scoreboard as: those unlawful activities committed intentionally resulting in the death, injury or removal of specimens of wild birds from the wild either dead or alive, including their parts or derivatives.

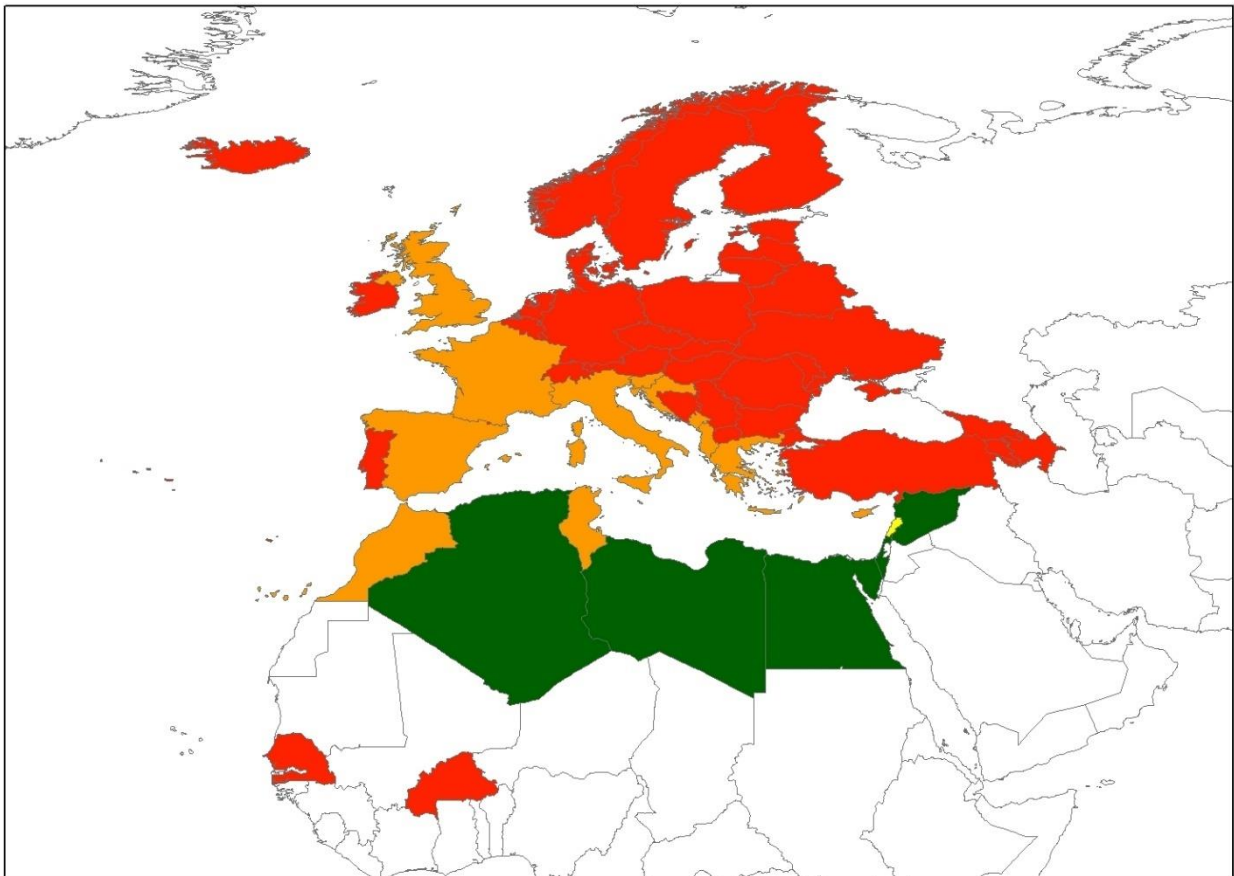
<sup>3</sup> <https://cites.org/eng/prog/icwc.php>



particular large part of the methodology, the format of the scoreboard and several indicators are taken from the ICCWC indicator framework.

The IKB Scoreboard makes it possible for States to assess their progress not only at the national level but also on a regional scale as appropriate, significantly contributing to prioritization and commitment of resources by national administrations, NGOs and international actors.

It offers the national authorities an opportunity to show leadership and the capacity and willingness of being proactive and transparent regarding their efforts to tackle an issue which is far more common than previously recognized. The process leading to its compilation, as described in the next pages, promotes cooperation and sharing of experience and know-how between governmental bodies and national stakeholders. The cooperation developed among stakeholders and the information gathered for compiling the scoreboard can be the basis for the development of a national action plan. Additionally, if a national action plan has already been developed the scoreboard can be used to monitor its implementation at national level.



**Picture 1** - The geographical scope of the present document is the entire area covered by the Bern Convention and MIKT. In Orange, the Bern Convention Contracting Parties and members of MIKT; in Red, the Bern Convention Contracting Parties and observers<sup>4</sup> of MIKT; in Green, members of the MIKT and not Contracting Parties to the Bern Convention; in Yellow, other observers of MIKT, and not Contracting Party to Bern Convention.

Furthermore, the IKB Scoreboard provides the opportunity for national administrations, as well as for various stakeholders at national and international level, to raise political profile, commitment and mobilization of resources towards the eradication of IKB.

<sup>4</sup> Observers of MIKT are referred to Interested Parties and/or Non-Parties to CMS (namely, Germany, Portugal, Bosnia-Herzegovina and Turkey).

At international level the IKB Scoreboard promotes collaboration and sharing of experience because several countries facing the same obstacles in improving their scores in a particular area may want to work together to define strategies, deliver training and share experiences.

**The scoreboard shall not be used in relation to any Treaty compliance process.**

## Overview of the Scoreboard

The indicator framework which forms the backbone of the Scoreboard for States to self-assess progress on the eradication of IKB is organized in five areas each looking at a specific aspect of the fight against IKB:

- A. National monitoring of IKB (management of data on scope and scale of IKB) – 4 indicators
- B. Comprehensiveness of national legislation - 9 indicators
- C. Enforcement response (preparedness of law enforcement bodies and coordination of national institutions) - 6 indicators
- D. Prosecution and sentencing (effectiveness of judicial procedures) – 4 indicators
- E. Prevention (other instruments used to address IKB) – 5 indicators

The 28 indicators represent the critical areas to assess the effectiveness of a national response to IKB.

The first group of indicators provides an insight into the extent of and knowledge of the scale of IKB at national level looking at the number of birds illegally killed, taken or traded per year as well as the number of cases prosecuted.

The second group of indicators assesses the extent to which the national legislation addresses IKB, regulates the taking of wild birds and incorporates international law and commitments.

The third group of indicators explores the enforcement responses to IKB in terms of the existence of a plan of actions with appropriate priority shared among law enforcement agencies properly trained and staffed resulting in cases prosecuted.

The fourth group of indicators covers to investigate the effectiveness of the judicial system against IKB which should be aware of the seriousness of IKB and properly trained to deliver appropriate penalties.

The final group of indicators looks at other instruments useful in reducing IKB such as public awareness, addressing drivers of IKB, international coordination and stakeholder engagement.

**Table 1 – The indicators in the IKB Scoreboard**

<b>A. National monitoring of IKB (data management of scope and scale of IKB)</b>	<b>1. Status and scale of IKB</b> The extent to which data on illegal activities at national level are available
	<b>2 Number, distribution and trend of illegally killed, trapped or traded birds</b> The extent, trend, seasonal and geographic distribution of illegally killed, trapped and traded birds in your country including overseas territories.
	<b>3. Extent of IKB cases known to justice</b> The extent to which data on illegal activities at national level are available
	<b>4. Number of IKB cases prosecuted in the reporting period</b> The extent of cases of IKB prosecuted in the reporting period
<b>B. Comprehensiveness of national legislation</b>	<b>5. National wildlife legislation</b> The comprehensiveness of national legislative provisions in force for wildlife conservation, management and use, including prohibition of IKB
	<b>6. Regulated use</b> The comprehensiveness of national legislation concerning sustainable use of wildlife, including hunting
	<b>7. Prohibitions under national legislation</b> The extent of activities forbidden under national legislation
	<b>8. Exceptions under national legislation</b> The extent of regulatory scrutiny concerning any authorization of exemptions
	<b>9. Sanctions and penalties</b> The extent to which penalties for IKB are comprehensive
	<b>10. Proportionality of penalties</b> The extent to which severity of IKB cases is reflected in the relevant national legislation
	<b>11. Use of criminal law</b> The extent to which a combination of relevant national legislation and criminal law are used to prosecute IKB in support of legislation enacted to combat wildlife crime
	<b>12. Organized crime legislation</b> The extent to which specific legislation to address organized crime is used to combat IKB
	<b>13. Transposition of international law and commitment to national legislation</b> The comprehensiveness of national legislative provisions to transpose the State's international commitments related to IKB

<p><b>C.</b> Enforcement response (preparedness of law enforcement bodies and coordination of national institutions)</p>	<p><b>14. National Action Plan for combating IKB</b> The existence of a national strategy or action plan for IKB</p>
	<p><b>15. Enforcement priority</b> The recognition of combating wildlife crime as a high national level priority</p>
	<p><b>16. Stakeholders and Policy-making</b> The level of stakeholder participation in IKB-related policy-making</p>
	<p><b>17. Staffing and recruitment</b> The level of staff resources in national law enforcement agencies to combat wildlife crime</p>
	<p><b>18. Specialized training</b> The percentage of enforcement officers trained per year in IKB-related aspects</p>
<p><b>D.</b> Prosecution and sentencing (effectiveness of judicial procedures)</p>	<p><b>19. Field enforcement effort</b> The intensity of efforts devoted by law enforcement agencies to combat IKB</p>
	<p><b>20. Quality of judiciary processes</b> Effectiveness and efficiency of administration of sanctions for IKB offences</p>
	<p><b>21. Sentencing guidelines</b> The existence of national guidelines for the sentencing of offenders convicted for wildlife crime</p>
<p><b>E.</b> Prevention (other instruments used to address IKB)</p>	<p><b>22. Judicial awareness</b> The extent of awareness of wildlife crime among the judiciary and the appropriateness of the verdicts handed down</p>
	<p><b>23. Judiciary training</b> The percentage of judiciary trained in IKB-related aspects</p>
	<p><b>24. International cooperation</b> The extent to which national institutions take advantage of the international initiatives and working groups on IKB</p>
	<p><b>25. Drivers of wildlife crime</b> The extent to which the drivers of IKB in the country are known and understood</p>
	<p><b>26. Demand-side activities</b> The extent to which activities to address the demand of illicit wildlife products are implemented</p>
	<p><b>27. Regulated community</b> The extent of awareness-raising materials and/or programmes are in place to increase the awareness of the regulated community, of the laws that apply to the sustainable use of wild birds</p>
	<p><b>28. Public awareness actions</b> The extent of awareness-raising materials and/or programmes in place to increase public awareness of IKB</p>

## How to use the IKB Scoreboard

### *The process*

The IKB Scoreboard provides a voluntary self-assessment method for the systematic gathering of appropriate information at a national level, and which would enable States to compare results at regional and international level as appropriate, and identification and sharing of any methods that have been particularly effective or shared challenges or deficiencies that require further concerted action to be addressed.

The assessment aims to enable States to review their progress toward the implementation of the Tunis Action Plan and the MIKT Programme of Work; it should therefore be completed periodically. Therefore, States will want to complete it periodically.

The primary input to the Scoreboard consists of a self-assessment by the responsible national administrations. For maximum accuracy and objectivity, it is recommended that the assessment is completed in a collaborative process with the participation of staff from relevant law enforcement agencies, such as the wildlife regulatory agency and the relevant law enforcement bodies. Consultation with non-governmental stakeholders such as the regulated communities<sup>5</sup> and conservation organizations is also recommended.

The process described below would fit well in the development process of a national action plan as the relevant stakeholders (both governmental and non-governmental) would be the same and the information captured would provide the knowledge on the current situation and enable States to assess future progress. A detailed step-by-step guide is set out in Table 2.

**Table 2** - Conducting an assessment using the IKB Indicator Framework – a step-by-step guide

<b>Planning</b>	<p><b>1. Identify the lead agency and establish a project team</b></p> <p>Each assessment will typically be undertaken by a lead agency. To ensure collaboration of other key agencies involved in combating IKB an inter-agency team should be established.</p>
	<p><b>2. Identify the relevant stakeholders and experts to be involved</b></p> <p>It is recommended that the process of assessment at the national level should ideally involve all relevant stakeholders including NGOs.</p>
	<p><b>3. Secure resourcing needs</b></p> <p>It is recommended that the allocation of necessary resources to the assessment exercise is planned in advance.</p>
<b>Data collection</b>	<p><b>4. Identify data needs</b></p> <p>The vast majority of the indicators require expert assessments, the review of legislation and procedures and, in a few cases, the collation and analysis of data. The availability, accessibility and related costs need to be considered at an early stage in order to facilitate timely access to the required data.</p>

<sup>5</sup> The regulated community could include harvesters, traders and/or any individual or group that is issued a permit and/or licence to take, use and/or trade in wild birds and their products, and/or that conducts business activities related to the trade in wild birds.

	<p><b>5. Request data</b></p> <p>In some instances data may be under custodianship of other agencies and a formal access request will need to be submitted. The first attempt at assessment may flag areas where important data are not currently being recorded. Steps should be taken as early as possible to ensure that data needs are addressed.</p> <p><b>6. Gather and review documentation</b></p> <p>A number of questions require the review of documentation, operational processes or data. Such documentation should be gathered and reviewed as soon as possible before the collaborative assessment and workshop.</p> <p><b>7. Conduct workshop to complete expert based assessment</b></p> <p>It is recommended that a workshop be conducted to review and rate the assessment indicators. The participants should represent the relevant agencies and stakeholders identified in step 2. It is recommended that the assessment template be shared well before the workshop.</p>
<p><b>Analysis and recording at the national level</b></p>	<p><b>8. Analyse results</b></p> <p>The majority of the IKB indicators are scored allowing for an overall score for each of the 6 groups to be generated. Comparing the scores between the groups can help in the identification of the relative strengths and weaknesses of the current response to IKB. An overall score will also be calculated. In the first assessment, the initial benchmarking rating will be generated. After the second and third assessments and overall score, it will be possible to identify and explore trends.</p> <p><b>9. Identify process improvements</b></p> <p>The project team should consider the process followed and identify and briefly document any change or improvement that should be incorporated in the future assessment informing the Bern Convention and CMS Secretariats.</p>
<p><b>Publication and aggregation of scoreboard at international level</b></p>	<p><b>10. Final publication and dissemination</b></p> <p>The Convention Secretariats shall aggregate and publish final Scoreboard and individual country responses. The final aggregated Scoreboard shall also be reported to the Standing Committee to the Bern Convention and CMS COP and widely disseminated.</p>

## Time table for implementing the self-assessment

In order to self-assess over time the national progress in combating IKB, the scoreboard needs to be used repeatedly.

Both the Tunis Action Plan (TAP) and the MIKT Programme of Work (PoW) envisage regular monitoring and reporting on progress. This tool offers the opportunity to report on both initiatives, as appropriate.

It is envisaged that the first self-assessment will be implemented in 2018. This will be the baseline which will enable States to benchmark national and regional IKB status and efforts. The next self-assessment will be carried out in 2020 as this is the horizon of both TAP and MIKT PoW. The third self-assessment will be carried out in 2023. The following assessments will be in synchrony with the CMS COPs (i.e. every 3 years).

	2017				2018				2019				2020				2021				2022				2023							
	I	II	III	IV	I	II	III	IV	I	II	III	IV	I	II	III	IV	I	II	III	IV	I	II	III	IV	I	II	III	IV				
IKB Scoreboard							B								1																2	
TAP																																
Bern Conv. SC																																
SFP meeting																																
MIKT meeting																																
CMS COP																																
AEWA MOP																																
EU Reporting art 12																																

**Table 3** – IKB relevant meetings and reporting. The Baseline Assessment 'B' will benchmark national status, while Report n. 1 will be used to self-assess the progress in relations to TAP and MIKT POW. Assessment No. 2 and subsequent will be every 3 years synchronised with the CMS COP meetings.

### ***The use of self-assessment indicators at the national level***

Most indicators are measured using the opinions of experts from relevant national law enforcement agencies and other stakeholders as appropriate. Each of these expert-based assessment indicators provides a question followed by a four-part answer scale, with each answer typically containing multiple components. While related, these components are listed separately so that experts can evaluate each component individually to identify those that best match the national situation. After considering the different components of an answer it is then possible to identify which of the four answer ratings – listed from 0 to 3 – best represents the national situation. In some instances it may be less obvious which of the four ratings to choose. A brief written justification of the choices should be included in the comments under each indicator. Some guidance that can be followed in these situations is provided in the following scenarios.



### Scenario 1: Single rating

In the simplest scenario, participating experts will choose components that all fit under one rating. In these instances, this rating should be chosen for the indicator.

0 <input type="checkbox"/>	1 <input checked="" type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
<p>IKB cases:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are <b>not</b> prosecuted before criminal courts</li> <li><input type="checkbox"/> Are <b>not</b> subject to sanctions under administrative or other penalty regime</li> <li><input type="checkbox"/> IKB cases are not recorded and not accessible to other prosecutors/judges</li> </ul>	<p>IKB cases:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Usually take<sup>1</sup> over <b>two years</b> to conclude in the case of criminal proceedings</li> <li><input checked="" type="checkbox"/> Usually take<sup>2</sup> over six months to conclude in the case of administrative or other penalty regime</li> <li><input checked="" type="checkbox"/> Generally result in over 50% acquittals<sup>3</sup></li> <li><input checked="" type="checkbox"/> Are handled by general prosecutors and judges <b>not</b> specialized in wildlife crime</li> <li><input checked="" type="checkbox"/> IKB cases are recorded but not easily accessible to other prosecutors/judges</li> </ul>	<p>IKB cases:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take over <b>one year</b> but under two years to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take over <b>three months</b> but under six months to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in <b>less than 25%</b> acquittals</li> <li><input type="checkbox"/> Are mostly handled by general prosecutors and judges that <b>tend</b> to specialize in wildlife crime cases</li> <li><input type="checkbox"/> IKB cases are recorded and are accessible to other prosecutors/judges nationally</li> </ul>	<p>IKB cases:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take under <b>one year</b> to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take under <b>three months</b> to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in <b>less than 10%</b> acquittals</li> <li><input type="checkbox"/> Are <b>mostly</b> handled by specialized prosecutors and judges</li> <li><input type="checkbox"/> IKB cases are recorded and accessible to other prosecutors/judges regionally at the geographic scope of the IKB Scoreboard</li> </ul>

### Scenario 2: Split rating

For some indicators, participating experts may choose components that fall under more than one answer rating. In these instances, the rating that has the most selected answers should be chosen for the indicator.

0 <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>
<p>IKB cases:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are <b>not</b> prosecuted before criminal courts</li> <li><input type="checkbox"/> Are <b>not</b> subject to sanctions under administrative or other penalty regime</li> <li><input type="checkbox"/> IKB cases are not recorded and not accessible to other prosecutors/judges</li> </ul>	<p>IKB cases:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take<sup>1</sup> over <b>two years</b> to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take<sup>2</sup> over six months to conclude in the case of administrative or other penalty regime</li> <li><input checked="" type="checkbox"/> Generally result in over 50% acquittals<sup>3</sup></li> <li><input type="checkbox"/> Are handled by general prosecutors and judges <b>not</b> specialized in wildlife crime</li> <li><input type="checkbox"/> IKB cases are recorded but not easily accessible to other prosecutors/judges</li> </ul>	<p>IKB cases:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Usually take over <b>one year</b> but under two years to conclude in the case of criminal proceedings</li> <li><input checked="" type="checkbox"/> Usually take over <b>three months</b> but under six months to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in <b>less than 25%</b> acquittals</li> <li><input checked="" type="checkbox"/> Are mostly handled by general prosecutors and judges that <b>tend</b> to specialize in wildlife crime cases</li> <li><input checked="" type="checkbox"/> IKB cases are recorded and are accessible to other prosecutors/judges nationally</li> </ul>	<p>IKB cases:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take under <b>one year</b> to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take under <b>three months</b> to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in <b>less than 10%</b> acquittals</li> <li><input type="checkbox"/> Are <b>mostly</b> handled by specialized prosecutors and judges</li> <li><input type="checkbox"/> IKB cases are recorded and accessible to other prosecutors/judges regionally at the geographic scope of the IKB Scoreboard</li> </ul>

If the components are selected equally across two (or more) ratings, a conservative approach should be taken and the lower of the two ratings should be selected for the indicator.

0	1	2 ✓	3
<p>IKB Cases:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are <b>not</b> prosecuted before criminal courts</li> <li><input type="checkbox"/> Are <b>not</b> subject to sanctions under administrative or other penalty regime</li> <li><input type="checkbox"/> IKB cases are not recorded and not accessible to other prosecutors/judges</li> </ul>	<p>IKB Cases:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take over <b>two years</b> to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take over six months to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in over 50% acquittals</li> <li><input type="checkbox"/> Are handled by general prosecutors and judges <b>not</b> specialized in wildlife crime</li> <li><input type="checkbox"/> IKB cases are recorded but not easily accessible to other prosecutors/judges</li> </ul>	<p>IKB Cases:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take over <b>one year</b> but under two years to conclude in the case of criminal proceedings</li> <li><input checked="" type="checkbox"/> Usually take over <b>three months</b> but under six months to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in <b>less than 25%</b> acquittals</li> <li><input checked="" type="checkbox"/> Are mostly handled by general prosecutors and judges that <b>tend</b> to specialize in wildlife crime cases</li> <li><input type="checkbox"/> IKB cases are recorded and are accessible to other prosecutors/judges nationally.</li> </ul>	<p>IKB Cases:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Usually take under <b>one year</b> to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take under <b>three months</b> to conclude in the case of administrative or other penalty regime</li> <li><input checked="" type="checkbox"/> Generally result in <b>less than 10%</b> acquittals</li> <li><input type="checkbox"/> Are <b>mostly</b> handled by specialized prosecutors and judges</li> <li><input type="checkbox"/> IKB cases are recorded and accessible to other prosecutors/judges regionally at the geographic score of the IKB Scoreboard</li> </ul>

### Scenario 3: Lack of consensus

The expert assessment is best completed with the participation of experts from all relevant enforcement agencies and it is recommended that a multi-stakeholder group should be involved. At times there may not be a consensus, among experts, on the national situation. In these situations there are a number of approaches that can be followed to generate a single national rating, and the key to all will be documenting the variety of responses for each indicator to provide useful contextual information for the analysis of results.

- a. If one enforcement agency has a clear predominant role for the indicator in question it is suggested that the components chosen by that agency is adopted, and the views of other agencies and stakeholders are clearly described in the comments section.
- b. If there is not a clear lead agency for the indicator (e.g. for the indicator which relates to the training needs of all agencies), it is suggested to take a conservative approach by adopting the lower overall rating, again taking care to clearly document the different views provided in the comments section. For these indicators it may also be beneficial to complete the assessment at an individual agency level to produce a separate rating for each enforcement agency.
- c. In cases where there is a diverse range of expert opinions and no clear way forward, it is suggested that a rating for the indicator is not produced and the differing views are clearly documented recording the minimum and maximum rating and their justification.

## Scoring and assessing results

Most indicators can score between 0 and 3. Two indicators (No. 12 and No. 16) include the option 'not applicable' which, if used, will do not generate a score for that particular indicator. States will want to clearly indicate why they consider the indicator as not applicable to their country. The maximum score from the national-level assessment (i.e. the sum of the scores of all indicators) will be 75. It will also be useful to look at the score for each group of indicators by calculating the average score per group as the number of score-producing indicators varies across the five groups.

<i>Indicator</i>	<i>Indicator Group</i>	<i>Maximum Group score</i>
<b>1. Status and scale of IKB</b>		
<b>2. Number and distribution of illegally killed, trapped or traded birds (data)</b>	A. National monitoring of IKB (data management of scope and scale of IKB)	6 + data
<b>3. Extent of IKB cases known to justice</b>		
<b>4. Number of IKB cases prosecuted in the last year (data)</b>		
<b>5. National wildlife legislation</b>		
<b>6. Regulated use</b>	B. Comprehensiveness of national legislation	27 (24 if the score of indicator 12 is "N/A")
<b>7. Prohibitions under national legislation</b>		
<b>8. Exceptions under national legislation</b>		
<b>9. Sanctions and penalties</b>		
<b>10. Proportionality of penalties</b>		
<b>11. Use of criminal law</b>		
<b>12. Organized crime</b>		
<b>13. Transposition of international law and commitment to national legislation</b>	C. Enforcement response (preparedness of law enforcement bodies and coordination of national institutions)	15 (12 if the score of indicator 16 is "N/A") + data
<b>14. National Action Plan for combating IKB</b>		
<b>15. Enforcement priority</b>		
<b>16. Stakeholders and policy-making</b>		
<b>17. Staffing and recruitment</b>		
<b>18. Specialized training</b>		
<b>19. Field enforcement effort (data)</b>	D. Prosecution and sentencing (effectiveness of judicial procedures)	12
<b>20. Quality of judiciary processes</b>		
<b>21. Sentencing guidelines</b>		
<b>22. Judicial awareness</b>		
<b>23. Judiciary training</b>	E. Prevention (other instruments used to address IKB)	15
<b>24. International cooperation</b>		
<b>25. Drivers of wildlife crime</b>		
<b>26. Demand-side activities</b>		
<b>27. Regulated community</b>		
<b>28. Public awareness actions</b>		

<b>TOTAL MAXIMUM SCORE</b>	75, (72 or 69)
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Three indicators do not generate a score but cover the provision of data. The data in particular refer to: the number of birds illegally killed, trapped or traded (indicator No. 2), the number of people prosecuted for IKB (indicator No. 4) and the field enforcement effort (indicator No. 19). The three data sets provide important insight into the extent and trend of IKB in each country.

The estimation of the amount of birds illegally killed, trapped or traded is likely to require some effort to generate. Defining the extent of an illegal activity is always a complex task, which will require good knowledge of the methods used by the criminals and the involvement of a number of relevant stakeholders. No guiding documents have been developed so far by the Bern Convention or CMS and currently the only available specific guidelines are those produced by BirdLife international and presented at the first MIKT meeting<sup>6</sup>. National authorities are invited to provide information on how their estimates are generated.

Data for Indicator No. 4 should be available through the databases managed (or populated) by the judicial system to monitor its activities. Indicator No. 19 can be complemented with more detailed information on the number of staff (or staff days) deployed on the ground as this information may be held by the law enforcement agencies and used to report on their activities and results.

The majority of the indicators investigate the responses of the national authorities to IKB and are crucial to monitor progress and inform the national authorities where further efforts are needed. In other words, indicators No. 1 and No. 2 measure the state and trend of IKB, while the others enable the State to self-assess measures on the illegal killing, trapping and trade of wild birds.

## Presenting the results

The total score produced by the indicators enables the State to measure the extent of its efforts to address IKB. Although a simple method of scoring may appear a simple way to self-assess measures on IKB, it fails to provide a full picture of the complex issue at stake.

Furthermore, a single figure score is unlikely to provide useful information on the areas on which each State should concentrate to develop a full range of appropriate responses to IKB. Therefore, aggregated results may be presented in a tabular form comparing them by groups of indicators based on the national score versus maximum possible score. Maximum possible scores for groups B and C vary depending on whether the 'not applicable' option has been used or not. As national results are expressed as a percentage of the total possible score at national level, any aggregated results would reflect countries responding 'not applicable' to one or both indicators.

Each result will be given a colour code:

Red - National score <25% of maximum possible score

Yellow - National score between 25% and 50% of maximum possible score

Light green - National score between 50% and 75% of maximum possible score

Green - National score >75% of maximum possible score

This will allow an assessment, at national level, of the areas where more work might be required and enable States to share information at international level and to identify areas where guidance and support may be necessary.

<sup>6</sup> MIKT1 document, available at <http://www.cms.int/en/document/best-practice-guide-monitoring-illegal-and-taking-birds>

Finally, the actions that each country has implemented or considers that it should develop further are also directly linked to the severity of the IKB issue. Therefore, the information provided by each country through Indicator No. 4 (estimation of number of birds illegally killed or taken) will be displayed (as class of severity) in a further column.




The severity classes will be:

- Class I (Red) - Annual IKB estimate >2.5 million;
- Class II (Orange) - Annual IKB estimate 750,000 – 2.5 million;
- Class III (Light orange) - Annual IKB estimate 100,000 – 750,000;
- Class IV (Yellow) - Annual IKB estimate <100,000.

This will put the results shown in the first columns in context with the magnitude of the problem of illegal killing of wild birds at national level.

Country	A. National monitoring of IKB	B. Comprehensiveness of national legislation	C. Enforcement response	D. Prosecution and sentencing	E. Prevention	Size of IKB problem
XXX						
YYY						
ZZZ						
....						

The six scores together will allow a better self-assessment of efforts and successes of each country in addressing the Illegal killing of wild birds and as an indicator of self-assessed results, the following icons may be used:

-  IKB still requires significant effort
-  IKB requires more effort
-  IKB largely addressed



## IKB Scoreboard

### Assessment Template<sup>7</sup>

Country	
Date of assessment	
Reporting period	
Contact person	
Contact details	

<sup>7</sup> Once completed and published, this scoreboard shall not be used in relation to any Treaty compliance process.

## A. National Monitoring of IKB – Data Management of Scope and Scale of IKB.

### 1. Status and Scale of IKB

The extent to which data and information on illegal activities at national level are available.

**Question: What is the quality of national data about IKB?**

*Measurement:*

0	1	2	3
<input type="checkbox"/> Data and information on number of totals of birds illegally killed or taken due to IKB <b>are not available.</b>	<input type="checkbox"/> National estimate of birds illegally killed or taken due to IKB is based <b>on expert opinion</b> <sup>8</sup> and anecdotal information.	<input type="checkbox"/> National estimate of birds illegally killed or taken due to IKB is based <b>partially on quantitative data</b> and records and partially on estimates and extrapolation.	<input type="checkbox"/> National estimates of birds illegally killed or taken due to IKB is based largely on <b>quantitative data</b> and records.

Comments:

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<sup>8</sup> Expert Opinion is defined as: the knowledge of whom by virtue of special knowledge, skill, training, or experience is qualified to provide information in matters that exceed the common knowledge of ordinary people.

## 2. Number, distribution and trend of illegally killed, trapped or traded birds

The extent, trend, seasonal and geographic distribution of illegally killed, trapped or traded birds in your country including relevant overseas territories<sup>9</sup>.

**Question: How many birds and in which season are estimated to be illegally killed, trapped or traded every year in your country including relevant overseas territories? What is the trend?**

*Measurement: Number of birds estimated to be illegally killed, trapped or traded every year*

	March / May	June / August	September / November	December / February	Total
<b>National level</b>					
<b>(region/area/territory)</b>					
[add lines for each region from which data or estimate is available]					
<b>IKB trend over past 3 years</b>	Increasing	Stable	Decreasing	No clear trend	

Comments<sup>10</sup>:

<sup>9</sup> Only Overseas Territories within the area covered by the map in Picture 1 where the Bird Directive applies

<sup>10</sup> Please provide information on how the estimates have been developed.



### 3. Extent of IKB cases known to national authorities

The extent to which data on illegal activities at national level are available.

**Question: Are data on the status and scale of IKB cases available?**

Measurement:

0	1	2	3
<input type="checkbox"/> Data on IKB cases number and distribution are <b>not available</b> . <input type="checkbox"/> Data on IKB cases number and distribution are available but have <b>not been used</b> to assess IKB scale and distribution.	<input type="checkbox"/> National estimate on numbers and distribution of cases of IKB <b>is based entirely on expert opinion</b> / modelling / other indirect methods	<input type="checkbox"/> National estimates on the scale and distribution of cases of IKB <b>are extrapolated</b> on the basis of <b>partial</b> IKB disclosed crime statistics	<input type="checkbox"/> National data on IKB cases are available and is <b>based on official and comprehensive</b> IKB crime disclosure statistics.

Comments:

#### 4. Number of IKB cases prosecuted in the reporting period.

The extent of cases of IKB prosecuted in the reporting period.

**Question: How many IKB cases have been prosecuted in the reporting period in your country?**

*Details concerning the number of IKB cases prosecuted in the assessment period.*

Category of IKB offence	Number of persons prosecuted in the assessment period	Number of bird specimens involved in the offence (specimens seized)
Illegal killing of protected birds (shooting, poisoning, other methods of killing)		
Illegal taking of protected birds (trapping using any means)		
Illegal possession of live / dead protected birds		
Illegal importation or transport of live / dead protected birds		
Illegal taxidermy of protected birds		
Illegal trade in protected birds (including trafficking for sale, marketing for sale of any live or dead protected birds or their parts)		
Serving / offering of protected species in restaurants		
Use of prohibited methods of hunting (bird callers, snares, nets, lights, gas, etc)		
Hunting outside open season or during unpermitted hours		
Hunting without a license, breach of license conditions (e.g. exceedance in hunting quotas, failure to report birds caught, etc)		
Hunting in prohibited areas (game reserves)		
Removal of eggs		
<b>Totals</b>		

Having regard to the Bern Convention draft reporting format for recording of wild bird crime cases<sup>11</sup>, as well as to the following working definition of IKB: “Those unlawful<sup>12</sup> activities committed intentionally resulting in the death, injury or removal of specimens<sup>13</sup> of migratory birds from the wild either dead or alive, including their parts or derivatives”, respondents should indicate the number of cases of IKB-related offences for each offence category disclosed<sup>14</sup> over the assessment period as well as, wherever applicable, the number of bird specimens involved in the offence.

In case an offence was committed by a group of persons, the number of offences to be reported in the second column of the above table should be multiplied by the number of persons involved / prosecuted for that offence.

In case a single person faced multiple charges for different offence categories (for instance illegal killing of a protected bird and using prohibited methods of hunting), such case should be reported under each offence category for which that person has been charged / prosecuted.

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<sup>11</sup> <https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=2919703&SecMode=1&DocId=2369656&Usage=2>

<sup>12</sup> “Unlawful” means for this purpose infringing national, regional or international law.

<sup>13</sup> “Specimen” means an animal whether dead or alive

<sup>14</sup> “Disclosed” implies cases of IKB offences where sufficient material evidence was collected to enable identification of suspects and prosecution of the offence in accordance with the applicable criminal or administrative proceedings.

## B. Comprehensiveness of national legislation

### 5. National wildlife legislation<sup>15</sup>

The comprehensiveness of national legislative provisions in force for wildlife conservation, management and use, including prohibition of IKB

**Question: Does comprehensive national legislation<sup>16</sup> for wildlife conservation exist, including provisions to regulate international trade in wildlife or its products?**

Measurement:

0	1	2	3
National wildlife legislation:  <input type="checkbox"/> Has not been enacted	National wildlife legislation:  <input type="checkbox"/> Does <b>not have</b> adequate provisions to deter and combat IKB  <input type="checkbox"/> Is <b>not</b> supported by suitable legislation framework and/or regulations	National wildlife legislation:  <input type="checkbox"/> <b>Has</b> adequate provisions to deter and combat IKB.  <input type="checkbox"/> Is <b>not</b> supported by suitable legislation framework and/or regulations	National wildlife legislation:  <input type="checkbox"/> Has adequate provisions to deter and combat IKB  <input type="checkbox"/> <b>Is supported</b> by suitable legislation framework and/or regulations

Comments:

<sup>15</sup> This indicator corresponds to indicator 28 in the ICCWC Indicator Framework

<sup>16</sup> The comprehensiveness of provisions in all relevant national legislation should be considered when answering this question. In general, domestic laws pertaining to the wildlife sector should, at a minimum, set out rules for the following aspects:

- Ownership over wildlife, that is, State-ownership, private property rights, rights of indigenous people or native title;
- Designation of government agencies to oversee and regulate the wildlife sector, administrative processes and so forth;
- Game reserves and hunting areas, including the identification of the areas where subsistence, commercial or leisure hunting is prohibited or permitted;
- Licence systems for leisure and commercial hunting, including conditions for granting, renewing and cancelling hunting licences;
- Transport and import/export rules to control the movement of wildlife, dead or alive, animal parts and products made from wildlife across the country and across international borders; and
- Offences for violations of domestic wildlife laws and enforcement measures

## 6. Regulated use

The comprehensiveness of national legislation concerning sustainable use of wildlife including hunting.

**Question: Through which measures and controls do national legislation regulate the killing and taking of wild birds?**

Measurement:

0	1	2	3
<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Does <b>not specifically</b> regulate hunting of birds from conservation / sustainable use points of view. Some legislation concerning hunting of birds may exist, however it mainly addresses the activity from arms control / public safety points of view and does not delve into wildlife conservation issues</li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Concerning hunting exists and sets <b>basic parameters</b> that apply to various huntable species including birds:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Establishes and defines hunting seasons</li> <li><input type="checkbox"/> Lists species that can be hunted</li> <li><input type="checkbox"/> Regulates methods of hunting</li> </ul> </li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Concerning hunting exists separately from national legislation concerning conservation of wildlife and lays down <b>comprehensive provisions</b> concerning:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Establishing and defining hunting seasons</li> <li><input type="checkbox"/> Listing species that can be hunted</li> <li><input type="checkbox"/> Defining hunting areas.</li> <li><input type="checkbox"/> Regulating and defining which methods are allowed for hunting</li> <li><input type="checkbox"/> Providing for effective authorization mechanism and criteria for obtaining a hunting licence</li> <li><input type="checkbox"/> Establishing bag limits and quotas for huntable species</li> <li><input type="checkbox"/> Providing for basic hunting bag reporting requirements</li> <li><input type="checkbox"/> Controls related to implementation</li> </ul> </li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Concerning hunting is <b>fully integrated</b> within national conservation of wildlife legislation therefore ensuring the taking into account of biological and conservation aspects in hunting-related decisions and lays down <b>comprehensive provisions</b> concerning:                             <ul style="list-style-type: none"> <li><input type="checkbox"/> Establishment and definition of hunting seasons</li> <li><input type="checkbox"/> Listing species that can be hunted</li> <li><input type="checkbox"/> Definition of hunting areas</li> <li><input type="checkbox"/> Regulation and definition of which methods are allowed for hunting</li> <li><input type="checkbox"/> Provision for appropriate authorization mechanism and criteria for obtaining a hunting license, including requirements for compulsory examination of hunting license applicants</li> <li><input type="checkbox"/> Establishment of bag limits and quotas for huntable species on the basis of biological and conservation considerations</li> <li><input type="checkbox"/> Provision for the timely collection of hunting bag data and reporting mechanisms</li> <li><input type="checkbox"/> Controls related to implementation, including enforcement (for instance providing enforcement powers to game wardens, park rangers, hunting marshals etc)</li> </ul> </li> </ul>

Comments:

## 7. Prohibitions under national legislation

The extent of activities forbidden under national legislation

**Question: To what extent does national legislation make the killing, taking and trade of wild birds illegal?**

Measurement:

0	1	2	3
<p>National legislation does <b>not generally</b><sup>17</sup> forbid:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Deliberate killing of wild birds</li> <li><input type="checkbox"/> Taking of wild birds</li> <li><input type="checkbox"/> The use of means such as nets, traps, lime sticks, sound-devices, etc for capturing birds</li> <li><input type="checkbox"/> Possession<sup>18</sup> of live or dead wild birds or their parts</li> <li><input type="checkbox"/> Importation or transport of wild birds or their derivatives</li> <li><input type="checkbox"/> Sale of wild birds</li> </ul>	<p>National legislation <b>generally prohibits</b>:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Deliberate killing of wild birds</li> <li><input type="checkbox"/> Taking of wild birds</li> </ul>	<p>National legislation <b>generally prohibits</b>:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Deliberate killing of wild birds</li> <li><input type="checkbox"/> Taking of wild birds</li> <li><input type="checkbox"/> The use of means such as nets, traps, lime sticks, sound-devices, etc. for capturing birds</li> </ul>	<p>National legislation <b>generally prohibits</b>:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Deliberate killing of wild birds</li> <li><input type="checkbox"/> Taking of wild birds</li> <li><input type="checkbox"/> The use of means such as nets, traps, lime sticks, sound-devices, etc. for capturing birds</li> <li><input type="checkbox"/> Possession of live or dead wild birds or their parts</li> <li><input type="checkbox"/> Importation or transport of wild birds or their derivatives</li> <li><input type="checkbox"/> Sale of wild birds</li> </ul>

Comments:

<sup>17</sup> General prohibition may be subject to regulated exemptions that are subject of the next question

<sup>18</sup> The legal definition of 'possession' may vary with countries. Please refer to your national legislation.

## 8. Exceptions under national legislation

The extent of regulatory scrutiny concerning any authorisation of exemptions

**Question: To what extent does national legislation make it possible to authorize exemptions from the general prohibitions outlined in the answer to previous question?**

Measurement:

0	1	2	3
<p>National law:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Makes it possible for authorization of exemptions involving <b>any or some</b> activities that are generally prohibited under national legislation</li> <li><input type="checkbox"/> Does not include specific criteria or processes for granting / monitoring such exemptions</li> </ul>	<p>National law:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Makes it possible for authorization of exemptions involving <b>some</b> of the activities generally prohibited under national legislation</li> <li><input type="checkbox"/> Defines the basic criteria upon which such exemptions can be granted by the responsible authority; however, such criteria for granting exemptions <b>do not correspond</b> to the criteria for exemptions stipulated in Bern Convention<sup>19</sup> / CMS<sup>20</sup> / EU Birds Directive<sup>21</sup> (for EU MS only)</li> <li><input type="checkbox"/> Does not include specific regulatory mechanism for monitoring / reporting upon exemptions granted</li> </ul>	<p>National law:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Makes it possible for authorization of exemptions involving <b>some</b> of the activities generally prohibited under national legislation</li> <li><input type="checkbox"/> Defines <b>comprehensive criteria</b> upon which such exemptions can be granted by the responsible authority; such criteria <b>correspond</b> to the criteria for exemptions stipulated in Bern Convention / CMS / EU Birds Directive (for EU MS only)</li> <li><input type="checkbox"/> Does not include specific regulatory mechanism for monitoring / reporting upon exemptions granted</li> </ul>	<p>National law:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Makes it possible for authorization of exemptions involving <b>some</b> of the activities generally prohibited under national legislation</li> <li><input type="checkbox"/> Defines <b>comprehensive criteria</b> upon which such exemptions can be granted by the responsible authority; such criteria <b>correspond</b> to criteria for exemptions stipulated in Bern Convention / CMS / EU Birds Directive (for EU MS only)</li> <li><input type="checkbox"/> Establishes, for <b>each</b> exemption granted on an annual basis, a specific regulatory mechanism that ensures strict supervision of compliance, monitoring and reporting</li> <li><input type="checkbox"/> Requires that data on all exemptions granted, is compiled on an annual basis and is publically available including information on affected species, number of specimens, justification, the responsible authorities, permitting and licensing procedures, compliance monitoring and supervision</li> </ul>

<sup>19</sup> Article 9 of the Bern Convention states that: "Each Contracting Party may make exceptions from the provisions of Articles 4, 5, 6, 7 and from the prohibition of the use of the means mentioned in Article 8 provided that there is no other satisfactory solution and that the exception will not be detrimental to the survival of the population concerned". An interpretation document of art.9 of the Conventions is available <https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=1952251&SecMode=1&DocId=1646536&Usage=2>

<sup>20</sup> Article III.5 of CMS states that: Parties that are Range States of a migratory species listed in Appendix I shall prohibit the taking of animals belonging to such species. Exceptions may be made to this prohibition" under clearly defined conditions listed in the article.

<sup>21</sup> A limited number of activities normally prohibited under the Birds Directive (2009/147/EC) (Articles 5-8) are permissible by way of derogations, where particular problems or situations exist or may arise. The possibilities for use of these derogations are limited. They must be justified in relation to the overall objectives of the Directive and comply with the specific conditions for derogations described in Article 9.



Comments:

## 9. Sanctions and penalties

The extent to which penalties for IKB are comprehensive

**Question: What penalties and sanctions are imposed by law regarding the illegal killing, taking and trade of wild birds?**

Measurement:

0	1	2	3
<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Does <b>not specifically</b> describe IKB-related offences and does not foresee specific penalties for such offences</li> <li><input type="checkbox"/> Does <b>not specifically</b> penalize IKB-related offences unless these are coupled with breaches of other legislation such as arms control laws</li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provides <b>basic description(s)</b> of IKB-related offences that encompass illegal killing, trapping and trade of wild birds</li> <li><input type="checkbox"/> Stipulates <b>maximum</b> penalties for most IKB-related offences <b>but does not stipulate a minimum penalty</b></li> <li><input type="checkbox"/> Provides for a <b>limited spectrum</b> of criminal and administrative sanctions including: <ul style="list-style-type: none"> <li><input type="checkbox"/> Fines</li> <li><input type="checkbox"/> Imprisonment (usually suspended jail terms in the most severe cases IKB)</li> <li><input type="checkbox"/> Suspension of license.</li> <li><input type="checkbox"/> Confiscation of <i>corpus delicti</i></li> </ul> </li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provides a <b>comprehensive description(s)</b> of specific IKB-related offences that encompass illegal killing, trapping, trade, possession, transport, importation and taxidermy of wild birds</li> <li><input type="checkbox"/> Stipulates <b>both the minimum and a maximum penalty</b> for some categories of offences</li> <li><input type="checkbox"/> Provides for a <b>wide spectrum</b> of criminal and administrative sanctions including: <ul style="list-style-type: none"> <li><input type="checkbox"/> Fines</li> <li><input type="checkbox"/> Imprisonment (usually suspended jail terms in the most severe cases IKB)</li> <li><input type="checkbox"/> Suspension of license.</li> <li><input type="checkbox"/> Confiscation of <i>corpus delicti</i></li> <li><input type="checkbox"/> Permanent revocation of licence</li> <li><input type="checkbox"/> Community service</li> <li><input type="checkbox"/> Other sanctions</li> </ul> </li> </ul>	<p>National legislation:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provides a <b>comprehensive description(s)</b> of specific IKB-related offences that encompass illegal killing, trapping, trade, possession, transport, importation and taxidermy of wild birds</li> <li><input type="checkbox"/> Stipulates <b>both the minimum and a maximum penalty for all offence categories</b> except those where a level of penalty is fixed permanently in the law</li> <li><input type="checkbox"/> Provides for a <b>full spectrum</b> of criminal and administrative sanctions including: <ul style="list-style-type: none"> <li><input type="checkbox"/> Fines</li> <li><input type="checkbox"/> Imprisonment (both effective and suspended jail terms are usually automatic for the most severe cases of IKB)</li> <li><input type="checkbox"/> Suspension of license</li> <li><input type="checkbox"/> Confiscation of <i>corpus delicti</i></li> <li><input type="checkbox"/> Permanent revocation of license in the case of IKB involving highly protected birds</li> <li><input type="checkbox"/> Community service</li> <li><input type="checkbox"/> Other sanctions</li> </ul> </li> </ul>

Comments:

## 10. Proportionality of penalties<sup>22</sup>

The extent to which severity of IKB cases is reflected in the relevant national legislation.

**Question: Does national legislation adequately penalize IKB offences?**

Measurement:

0	1	2	3
Penalties for IKB: <ul style="list-style-type: none"> <li><input type="checkbox"/> Only make provision for <b>administrative</b> penalties (e.g. fines, bans, suspensions)</li> <li><input type="checkbox"/> Are <b>not proportional</b> to the nature and severity of IKB</li> <li><input type="checkbox"/> Are <b>inadequate</b> as they do not provide an effective deterrent<sup>23</sup></li> </ul>	Penalties for IKB: <ul style="list-style-type: none"> <li><input type="checkbox"/> Are prescribed in legislation and provide for criminal prosecution</li> <li><input type="checkbox"/> <b>Do not differentiate</b> offences on the basis of gravity factors, leaving a wide margin of judiciary discretion in the determination of the magnitude of penalties meted out</li> <li><input type="checkbox"/> Are <b>inadequate</b> as they do not provide an effective deterrent</li> </ul>	Penalties for IKB: <ul style="list-style-type: none"> <li><input type="checkbox"/> Are prescribed in legislation and provide for criminal prosecution</li> <li><input type="checkbox"/> Provide a penalty structure that <b>somewhat</b> reflects severity of offences on the basis of basic gravity factors; however, leaving a wide margin for judiciary discretion</li> <li><input type="checkbox"/> Are generally seen as providing an <b>adequate</b> and proportionate deterrent for most cases of IKB</li> </ul>	Penalties for IKB: <ul style="list-style-type: none"> <li><input type="checkbox"/> Are prescribed in legislation and provide for criminal prosecution</li> <li><input type="checkbox"/> <b>Fully</b> reflect severity of offences on the basis of gravity factors recommended as part of Bern Convention Tunis Action Plan<sup>24</sup></li> <li><input type="checkbox"/> Are generally seen as providing an <b>adequate</b> and <b>proportionate</b> deterrent for all IKB cases, as evidenced through sustained IKB crime decline (sustained decline in IKB cases observed over at least 3 years)</li> <li><input type="checkbox"/> Treat wildlife crime offences involving organized criminal groups as serious crime<sup>25</sup> carrying a minimum term of four years imprisonment</li> </ul>

Comments:

<sup>22</sup> This indicator is based on indicator 40 of the ICCWC frame work.

<sup>23</sup> Measuring and estimating the effects of criminal sanction on subsequent criminal behaviour is very complex and there is no agreement on the deterrence of sanctions on criminal behaviours. Please make sure you assess here the adequacy of the law, not the effectiveness of the judicial system (which has also an impact on the deterrence of a law). It is therefore a matter of expert opinion, but should be backed by facts to be reported in the 'comments' section.

<sup>24</sup> Bern Convention Recommendation N° 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

<sup>25</sup> The United Nations Convention against Transnational Organized Crime defines serious crime as conduct constituting an offence punishable by imprisonment for at least four years or a more serious penalty.

## 11. Use of criminal law<sup>26</sup>

The extent to which a combination of relevant national legislation and criminal law are used to prosecute IKB in support of legislation enacted to combat wildlife crime.

**Question: Does national prosecution of IKB cases ensure the highest penalties by taking into account the cross-over elements with other crimes via criminal law<sup>27</sup>?**

Measurement:

0	1	2	3
Relevant criminal law: <input type="checkbox"/> <b>Cannot</b> be applied to IKB offences <input type="checkbox"/> IKB cases are either <b>not penalized</b> at all or are penalized <b>only administratively</b>	Relevant criminal law: <input type="checkbox"/> Is <b>rarely</b> applied to IKB crime cases <input type="checkbox"/> Most IKB cases <b>except the most severe</b> are penalized administratively <input type="checkbox"/> Wherever criminal law is evoked in the <b>most severe</b> IKB cases, this usually stems from laws unrelated to wildlife conservation, such as arms control or public safety laws	Relevant criminal law: <input type="checkbox"/> Is <b>sometimes</b> applied to IKB crime cases <input type="checkbox"/> <b>Generally</b> describes which IKB-related offence categories are subject to criminal liability and which categories are subject to administrative sanctions	Relevant criminal law: <input type="checkbox"/> Is <b>usually</b> applied in most IKB crime cases, as required <input type="checkbox"/> <b>Clearly</b> describes offence categories that are subject to criminal as opposed to administrative liability <input type="checkbox"/> Is supported by <b>mechanisms that harmonize</b> wildlife and other key domestic legislation such as criminal law

Comments:

<sup>26</sup> This indicator is based on indicator 33 of the ICCWC Indicator Framework

<sup>27</sup> Because of the high value of some illegally-traded bird specimens and the involvement of organized crime groups in IKB, mandated maximum fines of legislation enacted to combat wildlife crime often bear little relation to the value of Illegally killed, trapped or traded bird specimens or the severity of the offence. It is therefore important that persons arrested for involvement in IKB whenever possible and appropriate, are charged and tried under a combination of relevant laws that carry the highest penalties. It includes legislative provisions for International cooperation, combating corruption and addressing organized crime. Also, includes use of general crime laws that relate to offences such as fraud, conspiracy, possession of weapons and other matters as set out in the national criminal code.

## 12. Organized crime legislation

The extent to which specific legislation to address organized crime<sup>28</sup> is used to combat IKB

**Question: How is national legislation to address organized crime being used in the investigation and prosecution of IKB?**

Measurement:

0	1	2	3	N/A
National legislation on organized crime: <input type="checkbox"/> Has not been enacted <input type="checkbox"/> Cannot be used for prosecuting IKB	National legislation on organized crime: <input type="checkbox"/> Is in place but is <b>rarely</b> used in IKB cases prosecution <input type="checkbox"/> Does <b>not</b> have provision for special investigation methods	National legislation on organized crime <input type="checkbox"/> Is in place and is <b>sometimes</b> used in IKB cases <input type="checkbox"/> Special investigation methods used for organized crime are <b>not available</b> for IKB cases	National legislation on organized crime: <input type="checkbox"/> Is in place and <b>used as appropriate</b> in IKB cases <input type="checkbox"/> Special investigation methods used for organized crime are <b>applied also</b> to IKB cases	Not Applicable as the country has no known cases of organized crime

Comments:

<sup>28</sup> The United Nations Convention against Transnational Organized Crime defines an organized criminal group as a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with the Convention, in order to obtain, directly or indirectly, a financial or other material benefit.

### 13. Transposition of international law and commitment to national legislation

The comprehensiveness of national legislative provisions to transpose CMS and Bern Convention obligations regarding IKB, where these are applicable.

**Question: To what extent national legislation transposes international obligations regarding IKB made by ratifying the Convention of Migratory Species and/or the Bern Convention?**

Measurement:

0	1	2	3	N/A
<p>The country:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Is <b>not</b> a member of CMS</li> <li><input type="checkbox"/> Is <b>not</b> a member of Bern</li> </ul>	<p>National legislation for CMS:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Has <b>not</b> been enacted.</li> </ul> <p>National legislation for Bern Convention:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Has <b>not</b> been enacted</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> CMS commitments regarding the fight against IKB have been <b>partially</b> transposed into the existing national legislation</li> <li><input type="checkbox"/> Bern Convention commitments regarding the fight against IKB have been <b>partially</b> transposed into the existing national legislation</li> <li><input type="checkbox"/> The country <b>has</b> pending / unresolved case files / complaints under Bern Convention related to incorrect or incomplete transposition of the provisions of the Convention into national law</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> CMS commitments regarding the fight against IKB have been <b>fully</b> transposed into the existing national legislation</li> <li><input type="checkbox"/> Bern Convention commitments regarding the fight against IKB have been <b>fully</b> transposed into the existing national legislation</li> <li><input type="checkbox"/> The country <b>has no</b> pending / unresolved case files / complaints under Bern Convention related to incorrect transposition of the provisions of the Convention into national law</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> The country is not a Party of one or both Treaties</li> </ul>

Comments:

## C. Enforcement response: preparedness of law enforcement bodies and coordination of national institutions

### 14. National Action Plan to combat IKB<sup>29</sup>

The existence of a national strategy or action plan for IKB.

**Question: Is there a national action plan or equivalent document to tackle IKB?**

*Measurement:*

0	1	2	3
<p>A national IKB action plan:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Has <b>not</b> been developed</li> <li><input type="checkbox"/> IKB is <b>not covered</b> by any other relevant enforcement strategies or action plans</li> </ul>	<p>A national IKB action plan:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> is in the process of being developed</li> <li><input type="checkbox"/> IKB is covered by other relevant enforcement strategies or action plans</li> </ul>	<p>A national IKB action plan:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Has been developed</li> <li><input type="checkbox"/> Has been adopted by some relevant national enforcement agencies</li> <li><input type="checkbox"/> Is <b>not actively</b> implemented by all relevant enforcement agencies</li> <li><input type="checkbox"/> Has <b>not</b> been regularly updated</li> </ul>	<p>A national IKB action plan:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Has been developed</li> <li><input type="checkbox"/> Has been adopted by all relevant national enforcement agencies</li> <li><input type="checkbox"/> Is actively implemented by all relevant enforcement agencies</li> <li><input type="checkbox"/> Is being monitored and reviewed to ensure it remains up to date</li> </ul>

Comments:

<sup>29</sup> This indicator corresponds to indicator 3 of the ICCWC framework



## 15. Enforcement priority<sup>30</sup>

The recognition of combating wildlife crime as a high national level priority.

**Question: Is combating IKB identified as a high priority at the national level?**

Measurement:

0	1	2	3
IKB crime: <input type="checkbox"/> Is <b>rarely</b> identified as a high priority among national law enforcement agencies	IKB crime: <input type="checkbox"/> Is <b>sometimes</b> identified as a high priority among national law enforcement agencies	IKB crime: <input type="checkbox"/> Is <b>usually</b> identified as a high priority among national law enforcement agencies  <input type="checkbox"/> Has <b>not</b> been formally <sup>31</sup> adopted and/or acknowledged as a high priority	IKB crime: <input type="checkbox"/> Is <b>usually</b> identified as a high priority among national law enforcement agencies  <input type="checkbox"/> Has been formally adopted and/or acknowledged as a high priority

Comments:

<sup>30</sup> This indicator is based on indicator 1 of the ICCWC Indicator Framework

<sup>31</sup> Formal recognition could include reference to wildlife crime as a priority issue within strategic plan(s), Memoranda of Understanding, public statements by heads of agencies and/or Declarations/Decrees by Heads of State.

## 16. Stakeholders and policy-making

The level of stakeholder participation to IKB-related policy-making

**Question: To what extent and through which means are stakeholders<sup>32</sup> involved in policy-making to address IKB**

Measurement:

0	1	2	3
<p>Stakeholders' participation in policy decisions concerning IKB:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Is not envisaged or provided for in the national law</li> <li><input type="checkbox"/> Is limited and informal, whenever it may occur on an <i>ad hoc</i> basis</li> <li><input type="checkbox"/> Is largely limited to provision of basic information on the policies that <b>are being</b> developed</li> </ul>	<p>Stakeholders' participation in policy decisions concerning IKB:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Is envisaged or provided for in the national law, <b>but:</b></li> <li><input type="checkbox"/> Is limited to consultation</li> <li><input type="checkbox"/> Is achieved through ad hoc meetings as no formal committee is established</li> <li><input type="checkbox"/> Is achieved via consultation with academics through the national wildlife agency (or similar technical body)</li> </ul>	<p>Stakeholders' participation in policy decisions concerning IKB:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Is envisaged or provided for in the national law, <b>and:</b></li> <li><input type="checkbox"/> Ensures that their inputs are treated as advice and are taken into consideration in the policy-making process</li> <li><input type="checkbox"/> Is achieved through formal structures and committees</li> <li><input type="checkbox"/> <b>But is however</b> incomplete as one or more stakeholders' group is not involved or willing to participate</li> </ul>	<p>Stakeholders' participation in policy decisions concerning IKB:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Is envisaged or provided for in the national law, <b>and:</b></li> <li><input type="checkbox"/> Ensures that they are <b>fully consulted on key policy changes</b></li> <li><input type="checkbox"/> is ensured by formal structures and committees that meet with the appropriate frequency</li> <li><input type="checkbox"/> Is complete as all <b>major</b> stakeholders are involved</li> </ul>

Comments:

<sup>32</sup> Stakeholders include the regulated community (i.e. harvesters including hunters, sellers, traders etc. as described in indicator 26), bird conservation NGOs, Academia, and local communities when appropriate

## 17. Staffing and recruitment<sup>33</sup>

The level of staff resources<sup>34</sup> in national law enforcement agencies to combat wildlife crime.

**Question: What staff resources do national law enforcement agencies have to combat IKB?**

Measurement:

0	1	2	3
<p>Law enforcement agencies:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are <b>significantly</b> under-staffed</li> <li><input type="checkbox"/> Are <b>rarely</b> able to recruit and/or attract additional staff</li> </ul>	<p>Law enforcement agencies:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Sometimes</b> have a full complement of staff</li> <li><input type="checkbox"/> <b>Usually</b> experience staffing<sup>35</sup> and/or skills shortages</li> <li><input type="checkbox"/> Usually experience recruitment delays and/or difficulties</li> </ul>	<p>Law enforcement agencies:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Usually</b> have a full complement of staff, although it has not always kept up with changing wildlife crime trends</li> <li><input type="checkbox"/> <b>Sometimes</b> experience staffing and/or skills shortages</li> <li><input type="checkbox"/> <b>Sometimes</b> experience delays in recruitment and/or difficulties attracting suitably qualified candidates</li> </ul>	<p>Law enforcement agencies:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> <b>Usually</b> have a full complement of staff, which has generally kept up with changing wildlife crime trends</li> <li><input type="checkbox"/> <b>Usually</b> have an appropriate mix of staff and skills</li> <li><input type="checkbox"/> <b>Usually</b> process recruitment vacancies as they arise with suitably-qualified candidates</li> </ul>

Comments:

<sup>33</sup> This indicator corresponds to indicator 8 in the ICCWC Indicator Framework

<sup>34</sup> Whether the staff level is sufficient or not is matter of expert opinion. Please provide any evidence and rationale in the 'Comments' section. Please note that indicator 19 will be dealing with enforcement effort.

<sup>35</sup> Staffing includes factors such as whether there is an appropriate mix of full-time, part-time and casual staff; experienced and less experienced staff; and professional, technical, investigative and administrative staff as needed to discharge the required activities

## 18. Specialized training

The percentage of enforcement officers receiving regular training in IKB-related aspects.

**Question: How many of the enforcement officers<sup>36</sup> have received regular training in IKB-related aspects?**

Measurement:

0	1	2	3
<input type="checkbox"/> None	<input type="checkbox"/> Less than 10%	<input type="checkbox"/> Between 10% and 50%	<input type="checkbox"/> More than 50%

Comments<sup>37</sup>:

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<sup>36</sup> "Enforcement officers" refers in this case to police officers and any other professional involved in the protection and management of wildlife, national parks and natural areas (e.g. rangers, forest guards, game wardens, field enforcement officers).

<sup>37</sup> Please provide information on how frequently the trainings are organized, the issue covered the number of people involved, who provided the training, etc.

## 19. Field enforcement effort

The intensity of efforts devoted by law enforcement agencies to combat IKB.

**Question: *Is the surveillance effort put in place to combat IKB considered sufficient?***

*Measurement: .in a scale 1-5, with 5 being the most positive, score the field enforcement effort of the law enforcement agencies in your country*

<i>Insufficient to address IKB</i>					<i>Sufficient to properly address IKB</i>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	

Comments<sup>38</sup>:

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<sup>38</sup> Please provide further information if available on specific figures such as the number of staff members or person/days per year invested by law enforcement agencies in combating IKB.

## D. Prosecution and sentencing - effectiveness of judicial procedures

### 20. Quality of judicial processes

Effectiveness and efficiency of administration of sanctions for IKB offences

**Question: Are sanctions for IKB-related offences administered effectively and efficiently?**

Measurement:

0	1	2	3
IKB cases: <ul style="list-style-type: none"> <li><input type="checkbox"/> Are <b>not</b> prosecuted before criminal courts</li> <li><input type="checkbox"/> Are <b>not</b> subject to sanctions under administrative or other penalty regime</li> <li><input type="checkbox"/> Are not recorded and not accessible to other prosecutors/judges</li> <li><input type="checkbox"/> Reports by civil society of illegal bird killing or taking are seldom investigated.</li> </ul>	IKB cases: <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take<sup>39</sup> over <b>two years</b> to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take<sup>40</sup> over six months to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in over 50% acquittals<sup>41</sup></li> <li><input type="checkbox"/> Are handled by general prosecutors and judges <b>not</b> specialized in wildlife crime</li> <li><input type="checkbox"/> Are recorded but not easily accessible to other prosecutors/judges</li> <li><input type="checkbox"/> Reports by civil society of illegal bird killing or taking are usually investigated.</li> </ul>	IKB cases: <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take over <b>one year</b> but under two years to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take over <b>three months</b> but under six months to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in <b>less than 25%</b> acquittals</li> <li><input type="checkbox"/> Are mostly handled by general prosecutors and judges that <b>tend to</b> specialize in wildlife crime cases</li> <li><input type="checkbox"/> Are recorded and are accessible to other prosecutors/judges nationally</li> <li><input type="checkbox"/> Reports by civil society of illegal bird killing or taking are not only usually investigated but evidence and advice from relevant NGOs is regularly accessed and used.</li> </ul>	IKB cases: <ul style="list-style-type: none"> <li><input type="checkbox"/> Usually take under <b>one year</b> to conclude in the case of criminal proceedings</li> <li><input type="checkbox"/> Usually take under <b>three months</b> to conclude in the case of administrative or other penalty regime</li> <li><input type="checkbox"/> Generally result in <b>less than 10%</b> acquittals</li> <li><input type="checkbox"/> Are <b>mostly</b> handled by specialized prosecutors and judges</li> <li><input type="checkbox"/> Are recorded and accessible to other prosecutors/judges regionally at the geographic scope of the IKB Scoreboard</li> <li><input type="checkbox"/> Reports by civil society of illegal bird killing or taking are not only usually investigated but evidence and advice from relevant NGOs is frequently accessed and used.</li> </ul>

Comments:

<sup>39</sup> Duration of criminal cases is measured as a period between the date of the filing of the charges in court and the date of sentencing, but excludes any potential subsequent appeals that may be filed

<sup>40</sup> Duration of administrative cases is measured as a period between the date when the offender is served with a notice of an administrative offence and the date of full settlement of such administrative sanction

<sup>41</sup> Excluding acquittals made upon consideration of any appeal where applicable

## 21. Sentencing guidelines<sup>42</sup>

The existence of national guidelines or other principles for the sentencing of offenders convicted for wildlife crime.

***Question: Are there clearly-defined national guidelines or provisions in the national legislation for the sentencing of offenders convicted for IKB?***

*Measurement:*

0	1	2	3
There are no sentencing guidelines for IKB cases	Sentencing guidelines for IKB cases are under development	Sentencing guidelines for IKB cases have been finalized but not adopted	Sentencing guidelines for IKB cases have been finalized and adopted

Comments:

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<sup>42</sup> This indicator is based on indicator 41 of the ICCWC Indicator Framework

## 22. Judicial awareness<sup>43</sup>

The extent of awareness of wildlife crime among the prosecutors and judges and the appropriateness of the verdicts handed down.

**Question: Are prosecutors and judges aware of the serious nature of IKB and are appropriate sentences imposed?**

*Measurement:*

0	1	2	3
<p>The prosecutors and judges</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Have <b>no awareness</b> of the nature and prevalence of IKB, and the impact and potential profits of wildlife crime</li> <li><input type="checkbox"/> Have <b>no awareness</b> of IKB-related charges</li> <li><input type="checkbox"/> Usually treat IKB as a <b>minor offence</b></li> <li><input type="checkbox"/> Do <b>not</b> adhere to sentencing guidelines where they exist</li> </ul>	<p>The prosecutors and judges:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Have <b>limited</b> awareness of the nature and prevalence of wildlife crime, and the impact and potential profits of wildlife crime</li> <li><input type="checkbox"/> Have <b>limited</b> awareness of wildlife crime-related charges</li> <li><input type="checkbox"/> Collaborate to deliver verdicts that are <b>sometimes</b> appropriate to the nature and severity of the crime</li> <li><input type="checkbox"/> <b>Rarely</b> adhere to sentencing guidelines where they exist</li> </ul>	<p>The prosecutors and judges:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Have <b>some</b> awareness of the nature and prevalence of wildlife crime, and the impact and potential profits of wildlife crime</li> <li><input type="checkbox"/> Have <b>some</b> awareness of wildlife crime-related charges</li> <li><input type="checkbox"/> Collaborate to deliver verdicts that are <b>usually</b> appropriate to the nature and severity of the crime</li> <li><input type="checkbox"/> <b>Sometimes</b> adhere to sentencing guidelines where they exist</li> </ul>	<p>The prosecutors and judges:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are aware of the nature and prevalence of wildlife crime, and the impact and potential profits of wildlife crime</li> <li><input type="checkbox"/> Have a <b>high level</b> of awareness of wildlife crime-related charges</li> <li><input type="checkbox"/> Collaborate to deliver verdicts that are appropriate to the nature and severity of the crime</li> <li><input type="checkbox"/> <b>Routinely</b> adhere to sentencing guidelines where they exist</li> </ul>

Comments:

<sup>43</sup> This indicator corresponds to indicator 42 of the ICCWC Indicator Framework



### 23. Judiciary training

The percentage of environmental prosecutors and judges trained in IKB-related aspects.

**Question: How many environmental prosecutors and judges who deal with wildlife crime have received training in IKB-related aspects?**

Measurement:

0	1	2	3
<input type="checkbox"/> None	<input type="checkbox"/> Less than 10%	<input type="checkbox"/> Between 10% and 50%	<input type="checkbox"/> More than 50%

Comments<sup>44</sup>:

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<sup>44</sup> Please provide information on how frequently the trainings are organized, the issue covered the number of people involved, who provided the training, etc.

## E. Prevention - other instruments used to address IKB

### 24. International cooperation

The extent to which national governmental institutions take advantage of the international initiatives and working groups on IKB

**Question: Do national governmental institutions participate actively in IKB-related international initiatives?**

Measurement:

0	1	2	3
<p>National government <b>does not</b> participate in:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Meetings of the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean</li> <li><input type="checkbox"/> Meetings of the Bern Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds</li> <li><input type="checkbox"/> CITES IKB initiatives</li> <li><input type="checkbox"/> EU IKB Initiatives</li> <li><input type="checkbox"/> Any bilateral IKB initiatives</li> </ul>	<p>National government participates (less than 50% of meetings in the last 3 years) in:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Meetings of the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean</li> <li><input type="checkbox"/> Meetings of the Bern Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds</li> <li><input type="checkbox"/> CITES IKB initiatives</li> <li><input type="checkbox"/> EU IKB Initiatives</li> <li><input type="checkbox"/> Any bilateral IKB initiatives</li> </ul>	<p>National government participates (more than 50% of the meeting in the last three years) in:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Meetings of the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean</li> <li><input type="checkbox"/> Meetings of the Bern Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds</li> <li><input type="checkbox"/> CITES IKB initiatives</li> <li><input type="checkbox"/> EU IKB Initiatives</li> <li><input type="checkbox"/> Any bilateral IKB initiatives</li> </ul>	<p>National government takes an active role<sup>45</sup> in:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Meetings of the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean</li> <li><input type="checkbox"/> Meetings of the Bern network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds</li> <li><input type="checkbox"/> CITES IKB initiatives</li> <li><input type="checkbox"/> EU IKB Initiatives</li> <li><input type="checkbox"/> Any bilateral IKB initiatives</li> </ul>

Comments:

<sup>45</sup> Active role includes actions such as participating to all meetings, replying to questionnaires and implementing initiatives at national level.

## 25. Drivers of wildlife crime<sup>46</sup>

The extent to which the drivers of IKB in the country are known and understood.

**Question: What is the level of awareness of the drivers<sup>47</sup> of IKB in your country, including those relating to the supply and consumer demand for illicit products?**

Measurement:

0	1	2	3
The drivers of IKB are unknown	Knowledge of the drivers of IKB: <input type="checkbox"/> Is <b>basic</b> <input type="checkbox"/> Is <b>anecdotal</b> <input type="checkbox"/> Is based on <b>limited</b> sources	Knowledge of the drivers of IKB: <input type="checkbox"/> Is <b>moderate</b> <input type="checkbox"/> Involves <b>gaps</b> in knowledge	Knowledge of the drivers of IKB: <input type="checkbox"/> Is <b>good</b> <input type="checkbox"/> Is reasonably <b>comprehensive</b> <input type="checkbox"/> Is based on information from a variety of sources <b>including scientific research</b>

Comments:

<sup>46</sup> This indicator corresponds to indicator 45 in the ICCWC Indicator Framework

<sup>47</sup> ‘Drivers’ are the underlying factors that are behind IKB. It can be driven by multiple factors, including (but not limited to) rural poverty, food insecurity, economic interests, poor law enforcement, unclear legislation, penalties too low to deter crime, perceived legitimacy, tradition, etc.’

## 26. Demand-side activities<sup>48</sup>

The extent to which activities to address the demand of illegal wildlife products are implemented.

**Question: Are activities implemented to address the demand<sup>49</sup> for illegally obtained wild birds?**

Measurement:

0	1	2	3
Demand-side activities: <input type="checkbox"/> Have <b>neither</b> been developed nor Implemented <input type="checkbox"/> There is <b>no</b> information available on the demand for illegally obtained wild birds in the country.	Demand-side activities: <input type="checkbox"/> Have been <b>developed</b> <input type="checkbox"/> Are <b>rarely</b> implemented in full due to a lack of available resources (e.g. technical, human, financial) <input type="checkbox"/> Are based on information on demand for illegally obtained wild birds in the country	Demand-side activities: <input type="checkbox"/> Have been developed and implemented <input type="checkbox"/> Are <b>regularly</b> reviewed to identify the outcomes achieved <input type="checkbox"/> Are based on information on demand for illegally obtained wild birds in the country	Demand-side activities: <input type="checkbox"/> Have been developed and implemented <input type="checkbox"/> Are <b>regularly</b> reviewed to identify the outcomes achieved <input type="checkbox"/> Are <b>not needed</b> as data confirms that there is very little demand for illegally obtained wild birds in the country

Comments:

<sup>48</sup> This indicator corresponds to indicator 46 in the ICCWC Indicator Framework

<sup>49</sup> Demand-side activities are activities developed and implemented to reduce the demand for a particular illegally-traded bird product, or for illegally-traded wildlife more general. In many instances, these activities may be closely associated with awareness-raising activities to build public awareness of the legal requirements that applies to trade in wildlife. When answering this question please consider activities that the government has conducted and/or participated in, including activities which may have been developed or implemented in partnership with other countries and/or non-government organizations.

## 27. Regulated community<sup>50</sup>

The extent to which awareness-raising materials and/or programmes are in place to increase the awareness of the regulated community, of the laws that apply to the sustainable use of wild birds.

**Question: Are efforts taken to increase the awareness of the regulated community<sup>51</sup>, of the legislative requirements concerning sustainable use of wildlife and the penalties for non-compliance?**

Measurement:

0	1	2	3
<p>Efforts to increase awareness of the regulated community:</p> <p><input type="checkbox"/> Are <b>not</b> undertaken</p>	<p>Efforts to increase awareness of the regulated community:</p> <p><input type="checkbox"/> Are usually informal and reactive</p> <p><input type="checkbox"/> Are <b>not</b> comprehensive or widespread</p>	<p>Efforts to increase awareness of the regulated community:</p> <p><input type="checkbox"/> Are based on awareness raising materials that have been developed</p> <p><input type="checkbox"/> Are <b>relatively</b> up-to-date</p> <p><input type="checkbox"/> Are <b>sometimes</b> comprehensive or widespread</p>	<p>Efforts to increase awareness of the regulated community:</p> <p><input type="checkbox"/> Are based on <b>well-developed</b> and up-to-date awareness raising materials</p> <p><input type="checkbox"/> <b>Comprehensively</b> target the different types of user and permit holder(s)</p>

Comments:

<sup>50</sup> This indicator corresponds to indicator 47 in the ICCWC Indicator Framework

<sup>51</sup> The regulated community could include harvesters (including hunters), sellers, traders (including on-line traders) and/or any individual or group that is issued a permit and/or licence to take, use and/or trade in wild birds and their products, and/or that conducts business activities related to the trade in wild birds.

## 28. Public awareness actions<sup>52</sup>

The extent to which awareness-raising materials and/or programmes are in place to increase public awareness of IKB.

**Question: Are efforts taken to increase public awareness<sup>53</sup> of the environmental, social and economic impacts of IKB?**

*Measurement:*

0	1	2	3
<p>Efforts to increase public awareness:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are <b>not</b> undertaken.</li> <li><input type="checkbox"/> Sentences of IKB cases are <b>never</b> publicized</li> </ul>	<p>Efforts to increase public awareness:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are usually <b>informal</b> and <b>reactive</b></li> <li><input type="checkbox"/> Are <b>neither</b> comprehensive nor widespread</li> <li><input type="checkbox"/> There is <b>no national</b> communication strategy on IKB.</li> <li><input type="checkbox"/> Sentences of IKB cases are <b>seldom</b> publicized</li> </ul>	<p>Efforts to increase public awareness:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are based on awareness raising materials that have been developed by conservation NGOs</li> <li><input type="checkbox"/> Are <b>locally</b> implemented by governmental bodies</li> <li><input type="checkbox"/> Are <b>sometimes</b> comprehensive or widespread</li> <li><input type="checkbox"/> Implement <b>only partially</b> a national communication strategy on IKB.</li> <li><input type="checkbox"/> Sentences of IKB cases are <b>often</b> publicized</li> </ul>	<p>Efforts to increase public awareness:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are based on well-developed and up-to-date awareness raising materials developed by governmental bodies</li> <li><input type="checkbox"/> <b>Comprehensively</b> target the different types of stakeholders</li> <li><input type="checkbox"/> <b>Fully undertake</b> a national communication strategy on IKB.</li> <li><input type="checkbox"/> Sentences of IKB cases are <b>always</b> publicized</li> </ul>

Comments:

<sup>52</sup> This indicator is based on indicator 50 in the ICCWC Indicator Framework

<sup>53</sup> Awareness-raising activities may include public campaigns, awareness-raising materials, public meetings, and/or the promotion of crime notification hotlines. When answering this question please include activities that the government has conducted and/or participated in, including activities which may have been developed or implemented in partnership with other countries and/or non-government organizations.

## Summary of scores

<i>Indicator</i>	<i>Indicator score</i>	<i>Indicator Group</i>	<i>Group score<sup>54</sup></i>
<b>1. Status and scale of IKB</b>		A. National monitoring of IKB (data management of scope and scale of IKB)	
<b>2. Number and distribution of illegally killed or trapped birds</b>	data		
<b>3. Number of IKB cases</b>			
<b>4. Number of IKB cases in the last year</b>	data		
<b>5. National wildlife legislation</b>		B. Comprehensiveness of national legislation	
<b>6. Regulated use</b>			
<b>7. Prohibitions under national legislation</b>			
<b>8. Exceptions under national legislation</b>			
<b>9. Sanctions and penalties</b>			
<b>10. Proportionality of penalties</b>			
<b>11. Use of criminal law</b>			
<b>12. Organized crime.</b>			
<b>13. Transposition of international law and commitment and national legislation</b>		C. Enforcement response (preparedness of law enforcement bodies and coordination of national institutions)	
<b>14. National Action Plan for combating IKB</b>			
<b>15. Enforcement priority</b>			
<b>16. Stakeholders and Policy-making</b>			
<b>17. Staffing and recruitment</b>			
<b>18. Specialized training</b>			
<b>19. Field enforcement effort</b>	data		
<b>20. Quality of judiciary processes</b>		D. Prosecution and sentencing (effectiveness of judicial procedures)	
<b>21. Sentencing guidelines</b>			
<b>22. Judicial awareness</b>			
<b>23. Judiciary training</b>		E. Prevention (other instruments used to address IKB)	
<b>24. International cooperation</b>			
<b>25. Drivers of wildlife crime</b>			
<b>26. Demand-side activities</b>			
<b>27. Regulated community</b>			
<b>28. Public awareness actions</b>			
<b>TOTAL SCORE</b>			

<sup>54</sup> Sum of the score of all indicators of the same group excluding those for which numerical data are requested (i.e. indicators No. 2, 4 and 19) and those considered 'not applicable' (i.e. 12 and/or 16) by the respondent.



Convention on the Conservation  
of European Wildlife and Natural Habitats

Standing Committee

**Recommendation No. 197 (2017) of the Standing Committee, adopted on 8 December 2017, on biosafety measures for the prevention of the spread of amphibian and reptile species diseases**

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, which are to conserve wild flora and fauna and their natural habitats;

Recalling that Article 3 of the convention requires Parties to take the necessary steps to promote national policies for the conservation of wild flora, wild fauna and natural habitats, with particular attention to endangered and vulnerable species, especially endemic ones, and endangered habitats;

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 [Recommendation No. 99 \(2003\)](#) of the Standing Committee on the European Strategy on Invasive Alien Species (IAS);

Recalling [Recommendation No. 176 \(2015\)](#) of the Standing Committee on the prevention and control of the *Batrachochytrium salamandrivorans* chytrid fungus;

Reminding that according to the [Global Amphibian Assessment \(GAA\)](#), 43% of amphibian species are declining in populations and 32% are threatened;

Taking into account the fact that an increasing number of studies documents that Ranavirus, chytrid infections and other emergent fungal disease such as the Snake Fungal Disease (SFD) are responsible for mass mortalities and local declines or even extirpations of amphibians' populations and some species of reptiles in the world and at the European level;

Aware of the fact that only infections such as *Batrachochytrium dendrobatidis* and Ranavirus are listed for amphibians among the [OIE-Listed diseases, infections and infestations in 2017](#) by the World Organisation for Animal Health;

Conscious that only the precautionary approach can support efforts to prevent the spread of the various diseases and that current mitigation methods have little, if any, effect on halting the spread of the diseases;

Noting that human activities play a role in the spread of viral, fungal and fungal-like diseases on amphibian and reptiles, in particular trade, movement (e.g., mitigation translocations) and research;

Acknowledging however, that conservation and research activities and projects remain indispensable and greatly contribute to improving the knowledge of reptiles and amphibians and their protection;

Recalling that the epidemiological impact of the trade is significant and may negatively affect conservation and trade economics;



Aware that there are bio-security risks associated with the translocation of native species within their natural range, even at a short distance and recalling Recommendation No. 158 (2012) of the Standing Committee on Conservation translocations under changing climatic conditions;

Recalling the CBD Technical Series No. 48 on [Pets, Aquarium, and Terrarium Species: Best Practices for Addressing Risks to Biodiversity](#), which notes that there are significant gaps in global regulations of infectious disease and suggests risk assessment and screening approaches to potentially invasive pathogens;

Further recalling the [Best Practices in Pre-Import Risk Screening for Species of Live Animals in International Trade](#), prepared by the Global Invasive Species Programme (GISP) focussing on “best practices” to address the risks associated with imports of live non-native animals and their parasites and pathogens in international trade;

Noting that it is extremely important that the spread of diseases is halted or at least slowed down and that the introduction of new emerging pathogens is prevented;

Recalling that a pro-active stance by national authorities and transnational cooperation are essential for the effective prevention and control of any wildlife disease,

Recommends that Contracting Parties:

1. Design and implement effective biosafety measures at national level as appropriate to prevent the further introduction and spread of known and emerging amphibian and reptile pathogens among populations within and across countries, including biosafety rules and protocols to field-work for researchers, visitors and naturalists, pet keepers and conservation practitioners where meaningful;
2. Consider establishing coherent and proactive regulatory systems for trade in amphibian and reptile species which encourage best practice sharing and collaboration among all actors involved, taking example, as far as relevant, of existing sanitary and veterinary frameworks for livestock, fish species and pets;
3. Consider ways to facilitate the exact identification of amphibian, reptile and fish species and their origin in trade, including for non-CITES listed species and in particular when it comes to customs requirements and regulations;
4. Consider ways to estimate volumes of amphibians and reptiles traded annually and the estimated value of global imports;
5. Using the most appropriate legal framework, and at the earliest opportunity implement immediate restrictions on the amphibian and reptile species trade when an emerging pathogen spread with significant impact on wild populations has been identified until necessary preventive and management measures are designed, based on evidence, throughout the entire commercial chain;
6. Act towards improving the awareness and education of persons keeping amphibian and reptile species as pets, on their responsibilities in terms of biosafety for the benefit of public health and nature conservation. An improved cooperation between national authorities, herpetological societies and researchers and pet trade associations for mitigating the conservation risks from pet trade is essential;
7. Support monitoring of wild populations and surveillance of emerging infectious diseases in wild populations and facilitate the uptake of best practices for doing so;
8. Support research on the conservation biology of amphibian and reptile species, in particular linked to the recent outbreaks of emerging infectious diseases;
9. Support research towards evaluating the efficacy of other disease mitigation measures in the wild, such as vaccination, habitat modification, etc. for preventing the spread of amphibian and reptile species diseases;
10. Keep the Standing Committee informed of the measures taken to implement this recommendation.

## **APPENDIX I**

### **MANDATE OF THE RESTRICTED GROUP OF EXPERTS ON CLIMATE CHANGE AND BIODIVERSITY**

The mandate of the Restricted Group of Experts is to streamline action by Parties in the field of biodiversity conservation in the face of climate change by facilitating the practical implementation of the Bern Convention Programme of Work. For this purpose, the Restricted Group will:

- a. review the current standards (recommendations and guidance) of the Convention;
- b. review the existing reporting and monitoring tools of the Convention to assess progress by Parties, as well as ways to simplify and streamline reporting activities;
- c. assess the feasibility and plan the ways and timeframe for implementing the three main priorities of the Programme of Work;
- d. propose new procedures and tools which could support Parties' action and facilitate the exchange of good practices and initiatives, including guidance on the collection and analysis of information and data; and
- e. propose eventual partnerships to be established for implementing the Programme of Work and guide their implementation.

The first meeting of the Restricted Group of Experts will thus serve as a platform for brainstorming and planning the next steps in the Convention work in the field.

## **APPENDIX II**

### **REPORTING FORMAT FOR THE PERIOD 2013-2018**

**IMPLEMENTATION OF RECOMMENDATION No. 16 (1986) AND RESOLUTION No. 5 (1998) OF THE STANDING COMMITTEE TO THE BERN CONVENTION ON THE EMERALD NETWORK OF AREAS OF SPECIAL CONSERVATION INTEREST (ASCI)**

#### **REPORTING FORM**

**WITH REFERENCE TO RECOMMENDATION No. 157 (2012) AND RESOLUTION No. 8 (2012)**

Kindly consult document [T-PVS/PA \(2017\) 9](#) on the website of the meeting.

### **APPENDIX III**

#### **LIST OF SPECIES AND HABITATS CONSIDERED FOR THE REPORTING UNDER RESOLUTION No. 8 (2012) OVER THE PERIOD 2013-2018**

Kindly consult document [T-PVS/PA \(2017\) 11](#) on the website of the meeting.

## **APPENDIX IV**

### **UPDATED LIST OF OFFICIALLY NOMINATED CANDIDATE EMERALD SITES**

Kindly consult document [T-PVS/PA \(2017\) 15](#) on the website of the meeting.

## **APPENDIX V**

### **UPDATED LIST OF OFFICIALLY ADOPTED EMERALD SITES**

Kindly consult document [T-PVS/PA \(2017\) 16](#) on the website of the meeting.

## **APPENDIX VI**

### **PROGRAMME OF ACTIVITIES AND BUDGET OF THE BERN CONVENTION FOR 2018-2019**

#### **1. Meetings of the Statutory bodies (Standing Committee and Bureau)**

The Standing Committee to the Bern Convention, whose existence is foreseen in Article 13 of the Convention for enabling parties to meet regularly to develop common and co-ordinated programmes, is the body composed of the representatives of the parties. It has much of the responsibility for the functioning and monitoring of the Convention and meets once a year.

The Bureau of the Standing Committee takes administrative and organisational decisions in between meetings of the Standing Committee. It includes the Chair of the Standing Committee, the Vice-chair, the previous Chair, and two additional Bureau members, and is assisted by the Secretariat.

#### **2. Monitoring and assistance to Parties in species conservation**

The activities planned under this heading aim at assessing and recording the conservation status of the populations of species listed in the appendices to the Convention, identifying species at risk, devising processes affecting loss of wild biological diversity, setting-up models to monitor change in wildlife outside protected areas. Common management standards may be proposed through action plans. Monitoring of the implementation of Articles 5, 6, 7 and 8 of the Convention, as well as of the pertinent recommendations should also be carried out by the relevant Group of Experts.

#### **3. Conservation of natural habitats**

The activities planned under this heading aim at ensuring the conservation of natural habitats and the implementation of Article 4 of the Convention, as well as of Resolutions (89) 1, (96) 3, (96) 4, (98) 5, (98) 6 and Recommendations (89) 14, (89) 15 and (89) 16 of the Standing Committee. The setting-up of the Emerald Network of Areas of Special Conservation Interest (ASCI) in Europe is the main objectives of the Convention's work in this field.

#### **4. Implementation of Article 3**

Article 3 of the Convention sets out the general obligation for each Contracting party to take action individually, with respect to the conservation of wild flora and fauna and all natural habitats in general, by for instance promoting national conservation policies as well as education and information. Through the activity planned under this heading, the Secretariat seeks to provide assistance to parties in building capacities for communicating on the biodiversity advantage and benefits.

#### **5. Monitoring of sites at risk**

The activities to be implemented under this heading concern the monitoring of the implementation of the obligations of the Convention by parties by examination of case-file complaints or in the framework of the mediation procedure. They may also concern emergencies in the eventuality of a grave ecological damage as a result of a catastrophe, an accident or a conflict situation, and include on-the-spot appraisals organised for the European Diploma for Protected Areas.

**BUDGET YEAR 2018**

<b>Expenditure</b>	<b># Units</b>	<b>Unit cost</b>	<b>Total cost</b>	<b>Total available</b>	<b>Funds needed</b>
<b>TOTAL FOR 2018</b>			<b>656403</b>	<b>383000</b>	<b>273403</b>
<b>1. Statutory bodies</b>			<b>55505</b>	<b>40379</b>	<b>15126</b>
Meeting of the Standing Committee (4 days)			45504	30378	15126
<i>Subsistence of Chair/Delegates/Experts (average: 24 experts*5 per diem). Chair + Countries: Albania, Armenia, Azerbaijan, Belarus, BiH, Bulgaria, Croatia, Cyprus, Czech Republic, Georgia, Greece, Hungary, Republic of Moldova, Montenegro, Portugal, Serbia, Slovak Republic, "the former Yugoslav Republic of Macedonia", Turkey, Ukraine, Morocco, Tunisia, Burkina Faso, Senegal</i>	120	175	21000	10900	10100
<i>Travel expenses of Chair/Delegates/Experts</i>	24	470	11280	6254	5026
<i>Interpretation Services</i>	6	2 204	13224	13224	0
<b>1st Meeting of the Bureau (1 day)</b>			<b>4563</b>	<b>4563</b>	<b>0</b>
<i>Subsistence of Bureau Members (5 experts*1,5 per diem)</i>	7,5	175	1313	1313	0
<i>Travel expenses of Bureau Members (5 experts)</i>	5	650	3250	3250	0
<i>Interpretation Services</i>	0	0	0	0	0
<b>2nd Meeting of the Bureau (1,5 days)</b>			<b>5438</b>	<b>5438</b>	<b>0</b>
<i>Subsistence of Bureau Members (5 experts*2,5 per diem)</i>	12,5	175	2188	2188	0
<i>Travel expenses of Bureau Members (5 experts)</i>	5	650	3250	3250	0
<i>Interpretation Services</i>	0	0	0	0	0



<b>2. Monitoring and assistance to Parties</b>			<b>75525</b>	<b>29276</b>	<b>46249</b>
Network of SFPs for IKB (2 days)			18925	6450	12475
<i>Travel expenses of Delegates/Experts</i>	15	470	7050	3450	3600
<i>Subsistence of Delegates/Experts (15 experts*3 per diem)</i>	45	175	7875	3000	4875
<i>Consultancy/technical reports</i>	1	4 000	4000	0	4000
<b>Select Group of Experts on Invasive Alien Species (1,5 days)</b>			<b>21612,5</b>	<b>7407</b>	<b>14205,5</b>
<i>Travel expenses of Delegates/Experts</i>	15	470	7050	3450	3600
<i>Subsistence of Delegates/Experts (15 experts*2,5 per diem)</i>	37,5	175	6562,5	3957	2605,5
<i>Consultancy/technical reports</i>	2	4 000	8000	0	8000
<b>Group of Experts on Climate Change (1 day)</b>			<b>14988</b>	<b>5419</b>	<b>9569</b>
<i>Travel expenses of Chair/Delegates/Experts</i>	15	470	7050	3450	3600
<i>Subsistence of Chair/Delegates/Experts (15 experts*1,5 per diem)</i>	22,5	175	3938	1969	1969
<i>Consultancy/technical reports</i>	1	4 000	4000	0	4000
<b>Technical support on Plant conservation (Planta Europa Conference), the CMS Pan-Mediterranean Task Force on IKB and then 6th Mediterranean Marine Turtles Conference</b>			<b>20000</b>	<b>10000</b>	<b>10000</b>
<i>Lumpsum AA</i>	1	0	20000	10000	10000

<b>3. Conservation of Natural Habitats</b>			<b>118792</b>	<b>47745</b>	<b>71047</b>
Group of experts on Protected Areas and Ecological Networks (1,5 days)			23317	18595	4722
<i>Travel expenses of Chair/Delegates/Experts</i>	14	470	6580	5170	1410
<i>Subsistence of Chair/Delegates/Experts (14 experts*2,5 per diem)</i>	35	175	6125	4813	1312
<i>Consultancy/technical reports</i>	1	4 000	4000	2000	2000
<i>Interpretation Services</i>	3	2 204	6612	6612	0
<b>Emerald Pilot project in Morocco</b>			<b>20000</b>	<b>0</b>	<b>20000</b>
<i>Lumpsum</i>	1	pm	20000	0	20000
<b>Emerald project in an EaP or a South-East Europe country</b>			<b>20000</b>	<b>0</b>	<b>20000</b>
<i>Lumpsum</i>	1	pm	20000	0	20000
<b>Workshop on Reporting under Res. 8 (2012) (1,5 days)</b>			<b>17325</b>	<b>1000</b>	<b>16325</b>
<i>Travel expenses of Delegates/Experts</i>	10	470	4700	500	4200
<i>Subsistence of Delegates/Experts (15 experts*2,5 per diem)</i>	15	175	2625	500	2125
<i>Contribution to the development of an on-line reporting tool</i>	1	pm	10000	0	10000
<b>Emerald biogeographic evaluation Seminar (2 days)</b>			<b>32705</b>	<b>22705</b>	<b>10000</b>
<i>Consultancy/technical reports</i>	2	10 000	20000	10000	10000
<i>Travel expenses of Delegates/Experts</i>	14	470	6580	6580	0
<i>Subsistence of Delegates/Experts (14 experts*2,5 per diem)</i>	35	175	6125	6125	0
<b>Group of Specialists on the EDPA (1,5 days)</b>			<b>5445</b>	<b>5445</b>	<b>0</b>
<i>Travel expenses of Chair/Delegates/Experts</i>	6	470	2820	2820	0
<i>Subsistence of Chair/Delegates/Experts (6 experts*2,5 per diems)</i>	15	175	2625	2625	0

<b>4. Implementation of Article 3</b>			<b>29000</b>	<b>8000</b>	<b>21000</b>
Capacity building on the biodiversity advantage, including marine turtles			5000	0	5000
<i>Lumpsum (training and consultancy)</i>	1	5 000	5000	0	5000
<b>Awareness and visibility: Communication strategy</b>			<b>24000</b>	<b>8000</b>	<b>16000</b>
<i>Lumpsum (communication supports)</i>	1	15 000	15000	8000	7000
<i>Lumpsum (electronic publications)</i>	1	4 000	4000	0	4000
<i>Lumpsum (Emerald Network Viewer)</i>	1	5 000	5000	0	5000
<b>5. Monitoring of and advise on sites at risk</b>			<b>31940</b>	<b>21400</b>	<b>10540</b>
<i>Travels Experts</i>	12	470	5640	3500	2140
<i>Subsistence Experts</i>	36	175	6300	3900	2400
<i>Consultancy/AA</i>	10	2 000	20000	14000	6000
<b>6. Official Journeys of staff</b>			<b>22500</b>	<b>22500</b>	<b>0</b>
<i>Travel and subsistence</i>	15	1 500	22500	22500	0
<b>7. Provision for the Chair</b>			<b>5000</b>	<b>3000</b>	<b>2000</b>
<i>Travel and subsistence expenses (lumpsum)</i>	1	5 000	5000	3000	2000
<b>8. Overheads</b>			<b>27700</b>	<b>27700</b>	<b>0</b>
<i>Printing Internal</i>	110 000	0,03	3300	3300	0
<i>Postage (Lumpsum)</i>	1	400	400	400	0
<i>Prepress (lumpsum)</i>	1	2 500	2500	2500	0
<i>Translation Services</i>	636	33,805	21500	21500	0

<b>9. Staff costs*</b>			<b>290 442</b>	<b>183000</b>	<b>107 442</b>
Permanent staff, senior management and office costs	lumpsum		161 900	161900	0
Pensions Permanent staff	lumpsum		21 100	21100	0
Temporary staff and office costs		27	3979,33	0	107442

The Bern Convention Special Account will be used to cover expenses that cannot be covered by the ordinary budget of the Council of Europe. The activities that will not receive additional contributions will not or partially be implemented.

The Council of Europe is expected to provide around € 383,000 in 2018 (€ 200,000 for financing the programme of activities including overheads, and € 183,000 for staff, office, and high level management costs)

**CALENDAR OF MEETINGS FOR 2018**

	<b>Meeting</b>	<b>Date</b>	<b>Place</b>
<b>1</b>	Group of Specialists on the European Diploma	21-22 February	Strasbourg
<b>2</b>	1 <sup>st</sup> meeting of the Bureau	19 March	Strasbourg
<b>3</b>	Meeting of the Network of SFPs for IKB	April	Venue t.b.c.
<b>4</b>	Workshop on Reporting under Res. 8 (2012)	April	Copenhagen, Denmark (tentative)
<b>5</b>	Emerald biogeographical Seminar	May	Kiev, Ukraine (tentative)
<b>6</b>	Select Group of Experts on IAS	End of May/Beginning of June	Venue t.b.c.
<b>7</b>	2 <sup>nd</sup> meeting of the Bureau	10-11 September	Strasbourg
<b>8</b>	Joint meeting of the Group of Experts on Climate change and the Group of Experts on Protected areas and Ecological Networks	3-5 October (tentative)	Bern, Switzerland (tentative)
<b>9</b>	Second Workshop on Reporting under Res. 8 (2012)	October/November	Venue t.b.c.
<b>10</b>	38 <sup>th</sup> Standing Committee meeting	27-30 November	Strasbourg

**PARTNER'S MEETINGS 2018**

<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>
	<b>13 – 15/02</b> Montreal, Canada CBD Meeting of the Ad Hoc Technical Expert Group on Digital Sequence Information on Genetic Resources	<b>12-15/03</b> 14th and 7th Meetings of the Jastarnia and North Sea Groups of the CMS  <b>12-15/03</b> Bad Belzig 4th Meeting of Signatories of the Middle-European Great Bustard MOU	<b>01/04</b> ACAP 6th Meeting of Parties (MOP6) under CMS  <b>23 – 27/04</b> Gland, Switzerland 54th Meeting of the Standing Committee RAMSAR	<b>13-16/05</b> Montreal 4th World Conference on Marine Biodiversity CBD	<b>24-29/06</b> Kuching, Sarawak 5th International Marine Conservation Congress (IMCC5): “Making Marine Science Matter” under CMS
<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>
<b>2 – 7/07/2018</b> Montreal, Canada 22 <sup>nd</sup> SBSTTA  <b>9 – 13/07/2018</b> Montreal, Canada Second meeting of the Subsidiary Body on Implementation CBD		<b>03-07/09</b> Stralsund <b>CMS</b> International Conference on "Progress in Marine Conservation: 25 Years after Rio - reflections on past development and looking ahead"	<b>01-05/10</b> Sochi 70th CITES Standing Committee  <b>09-11/10</b> Rovaniemi 2nd Arctic Biodiversity Congress, CMS  <b>21-29/10</b> Dubai 13 COP RAMSAR	<b>7 – 8/11</b> Sharm El-Sheikh, Egypt High Level Segment of 14 COP CBD + 9 MOP  <b>10 – 22/11</b> Sharm El-Sheikh, Egypt 14 COP CBD + 9 MOP	

**BUDGET YEAR 2019**

<b>Expenditure</b>	<b># Units</b>	<b>Unit cost</b>	<b>Total cost</b>	<b>Total available</b>	<b>Funds needed</b>
<b>TOTAL FOR 2019</b>			<b>643326</b>	<b>383250</b>	<b>260076</b>
<b>1. Statutory bodies</b>			<b>55505</b>	<b>40379</b>	<b>15126</b>
Meeting of the Standing Committee (4 days)			45504	30378	15126
<i>Subsistence of Chair/Delegates/Experts (average: 24 experts*5 per diem). Chair + Countries: Albania, Armenia, Azerbaijan, Belarus, BiH, Bulgaria, Croatia, Cyprus, Czech Republic, Georgia, Greece, Hungary, Republic of Moldova, Montenegro, Portugal, Serbia, Slovak Republic, "the former Yugoslav Republic of Macedonia", Turkey, Ukraine, Morocco, Tunisia, Burkina Faso, Senegal</i>	120	175	21000	10900	10100
<i>Travel expenses of Chair/Delegates/Experts</i>	24	470	11280	6254	5026
<i>Interpretation Services</i>	6	2 204	13224	13224	0
<b>1st Meeting of the Bureau (1 day)</b>			<b>4563</b>	<b>4563</b>	<b>0</b>
<i>Subsistence of Bureau Members (5 experts*1,5 per diem)</i>	7,5	175	1313	1313	0
<i>Travel expenses of Bureau Members (5 experts)</i>	5	650	3250	3250	0
<i>Interpretation Services</i>	0	0	0	0	0
<b>2nd Meeting of the Bureau (1,5 days)</b>			<b>5438</b>	<b>5438</b>	<b>0</b>
<i>Subsistence of Bureau Members (5 experts*2,5 per diem)</i>	12,5	175	2188	2188	0
<i>Travel expenses of Bureau Members (5 experts)</i>	5	650	3250	3250	0
<i>Interpretation Services</i>	0	0	0	0	0

<b>2. Monitoring and assistance to Parties</b>			<b>78150</b>	<b>29276</b>	<b>48874</b>
Group of Experts on the Conservation of Birds + SFPs on IKB (2 days)			18925	6450	12475
<i>Travel expenses of Delegates/Experts</i>	15	470	7050	3450	3600
<i>Subsistence of Delegates/Experts (15 experts*3 per diem)</i>	45	175	7875	3000	4875
<i>Consultancy/technical reports</i>	1	4 000	4000	0	4000
Select Group of Experts on Climate Change (1,5 days)			21612,5	7407	14205,5
<i>Travel expenses of Delegates/Experts</i>	15	470	7050	3450	3600
<i>Subsistence of Delegates/Experts (15 experts*2,5 per diem)</i>	37,5	175	6562,5	3957	2605,5
<i>Consultancy/technical reports</i>	2	4 000	8000	0	8000
Group of Experts on Amphibians and Reptiles (1,5 days)			17613	5419	12194
<i>Travel expenses of Chair/Delegates/Experts</i>	15	470	7050	3450	3600
<i>Subsistence of Chair/Delegates/Experts (15 experts*2,5 per diem)</i>	37,5	175	6563	1969	4594
<i>Consultancy/technical reports</i>	1	4 000	4000	0	4000
Technical support on Large Carnivores, Plant conservation (Planta Europa Conference) and the CMS Pan-Mediterranean Task Force			20000	10000	10000
<i>Lumpsum AA</i>	1	0	20000	10000	10000

<b>3. Conservation of Natural Habitats</b>			<b>105079,5</b>	<b>49395</b>	<b>55684,5</b>
Group of experts on Protected Areas and Ecological Networks (1,5 days)			23317	18595	4722
<i>Travel expenses of Chair/Delegates/Experts</i>	14	470	6580	5170	1410
<i>Subsistence of Chair/Delegates/Experts (14 experts*2,5 per diem)</i>	35	175	6125	4813	1312
<i>Consultancy/technical reports</i>	1	4 000	4000	2000	2000
<i>Interpretation Services</i>	3	2 204	6612	6612	0
Emerald project in an EaP or a South-East Europe country			20000	0	20000
<i>Lumpsum</i>	1	pm	20000	0	20000
Workshop on Reporting under Res. 8 (2012) (2 days)			23612,5	9650	13962,5
<i>Consultancy/technical reports</i>	2	5 000	10000	0	10000
<i>Travel expenses of Delegates/Experts</i>	15	470	7050	3525	3525
<i>Subsistence of Delegates/Experts (15 experts*2,5 per diem)</i>	37,5	175	6562,5	6125	437,5
Emerald biogeographic evaluation Seminar (2 days)			32705	15705	17000
<i>Consultancy/technical reports</i>	2	10 000	20000	5000	15000
<i>Travel expenses of Delegates/Experts</i>	14	470	6580	5580	1000
<i>Subsistence of Delegates/Experts (14 experts*2,5 per diem)</i>	35	175	6125	5125	1000
Group of Specialists on the EDPA (1,5 days)			5445	5445	0
<i>Travel expenses of Chair/Delegates/Experts</i>	6	470	2820	2820	0
<i>Subsistence of Chair/Delegates/Experts (6 experts*2,5 per diems)</i>	15	175	2625	2625	0



<b>4. Implementation of Article 3</b>			<b>29000</b>	<b>8000</b>	<b>21000</b>
Capacity building on the biodiversity advantage, including marine turtles			5000	0	5000
<i>Lumpsum (training and consultancy)</i>	1	5 000	5000	0	5000
<b>Awareness and visibility: Communication strategy</b>			<b>24000</b>	<b>8000</b>	<b>16000</b>
<i>Lumpsum (communication supports)</i>	1	15 000	15000	8000	7000
<i>Lumpsum (electronic publications)</i>	1	4 000	4000	0	4000
<i>Lumpsum (Emerald Network Viewer)</i>	1	5 000	5000	0	5000
<b>5. Monitoring of and advise on sites at risk</b>			<b>29950</b>	<b>20000</b>	<b>9950</b>
<i>Travels Experts</i>	10	470	4700	3000	1700
<i>Subsistence Experts</i>	30	175	5250	3000	2250
<i>Consultancy/AA</i>	10	2 000	20000	14000	6000
<b>6. Official Journeys of staff</b>			<b>22500</b>	<b>22500</b>	<b>0</b>
<i>Travel and subsistence</i>	15	1 500	22500	22500	0
<b>7. Provision for the Chair</b>			<b>5000</b>	<b>3000</b>	<b>2000</b>
<i>Travel and subsistence expenses (lumpsum)</i>	1	5 000	5000	3000	2000
<b>8. Overheads</b>			<b>27700</b>	<b>27700</b>	<b>0</b>
<i>Printing Internal</i>	110 000	0,03	3300	3300	0
<i>Postage (Lumpsum)</i>	1	400	400	400	0
<i>Prepress (lumpsum)</i>	1	2 500	2500	2500	0
<i>Translation Services</i>	636	33,805	21500	21500	0

<b>9. Staff costs*</b>			<b>290 442</b>	<b>183000</b>	<b>107 442</b>
Permanent staff, senior management and office costs	lumpsum		161 900	161900	0
Pensions Permanent staff	lumpsum		21 100	21100	0
Temporary staff and office costs	27	3979,33	107442	0	107442

The Bern Convention Special Account will be used to cover expenses that cannot be covered by the ordinary budget of the Council of Europe. The activities that will not receive additional contributions will not or partially be implemented.

The Council of Europe is expected to provide around € 383,000 in 2019 (€ 200,000 for financing the programme of activities including overheads, and € 183,000 for staff, office, and high level management costs).

## APPENDIX VII

# STATEMENTS AND SPEECHES

## SPEAKING NOTES

*- Mr Matthew Johnson -*

*Director of Democratic Citizenship and Participation*

**(Check against delivery)**

Thank you Chair, and let me open by thanking you and others – representatives of Parties, Observer States and Observer organisations – who have travelled to Strasbourg for this annual meeting of the Standing Committee. I welcome you all to the Council of Europe on behalf of the Secretary General.

I understand that participation today reflects an increase from Standing Committee meetings over the last two years. I take this as an indication of the confidence in and affirmation of the Convention by its Parties, and that its objectives, including its monitoring mechanism, remain relevant.

A further signal of support for the Convention is the presence of Mrs Malina Kroumova, Deputy Minister of Regional Development and Public Works of Bulgaria. Mrs Kroumova is also a former Deputy Minister of Environment, and will therefore be in position to offer some very welcome insights into the wider political utility of this Convention. You are very welcome madam, and we look forward to hearing from you.

And finally, I understand that a record number of non-governmental organisations requested observer status to the Convention during the last two years, a sign of the thriving inclusive and participatory platform the Convention represents for civil society organisations.

Since the Standing Committee's last meeting, there have been some internal re-organisations within the Secretariat, with both the creation of a combined team in the form of a new Major Hazards and Environment Division, and the move of this Division, along with other colleagues in the umbrella Culture, Nature and Heritage Department, to join the Directorate of Democratic Citizenship and Participation, which I have the privilege to lead.

What this means, in terms of most relevance to you all as Standing Committee members, is that the Bern Convention and EUR-OPA Major Hazards Agreement are now in the same Division operating through two teams working in close harmony under shared leadership, developing synergies through joint activities for example in the field of nature-based solutions to climate change adaptation and disaster risk reduction.

Above that, at the Directorate level, it brings our work on Culture, Nature and Heritage alongside our Education and Youth programmes, in a deliberate effort to promote a more integrated approach to building inclusive and democratic societies in which individuals engage constructively, knowing how to influence decisions that affect them, and thereby developing a sense of ownership and responsibility for their living and working environment.

This is very much part of the Secretary General's effort to build what he calls democratic security; the culture of democracy without which democratic mechanisms – elections, laws etc – cannot effectively function.

In the face of today's and foreseeable challenges to our societies, including austerity, home-grown terrorism, populism, intolerance and discrimination, and the influx of migrants and refugees, generating this wider sense of responsibility is important.

The Bern Convention is part of this – placing predictable decision-making at the service of individuals who benefit from bio-diversity and multilateral approaches to nature conservation.

Consistent with this goal of greater involvement in the Council of Europe's activities by all of Europe's citizens, as part of a wider effort across the Council of Europe, this year's Committee will be asked to consider how to mainstream gender into the convention's implementation, into its work programme, expert groups and decision making-bodies.

And similarly as part of a wider global effort, you will be asked to see the implementation of the Bern Convention in the context of the UN Agenda 2030 Sustainable Development Goals – this Organisation needs to play a role supporting member States achieve their national targets.

2017 was another busy year for biodiversity with several Conventions and Agreements holding important meetings and events.

The implementation of the two-year-old Paris Agreement was discussed at COP 23 of the UN Framework Convention on Climate Change in Bonn last month. Many countries, regions and cities made both important commitments on pre-2020 work and financial commitments to the achievement of the Agreement's objectives.

COP 12 of the Convention of Migratory Species in October saw a number of proposals for the inclusion of additional migratory species in the Convention's appendices, showing both the importance of international co-operation on the conservation of these species and the need for more species to receive additional protection.

For the Bern Convention, the biennium has also been busy, with all planned activities implemented thanks to the active contribution of the Parties, NGOs and other stake-holders – and the Draft Activity Report for 2016-2017 is on your agenda.

The Emerald Network is being frequently mentioned at high-level meetings of Ministries of the Environment of many countries active in the Network's implementation.

Additional Parties submitted for full adoption several already-nominated candidate Emerald sites, from Norway, Georgia and the Russian Federation – joining Switzerland, Ukraine and Belarus which already have Emerald sites.

The contribution of the Convention towards the achievement of the world Aichi targets set by the UN Convention of Biological Diversity, in particular those in the field of protected-areas coverage, is clear and appreciated.

Co-operation with other international actors, organisations and Conventions has been brought to a new level, with the organisation in 2017 of a first joint event between the Bern Convention and the Convention on the Conservation of Migratory Species of Wild Animals specifically to address the issue of the illegal killing of birds.

Overall we are seeing a useful combination of high-level political acknowledgement and bottom-up inputs that make the implementation of the Bern Convention so effective.

Such outcomes make easier the Secretariat's task of increasing the Convention's visibility.

The production of visual materials has continued and a new video was produced, presenting the European Diploma for Protected Areas of the Council of Europe.

A major effort was made with social media, which proved to be a very way to engage civil society even further in issues linked to nature conservation.

In 2017 the new Twitter campaign #TheLastTweet was a great success and the [Campaign webpage](#) still receives regular hits.

However, as many of you will be aware, the Council of Europe is facing an unprecedented budgetary crisis, the result of decisions taken by individual member States to reduce or withhold their financial contributions, and all member States to increase the budget at a rate below inflation.

We await a detailed analysis of the implications of these decisions, taken only last month, but we have to expect widespread cuts across the Organisation, affecting both activities and staff. It is unlikely that the Bern Convention will be immune from this.

I am therefore very grateful for the Parties who contributed additionally to the Convention's budget through voluntary contributions in 2017. These voluntary contributions are of particular importance in these uncertain budgetary times.

I therefore invite Parties to continue supporting the Bern activities, financially or through staff measures such as secondment, in order to strengthen the Secretariat.

And finally, to you Chair, I thank you for your dedication to your mandate and to the Convention.

I am also grateful to the other four members of the Bureau for their support in the implementation of the Convention's programme of work.

I am fully aware that the smooth running of these meetings, and the wider programme, relies on the inputs of a large number of people, and discipline and compromise demonstrated in the exercise of our individual and shared responsibilities.

Let me close my wishing you fruitful discussions and, as I cannot stay for much of the meeting, I look forward to learning of the outcomes in the coming days..

**Item 2 - Chairman's report and communications from the from Delegations and from the Secretariat****Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

Since this is the first time the European Union and its Member States take the floor at this, the 37th meeting of the Standing Committee of the Bern Convention, we wish to reiterate the importance the EU and its Member States attach to this convention, the implementation of which in the EU is through the Birds and the Habitats Directives. We highly appreciate the work of the Standing Committee in providing guidance and support to the successful implementation of the Convention by its contracting parties, in cooperation with a wide range of stakeholders.

The EU and its Member States would like to thank the Chairman of the Standing Committee and the Secretariat of the Bern Convention for their reports as well as for their work done during 2017 along with many groups of experts and other institutions. A lot of very topical biodiversity issues have been tackled and progress achieved.

**Item 3.3 - Proposal for amendment of the Convention: Proposal for listing the Balkan lynx (*Lynx lynx balkanicus*) in the Appendix II of the Bern Convention**

**Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The European Union and its Member States welcomes the scientifically well-justified proposal made by the Republic of Albania to list the Critically Endangered Balkan lynx, *Lynx lynx balkanicus* in Appendix II of the Convention. We have worked hard to put in place a Council decision. As mandated by a Council decision, The European Union and its Member States fully support the inclusion of this subspecies in Appendix II and will work with other contracting parties to improve the conservation status of the Balkan lynx.

**Item 3.4 - Gender mainstreaming and the Bern Convention****Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

Equality between women and men is one of the European Union's founding values. It goes back to 1957 when the principle of equal pay for equal work became part of the Treaty of Rome. The Strategic engagement for gender equality 2016-2019 was published in December 2015, and is a follow-up and prolongation of the Commission Strategy for equality between women and men 2010-2015. A gender equality perspective will be integrated into all EU policies as well as into EU funding programmes. The Strategic engagement also supports the implementation of the gender equality dimension in the Europe 2020 Strategy.



## **Item 4.1 - Biodiversity and Climate Change**

### **Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member States welcome the work of the Restricted Group of Experts on Biodiversity and Climate Change and its report and its draft mandate which proposes to make the link to the DRR 'Disaster risk reduction' community, which is well in line to what happens at the CBD level. At the European level the Bern Convention and the EUR-OPA Major Hazards Agreement are the right partners to work hand-in-hand to make this strong synergy between the two policy and response areas.

The EU and its Member States stand ready to be engaged in this work. However, on the proposal for reporting on implementation, we would encourage the Group of Experts to review opportunities for streamlining with other international reporting frameworks and for making best use of existing domestic reporting frameworks in the EU and its Member States.

The EU and its Member States support this Recommendation with some proposed amendments.

In bulletpoint "a", we propose to start the word "recommendation" with lowercase "r".

In bulletpoint "b", we propose to add in the end of the sentence the wording "as well as ways to simplify and streamline reporting activity".

The new sentence reads:

Review the existing reporting and monitoring tools of the Convention to assess progress by Parties, as well as ways to simplify and streamline reporting activity.

**Item 4.2.a - Expert Meeting on the implementation of the Action Plan for the eradication of ruddy duck in Europe****Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

EU and its Member States welcome the meeting report and the actions taken to save the endangered white-headed duck. We emphasize that the ruddy duck is now on the list of IAS of Union concern of EU Regulation 1143/2014 on Invasive Alien Species, so it is illegal to breed, transport and release ruddy duck in all EU member states. With efficient implementation of the regulation, the European Union and its Member States will help to implement recommendation No. 185 (2016) on the eradication of the ruddy duck (*Oxyura jamaicensis*) in the Western Palaearctic by 2020. Noting the excellent efforts of the UK to reduce its Ruddy duck population from 6,000 birds to around 20, eradication has been shown to be feasible and all the concerned Bern Convention Contracting Parties should step up their efforts. Delaying eradication and uncontrolled new introductions just multiplies the management effort and costs down the years and there is always a risk of populations getting out of control.

**Statement delivered by the authorities of Switzerland**

Le rapport du « meeting sur l'éradication de l'Érismature rousse » mentionne que la Suisse n'informe pas suffisamment sur la situation. Nous aimerions savoir ce que la Suisse doit faire de plus pour que la communication dans ce domaine soit jugée suffisante. Nous tenons à préciser qu'actuellement nous observons que 1 à 3 individus isolés par année, qu'il n'y a pas de reproduction en Suisse et que les individus isolés annoncés sont tirés par les services cantonaux de chasse. En effet, les bases légales suisses sont suffisantes pour permettre aux gardes-faune d'agir rapidement. S'il devait y avoir plus d'individus observés en Suisse, nous deviendrons évidemment plus actifs pour communiquer sur ce thème.

**Item 4.2.b - Report of the Group of Experts on Invasive Alien Species and its back-to-back Seminar on the eradication of IAS in small European islands**

**Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

EU and its Member States welcome the meeting report and the excellent meeting prepared by the Bern Convention. The meeting and associated Workshop on Experiences on Control and Eradication of Invasive Alien Species on Islands focused on the effective management options on the most vulnerable places in Europe - the islands. We welcome the excellent work done during the meeting and the draft recommendations prepared.

**Item 4.2.c – European Code of Conduct on Invasive Alien Trees****Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its MS support the draft recommendation as invasive alien species are recognised as one of the main drivers of biodiversity loss and therefore it appears crucial to combat the negative effects invasive alien species. We have taken commitments to tackle invasive alien species setting the target 5 of the EU Biodiversity Strategy to 2020 and also as the Convention of Biological Diversity Aichi Target 9. We therefore strongly support the precautionary principle highlighted in the draft code of conduct and the need of tackling the emerging invasive alien species. Despite 3-4 years of constant changes, the principles remain intact so this is still a useful document which can be used on a voluntary basis. A lot of effort has been done to streamline the terminology. The CBD terms are followed, so no conflict with IAS Regulation. However, there are some editorial amendments to the Code of Conduct proposed which clarify some aspects of the EU IAS Regulation and stress that not all alien trees are invasive.

## **Item 4.2.d – European Code of Conduct on International travel and IAS**

### **Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member States highly appreciate the important and pioneering work of the Bern Convention on Invasive Alien Species and support the draft resolution on the Code of Conduct on International Travel and IAS. This is an important issue since the amount of tourists crossing international borders every year is increasing and the opportunities for them to serve as vectors for IAS is profound and increasing. We therefore support the recommendation with some amendments and we have two small amendments proposed to the main text of the Code of Conduct.

We propose to replace the paragraph 1 of the Draft Recommendation to new text which reads “Promote the principles of the European Code of Conduct to the actors involved in the travel and tourism sector”.

We also propose to use in paragraph 2 the word “species” instead of “trees”

The new sentence reads:

Collaborate as appropriate with the actors involved in international travel and trade in implementing and helping disseminate good practice aimed at preventing and managing of introduction, release and spread of invasive alien species.

We have also two small changes to the page 19 of the code of conduct.

We propose to use in the second bulletpoint the wording “as far as” instead of “all”

The new sentence reads:

Identify and establish appropriate measures to ensure that as far as possible goods, luggage, boxes, bags, clothes or any other items to be transported are free of alien species. Inspections of travellers and tourist luggage and equipment (e.g. on muddy boots or palm frond hats), should always be considered particularly before visiting “sensitive sites”.

We propose to use in the fifth bulletpoint the wording “as far as” instead of “accurate”

The new sentence reads:

Establish appropriate measures to refrain from transporting any construction material, such as timber, rocks, or sand to “sensitive sites” without prior as far as possible check of the presence of alien species as contaminant or stowaway.

**Item 4.2.e – Draft Recommendation on the control and eradication of IAS in islands****Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member States recognise the critical importance of combating the negative effects of invasive alien species. We have taken commitments to tackle invasive species when adopting the EU regulation No. 1143/2014 and also when setting the target 5 of the EU Biodiversity Strategy for 2020 and the CBD Aichi target 9. We therefore strongly support the proposed recommendation on the control and eradication of IAS in islands, with minor amendments to the operational paragraphs 4 and 7.

On recommendation para 4 we would rephrase the beginning of the sentence by adding words “Examine and where appropriate”, so the full sentence now reads:

Examine and where appropriate remove legal barriers that may hinder control of invasive alien animals from islands,

On recommendation number 7 we would add after the word “technology” words “on mutually agreed terms”, so the full sentence reads:

Co-operate with other States, as appropriate, including transfer of technology on mutually agreed terms or expertise, financially or otherwise in control and eradication programmes in islands.

**Item 4.3.1.a – Report of the 6th meeting of the Group of Experts on the Conservation of Wild Birds**

**Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member State welcome the important contribution of the Bern Convention to the fight against illegal killing of birds, and encourage all Parties and other stakeholders to continue this commitment by building on the work already carried out in the Mediterranean by the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT), established pursuant to CMS Resolution 11,16. of 2014.

As recently decided at CMS CoP12 in October, the EU and its Member States envisage the Scoreboard developed by MIKT being used as a voluntary self-assessment tool by Parties to measure their progress of eradication of in addressing the illegal killing, taking and trade of wild birds. The EU and its Member States support the Recommendation with changes to bring the Bern Convention recommendation closer in line with the CMS CoP12 Resolution and Decisions.

**Item 4.3.2.a – Report of the 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)**

**Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member States welcome the work of the 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) and their report.

Especially, we would like to thank Malta for their warm hospitality and the excellent preparation of the Joint Meeting of Bern SFPs Network/CMS MIKT, which took place on 22-23 June 2017 in Silema, and for their initiative and contribution to the preparation of the Scoreboard for measuring progress at national level in combatting illegal killing of birds.

The EU and its Member States stand ready to be engaged in this work.



**Item 4.3.2.b – Draft Recommendation on the establishment of a Scoreboard for measuring progress in combating illegal killing, taking and trade of wild birds**

**Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member State welcome the important contribution of the Bern Convention to the fight against illegal killing of birds, and encourage all Parties and other stakeholders to continue this commitment by building on the work already carried out in the Mediterranean by the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT), established pursuant to CMS Resolution 11,16. of 2014.

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**Item 4.4.a – Report of the meeting of the 9th Group of Experts on the conservation of amphibians and reptiles (including marine turtles)****Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member States acknowledge the work done by the Expert Group and welcomes the report of its 9th meeting. We note the urgent need for using more effective protection and conservation measures to secure the persistence of European herpetofauna. This should include effective habitat protection and degraded habitats restoration, halting of disease, rising public awareness and promoting international cooperation. Moreover, the EU and its Member States strongly support the proposal to create a subgroup on pathogens.

**Item 4.4.b – Draft recommendation on biosafety measures for the prevention of the spread of amphibian and reptile species diseases**

**Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its MS recognize the urgent need for biosafety measures preventing the spread of infectious disease of amphibians and reptiles. Thus, EU and its MS support the draft recommendation with some amendments.

**Statement delivered by the authorities of Switzerland**

Nous soutenons la proposition de l'Union européenne concernant la coopération avec l'Organisation sur la santé animale (OIE). Concernant le point 4 proposé par l'UE, la Suisse maintient que les estimations du commerce (volumes et valeur) seraient extrêmement difficiles à déterminer.

**Item 4.5.a – Results from the Strategic Planning Workshop on Leopard Conservation in the Caucasus**

**Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member States welcome the work of the WWF/Council of Europe Workshop and its results as the long term survival of the leopard is essential to the health of the ecosystems. We recognize the importance of the revised strategy 2017 and the objectives therein.

**Item 4.5.b – Status of implementation of the Action Plan for the Conservation of Sturgeons (*Acipenseridae*) in the Danube River Basin**

**Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member States acknowledge the work done by The Danube Sturgeon Task Force. Considering that these migratory species are on the brink of extinction the EU and its Member States noting the need for implementation of recommendations to prevent their disappearance.

**Item 4.6.1.c – Draft Format on Reporting under Resolution no. 8 (2012)****Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member States take note of the legal analysis of the Emerald Network reporting requirements as a background information paper. We welcome the draft reporting format for the period 2013-2018 and very much support the harmonized approach proposed in these documents with reporting under the EU nature directives. We also support the conclusions of the Ad Hoc Restricted Group of Experts on reporting and the Group of Experts on Protected Areas and Ecological networks that a full evaluation of the reporting format is undertaken after the first reporting round in order to assess inter alia the scope for further streamlining and simplification in view of the need to minimize administrative burden on Contacting Parties.

**Statement delivered by the authorities Switzerland**

Malgré le fait que le format proposé engendre une charge de travail conséquente pour le remplir, la Suisse soutient l'utilisation du format de l'Union européenne. Nous remercions l'Union européenne pour le travail important et de longue haleine qui a été réalisé pour développer ce format. Nous espérons que l'utilisation de ce format permettra une bonne évaluation du statut des espèces et milieux évalués et des menaces qui pèsent sur eux. Grâce à ce format, il sera possible de comparer les statuts des espèces et milieux à l'échelle paneuropéenne, ce qui est évidemment une belle perspective. Nous soutenons donc le format de l'Union européenne comme outil pour le reporting de la Convention de Berne.

<b>Item 4.6.1.d, e, f – Protected Areas and Ecological Networks</b>
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**Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member States appreciate the work on the EMERALD network. The EMERALD network complements the NATURA 2000 network, the latter of which consists of over 27 000 sites covering more than 18 % of the terrestrial area of the EU Member States. NATURA 2000 and EMERALD together form the world's largest coherent network of protected areas, which plays a crucial role in the protection of biodiversity, contributing to the delivery of ecosystem services.

We welcome the continuation of the work with the concept of the “ecological character” and the preparation of practical guidance in order to assist Contracting Parties in their implementation of Resolution 5 (1998).

**Item 4.6.2.a – Report of the meeting of the Group of Specialists on the European Diploma for Protected Areas, follow-up of decisions****Statement delivered by the authorities of Estonia on behalf of the European Union and its Member States**

The EU and its Member States would like to express appreciation for the Group of Specialist on the European Diploma for Protected Areas who are doing an excellent and professional work on these issues. We would also call on the Contracting Parties to nominate more sites worthy of this high award, as well as make existing Diploma areas more visible. The Bern Convention Secretariat has greatly contributed in the latter task by improving the visibility of the Diploma areas on their home page and has produced a nice video on that.

**Statement delivered by the authorities of Poland**

Poland is very sorry that the Białowieża Forest became a political issue. We are also sorry that hopefully only a total misunderstanding which is presented by some NGO's is the main source of arguments to criticise the Białowieża National Park, arguments which have actually nothing to do with the Park. However we are sure that the Białowieża National Park deserves the Diploma and the issue requires a reappraisal based on factual arguments.



**Item 5.1 – Files opened: Hydro power development within the territory of the Mavrovo National Park (“The former Yugoslav Republic of Macedonia”)**

**Statement delivered by the delegation of Switzerland**

Nous sommes tous confrontés à la discussion sur la pesée d'intérêt entre la conservation de la biodiversité et la production d'énergie renouvelable. Cependant, nous pensons que les parcs nationaux devraient avoir comme objectif de privilégier la conservation de la biodiversité par rapport aux autres intérêts. Nous sommes toujours préoccupés par les projets en cours dans le parc et sommes d'avis qu'il serait justifié de garder le cas ouvert. Il aurait effectivement été important d'entendre le point de vue du gouvernement concerné.



## **Item 5.2 - Possible Files: Motorway through the Kresna Gorge (Bulgaria)**

### **Statement delivered by the delegation of Switzerland**

Nous remercions le Gouvernement de Bulgarie pour sa présentation. Malgré le fait que cette route est très importante pour la population et l'économie bulgares, nous ne sommes toujours pas convaincus que le projet de construction proposé minimise les impacts sur la biodiversité comme demandé. Le statut du dossier devrait pour cela rester inchangé, c'est-à-dire comme dossier possible sur l'agenda.

**Item 5.2 – Possible Files: Lack of legal protection for Northern goshawk and birds of prey (Norway)****Statement delivered by the delegation of Norway**

It is correct that during the process of replacing parts of the Wildlife Act with the Nature Diversity Act, the wording of the legislation was unintentionally slightly changed. As a result, the Supreme Court in a judgement from 12 March decided that the term "considered necessary" does not apply where wild animals are making a direct attack on livestock, pigs, poultry etc.

However, we would like to point out that section 17 subsection 2 is a strict provision. According to its wording, it requires that a direct attack on livestock etc. takes place. This is a considerably stricter criterion than the corresponding criterion that applies to situations where people are at risk, and important to prevent possible misuse of the provision.

The ministry is aware of the risk that unfortunate practices may evolve, and we follow the situation. We have not yet received information that the provision is being misused.

As regards the Northern goshawk, which was the species in question in the Supreme Court judgement in 2014, we would like to inform you that the goshawk is not classified as a threatened species in Norway. According to the Norwegian Red List in 2015, the Northern goshawk is "Near Threatened". The population in Norway is estimated between 2.800 and 3.700 individuals.

We will change the legislation. Changing legislation is always a lengthy process, and it is difficult to give an exact time frame. We suggest that we report on this issue again at the next Standing Committee meeting.

**Item 5.3 – Follow-up of previous complaints and Recommendations:  
Recommendation No. 176 (2015) on the prevention and control of the  
*Batrachochytrium salamandrivorans* chytrid fungus**

**Statement delivered by the European Commission**

On 22 November, the European Food Safety Agency published an opinion: Assessment of listing and categorisation of animal diseases within the framework of the Animal Health Law (Regulation (EU) No 2016/429): *Batrachochytrium salamandrivorans* (Bsal). EFSA Journal 2017;15(11):5071 [34 pp.]. doi:10.2903/j.efsa.2017.5071

(*Bsal*) has been assessed according to the criteria of the Animal Health Law (AHL). The findings are that *Bsal* can be considered eligible to be listed for Union intervention. The disease would comply with the criteria AHL, for the application of the disease prevention and control rules of the AHL. The animal species to be listed for *Bsal* are species of the families Salamandridae and Plethodontidae as susceptible and Salamandridae and Hynobiidae as reservoirs.

The Standing Committee on Plants, Animals, Food and Feed, Section Animal Health and Welfare has been discussing a possible Commission Implementing Decision on certain animal health protection measures for intra-Union trade in salamanders and the introduction into the Union of such animals in relation to the fungus *Batrachochytrium salamandrivorans*.