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T-PVS(2018)4

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

38th meeting
Strasbourg, 27-30 November 2018

Meeting of the Bureau

Strasbourg, 19 March 2018

- MEETING REPORT -

*Secretariat Memorandum
prepared by
the Directorate of Democratic Citizenship and Participation*

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1. ADOPTION OF THE AGENDA

The Chair of the Standing Committee to the Bern Convention, Mr Øystein Størkersen, opened the first annual meeting of the Bureau to the Standing Committee to the Bern Convention. He noted that the implementation of the Programme of Work adopted at the last Standing Committee is running smoothly, while new complaints are piling up before the Convention. He acknowledged that the development of the Emerald Network continues to be a priority for the Convention and stressed that efforts should be doubled for ensuring new projects and funds are secured in the short term in support of the ambitious objectives set for the Network ahead of 2020. He congratulated the Secretariat for the hard work and ensured of the Bureau members availability for providing advice and support in the implementation of the activities.

The meeting agenda was adopted with one additional point added to item 9 “Any other business” (appendix 1).

2. FINANCING OF THE BERN CONVENTION

The Head of the Culture, Nature and Heritage Department, Mr Eladio Fernández-Galiano, updated the Bureau on the financial situation of the Council of Europe. He informed that the Council of Europe is facing an unprecedented crisis since its establishment in 1949. He reminded of the decision of Turkey to discontinue its status as big contributor to the Council of Europe budget as of the beginning of the year. This has already had an effect on the Bern Convention budget which has been cut by 16 000 € (around 9 %) for 2018, following a transversal cut across the organisation. The transversal cut has however been more important for the department Culture, Nature and Heritage where the Convention is placed.

He further reminded that in addition to that, the Council of Europe is currently facing negative financial implications due to the decision by the Russian Federation to suspend the payment of the remaining part of its contribution to the ordinary budget for 2017. Furthermore, the Russian Federation hasn't yet paid its share of the organisation's ordinary budget for 2018 (deadline for a first instalment was 28/02), although there is no information communicated by the Russian authorities about their further intentions.

The situation being very uncertain and taking into account that the budget of the Convention for the biennium depends on the contribution provided by the Council of Europe, both in terms of staff and operational budget, a decision was taken by the Secretariat to provisionally defer the organisation of two activities (Joint Bern Convention' CMS MIKT meeting on IKB and one Emerald network biogeographical Seminar) to 2019. The situation is also closely monitored in terms of the impact of the budget crisis in terms of staff, as two out of the four staff members are paid by the Council of Europe Ordinary budget and might potentially suffer from staff cuts operated as contingency plans.

Mrs Iva Obretenova, Secretary of the Bern Convention informed the Bureau of the current status of pledges and received voluntary contributions' to the Convention for 2018 (appendix 2). She further informed that the new procedure implemented since the beginning of the year for the reception of VCs for the Convention is working smoothly for some Contracting Parties, but not necessarily for others. Some countries are even afraid of losing the budget lines foreseen for the Convention if the procedure with the signature of official Agreements is pursued. Many countries have also expressed an opinion that the additional bureaucracy for amounts such as 1000 or 2000 Euros can be perceived as additional barrier for the allocation of the funds by some national administrations and could result in cancelation of the VC.

<p>DECISION: The Bureau noted with concern the current state of affairs at the Council of Europe regarding the organisation's budget. The Bureau acknowledged the countries which have already sent or formulated a pledge for a VC to the Convention and mandated the Chair and the Secretariat to reiterate the request if and when necessary, depending on the evolution of the budgetary situation.</p>
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The Bureau further charged the Secretariat with the preparation of a note on the current budgetary situation, prospects in terms of budget allocation of the Council of Europe to the Convention, what is needed to run the Convention in 2018-2019 and how the VCs can support. The note should be discussed by the Bureau at their next meeting and if necessary, to forward a new request for VCs depending on the contents of the note. Eventually, the need of an extra Bureau meeting, an exceptional Standing Committee meeting or an electronic circulation to Parties to seek for solutions to the budgetary crisis might be debated.

3. IMPLEMENTATION OF THE 2018 PROGRAMME OF ACTIVITIES AND BUDGET ISSUES

The Secretariat presented the various activities organised and meetings attended by the Secretariat since the beginning of the year in the implementation of the Programme of Work of the Convention. The attendance of the Convention to two important events was stressed in particular -

The Secretariat further informed that due to the complex and uncertain budgetary situation of the organisation, it has been decided to defer certain activities until further notice. The planned meeting of the Bern Convention Special Focal Points on IKB (which was supposed to be a joint meeting with the CMS MIKT) will not be able to take place as initially foreseen. This decision was already discussed with the CMS Secretariat and it fit well their own difficult circumstances, as they are currently recruiting a new MIKT Coordinator and could not dedicate time on organising a joint meeting in 2018 before the new person is recruited. The joint meeting will most probably take place in 2019.

In addition, the organisation of one Emerald Network biogeographical Seminar foreseen for 2018 was deferred until further notice. It was decided that the Seminar might be organised in 2019, provided that the progress in the setting-up of the Network in terms of new updated databases and identification of additional areas justifies the event.

3.1 Group of Specialists on the European Diploma for Protected Areas: results of the meeting

[T-PVS/DE(2018)1 - Agenda]

[T-PVS/DE(2018)8 – Draft Resolutions on the renewal of the EDPA]

The Secretariat presented the outcomes of the annual meeting of the Group of Specialists on the European Diploma for Protected Areas.

The Group examined the reports of 13 on-the-spot appraisal visits carried out in 2017 to areas whose Diploma expires in 2018 and 2019. The opportunity to renew the European Diploma to 3 additional areas was debated on the basis of the annual reports submitted by the areas and available information provided by the area managers. These areas could not benefit from an appraisal visit.

For 2018, the Group planned the organisation of 12 new on-the-spot appraisal visits to areas whose Diploma expires in 2019. Due to the important amount of visits to be carried out and previous positive experiences, the Group decided to seek the reduction of the costs by combining the visits to several areas, provided the organisation of these visits is logistically possible.

The Group of Specialists also made important decisions regarding (1) the harmonisation of the on-the-spot appraisal's reporting by the independent experts through the agreement on a check list of issues to be considered during the visits and (2) the harmonisation of the conclusions of the appraisal visits with an explanatory note on what should be considered as a condition versus a recommendation attached to the renewal proposal.

As an incentive for the Diploma holding areas to report annually on their actions to comply with the conditions and recommendations attached to their Diploma, the Group of Specialist agreed on the introduction of a scoring system which will highlight the areas complying well with their reporting obligations and those which are taking some liberty with their obligations. A reshuffle of the webpages of the European Diploma and the creation of a dashboard with all the information available for each diploma holding area will also allow for an improved visibility and accountability of the areas.

The preamble of the Resolutions adopted by the Committee of Ministers will also remind more explicitly the obligations of the areas to comply with the Regulations of the Diploma especially in terms of reporting and visibility.

DECISION: The Bureau expressed its great consideration of and thanks for the excellent work of the Group and the dedication of its appointed members, independent experts and the Secretariat. The Bureau especially welcomed the new initiatives of the Group, aimed at updating the EDPA database, improving compliance of the Diploma holding areas with the regulations and thus raising the profile of the Council of Europe award.

The Bureau instructed the Secretariat to present in details these initiatives and tools at the next meeting of the Standing Committee, as a mean to promote this prestigious international designation and to warn relevant national authorities of cases of Diploma holding areas not respecting their obligations stemming from the Diploma.

Eventually, the Bureau approved the draft Resolutions for the renewal of the European Diploma to 16 areas, as presented in document T-PVS/DE(2018)8 and instructed the Secretariat to forward these Resolutions to the Committee of Ministers of the Council of Europe for official adoption.

3.2. Invasive Alien Species: state of preparation of the meeting of the Select Group of Experts on Invasive Alien Species (IAS)

[T-PVS/Agenda(2018)3 - Draft agenda]

The Secretariat introduced the preliminary agenda of the upcoming meeting of the Select Group of Experts on IAS, which meets in alternate years with the full Group of Experts. It reminded that this Select Group of Experts is composed of representatives of a limited number of Contracting Parties to the Convention, representatives of IUCN's ISSC and the European Commission.

At its next meeting in Rome, the Group will debate the best possible avenues for work and standard setting by the Convention on issues such as e-commerce and IAS and how to communicate more efficiently IAS as a major issue facing biodiversity conservation today. It will further debate how the Convention should follow the progress in the implementation of the various sectoral Codes of Conduct adopted by the Convention in the past 10 years and how the issue of wildlife pathogens and IAS, in particular regarding amphibian and reptile species could be tackled.

DECISION: The Bureau welcomed the ideas of issues to be debated at the forthcoming meeting of the Select Group of Experts and acknowledged that after a decade of standard setting in the field it is important to consider how to measure progress in the implementation of those guidance and standards.

The Bureau warmly thanked the IUCN's ISSC for their long-standing and continuous support and dedication to the work of the Convention on the issue and recognised the valuable contribution of a number of Parties through their very active national experts members of the Select Group.

3.3 Illegal killing of birds: state of preparation for the launching of the IKB Scoreboard

The Secretariat reminded that although the Joint Bern/CMS meeting on IKB has been deferred to 2019, the Secretariat has initiated work on the implementation of Recommendation No. 196 (2017) on the establishment of a Scoreboard for measuring progress in combating illegal killing, taking and trade of wild birds. Negotiations are on-going between the Secretariats of Bern and the CMS and the WCMC on the development and launch of an on-line tool for the Scoreboard reporting with specific features to comply with the mandate given for its deployment by Recommendation No. 196. A few Contracting Parties have already expressed an interest in volunteering for the testing of the tool before its official launch.

DECISION: The Bureau took note of the progress in the launch of the IKB Scoreboard and the status of collaboration with the CMS and WCMC. It agreed that the next joint meeting of the Bern Special Focal Points Network and the CMS MIKT Task Force should take place in 2019 and should review the results of the 1st reporting exercise on the Scoreboard, to be implemented in 2018-2019.

The Bureau reminded that the implementation of the Scoreboard is a very relevant and necessary tool in the work towards the eradication of the IKB phenomena, as illegal bird killing is an issue for all countries in Europe, although at different degrees. The Bureau urged all Contracting Parties to fully contribute to the Scoreboard reporting exercise when it is launched.

3.4 Setting-up of the Emerald Network: state of progress, planning of activities for 2018

The Secretariat informed that since the beginning of the year, it has been cautious in planning activities related to the development of the Emerald Network, as the priority should be given to reporting under Resolution No. 8 (2012). As a follow-up to the nominations as candidate and adoptions of Emerald sites at the 37th Standing Committee meeting, the Secretariat received updated databases from Armenia, Belarus, Georgia, the Republic of Moldova, Norway and the Russian Federation.

The support provided by the European Environment Agency within the framework of the ENI SEIS EAST II project to the Emerald Network constitution process appears as key. In 2018, it will allow for the organisation of an Emerald Network biogeographical evaluation seminar to assess the sufficiency of the networks of Belarus, the Republic of Moldova and Ukraine to ensure the long-term conservation of birds. This seminar will take place on 22 and 23 May in Kiev.

In addition, Andorra is actively preparing databases for its Natural Parks which could be proposed as Emerald Network sites in the near future. Further technical assistance would be needed but an expert mission is pending a clear financial situation.

Another issue which is pending a clear financial situation is the finalisation of the Emerald Viewer. In consultation with the European Environment Agency and with the assistance of international experts, the specifications for aligning the Emerald Network Viewer on the Natura 2000 Viewer are currently being developed. An investment plan over 3 years for achieving the alignment by 2020 will then be agreed on.

DECISION: The Bureau noted with satisfaction the progress in the setting-up of the Emerald Network and acknowledged the continuous and vital support of the EEA and the European Topic Centre on Biological Diversity to the process.

The Bureau urged all Contracting Parties concerned to speed up their efforts and to submit updated databases in view of achieving a full sufficiency of their Networks.

3.5 Reporting under Resolution No. 8 (2012): state of preparation of the capacity building Workshops

In 2018, the progressing towards the launch of the reporting under Resolution No. 8 (2012) is a priority activity for the Secretariat, as the reporting tool and supporting documents should be ready by the end of the year. The European Environment Agency will be supporting the organisation of two training workshops on the reporting under Resolution No. 8 (2012) in 2018.

The preparation of the first workshop is well advanced as it is scheduled from 17 to 18 April in Copenhagen. The EEA is covering the expenses of participants from the 6 Eastern Partnership countries and the Council of Europe is covering the costs for the participants of other non-EU Contracting Parties and observer States. The participation rate is very satisfactory as 13 Parties have already registered for the Workshop.

The first workshop will give participants the opportunity to become more familiar with the reporting format, to hear from the reporting experiences of two EU countries and to receive guidance on the reporting requirements on spatial data.

Regarding the reporting tool, the Secretariat has planned to inform the EEA by the end of March of the adaption needs and to follow up on the technicalities with EEA's colleagues at the margins of the training workshop. In parallel, the Secretariat works on the adaptation of the reference documents related to the reporting and plans to publish them on the Emerald Network Portal.

DECISION: The Bureau welcomed the organisation of the important capacity building workshops and the strengthened collaboration with Parties, the ETC/BD and the EEA, in view of the launching of the reporting mechanism under Resolution No.8 (2012). The Bureau urged all relevant Contracting Parties to attend the Workshops.

3.6 Climate change and protected areas: state of preparation of the joint meeting of two Groups of Experts

The Secretariat informed that it initiated the organisation of the joint meeting of the Groups of Experts on Protected Areas and Ecological Networks and on Climate Change and Biodiversity. The main topics to be dealt with at the meeting are the following:

- Organising reporting on progress in implementing the Conventions' standards in the field
- Sharing of experiences on CC and adaptive management of PAs
- Synergies between the Convention and EUROPA Major Hazards Agreement in the field of nature based solutions
- How biodiversity conservation is embedded in national Climate change adaptation strategies

DECISION: The Bureau took note of the planning process of the joint meeting and encouraged Parties to contribute to the event with examples of integration of biodiversity considerations into national climate change adaptation strategies and with good practice examples of actions in tackling climate change and its impacts, including on protected areas.

The Bureau further encouraged the Secretariat to solicit Parties to contribute to the development of the concept note and draft agenda of the meeting

3.7 Old Growth Forests: opportunities for cooperation with Wild Europe Initiative

The Secretariat informed of the results of a meeting held in January with Wild Europe Initiative and the subsequent developments reported by the Initiative on their flagship activities on Old Growth Forest, European section of a global primary forest project, large carnivore conservation, etc.

DECISION: The Bureau welcomed the proposals for cooperation between the Convention and Wild Europe Initiative, in particular the sharing of Emerald Network databases to support the identification of habitats which can be qualified for Old Growth Forests.

The Bureau mandated the Secretariat to continue liaising with the Initiative to see how the collaboration can be further developed in the mutual interest of both organisations.

3.8 Pan-European Action Plan for the conservation of the sturgeon

The Secretariat informed the Bureau of the initiative by World Sturgeon Conservation Society (WSCS) and WWF who are currently developing a draft Pan-European Sturgeon Action Plan. The draft document will be shared with sturgeon experts from European sturgeon range countries, asking for technical comments and then presented at a Conference co-organised by the Austrian Presidency of the EU and the International Commission for the Protection of the Danube River on 9/10 July in Vienna.

The overall objective of the Conference will be to bring relevant institutions and experts together to share up-to-date information about sturgeon conservation actions and further needs for enhancing the species conservation and restoration at the Pan-European level.

DECISION: The Bureau welcomed the initiative of the drafting of a Pan-European Action Plan for the conservation of the sturgeon by WWF and WSCS. It further confirmed that there is undoubtedly a scope for strengthened conservation activities at national level for the species.

The Bureau stressed the importance of providing experts from Bern countries to comments and contributes to the document, before it can be submitted for adoption by the Bern Convention Standing Committee in view of becoming official standard of the Convention. It mandated the Secretariat to inform all Contracting Parties of the organisation of the dedicated Conference by the Austrian Presidency of the EU in Vienna in July, where a draft of the Action Plan will be presented and where national experts can provide their input to the document. The Secretariat is also instructed, in coordination with the authors, to circulate the draft document as soon as it is ready to all Contracting Parties and solicit their opinion and comments, ahead of the September meeting of the Bureau.

4. MONITORING OF THE IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION: BIENNIAL REPORTS AND ORS

The Secretariat informed the Bureau that the letters requesting Parties to send their biennial reports for the period 2015-2016 have been sent in January 2018, following the successful creation of the Biennial Reports 2015-2016 questionnaires in the ORS system.

Several EU Member States Parties to the Convention have requested a clarification whether they are expected to submit the biannual report or their reporting under the HABIDES + system of the EU is now considered as sufficient.

The Secretariat has planned to visit colleagues from DG Environment in the European Commission in May and try to clarify the situation ahead of providing a possible final answer to the question at the upcoming Standing Committee meeting at the end of 2018.

DECISION: The Bureau took note of the information provided and welcomed the continued discussions between the Secretariat of the Convention and the DG Environment. It welcomed the organisation of the coordination meeting and instructed the Secretariat to discuss, inter alia, how issues not covered by the present reporting on Habides + for EU Member States, i.e. falconry, fish species, languages, can be settled in order to ensure the reporting by all Parties is sufficient and corresponds to the criteria and requirements set by the Convention for all its Parties.

5. IMPLEMENTATION OF THE CONVENTION: CASE-FILES (SEE NOTE BELOW)

*[T-PVS/Notes(2018)1 – Summary of case files and complaints]
[T-PVS/Inf(2018)1 – Register of Bern Convention's case-files]*

5.1 Specific Sites - Files open

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

DECISION: The Bureau took note with satisfaction of the progress in the organisation of the on-the-spot appraisal mission. It thanked the national authorities for their agreement to postpone the visit to spring 2018.

The Bureau further reviewed and agreed with the draft Terms of Reference of the visit. It looks forward to consult the findings and the recommendations of the mission.

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

DECISION: The Bureau noted with regret the lack of response by the Turkish authorities.

It instructed the Secretariat to remind the authorities of their commitment made at the 37th meeting of the Standing Committee to the Bern Convention, to submit a clear action plan and a timetable on the foreseen implementation of all operational paragraphs of Recommendations Nos. 182 and 183 from 2015. The Bureau expressed its hopes the planned implementation and timetable will reach the Bureau ahead of its upcoming meeting in September 2018.

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

[T-PVS/Files(2018)14 – Report by the Government]

DECISION: The Bureau thanked the national authorities for their report and acknowledged the restored communication between the Secretariat of the Convention and the new national focal point to the Convention.

The Bureau further reminded that the Balkan lynx has been officially listed in Appendix II of the Bern Convention since 8 March 2018.

The Bureau recognised that although both publicly funded large HPPs on the territory of the Park were suspended, the cumulative impact of the smaller HPPs currently under construction or planned for construction does not appear to be taken into consideration. It reminded that, according to Recommendation No. 184 (2015) the development of a Strategic Environmental Assessment for the area should put “*specific emphasis on cumulative effects of all planned development activities on the territory of the Park....*”.

The Bureau instructed the Secretariat to request the national authorities to provide clear information and a strict timetable on when the development of the SEA for the Park is foreseen and on the overall progress of compliance with the Recommendation.

5.2 Possible files

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

[T-PVS/Files(2018)15 – Report by the Government]

[T-PVS/Files(2018)17 – Report by the NGOs]

DECISION: The Bureau thanked the national authorities for the report provided and took note of the still pending national court appeal on the decision over the alternative chosen for the Lot 3.2 of the highway.

The Bureau carefully examined the operational paragraphs of Recommendation No. 98 (2002) and in particular paragraph 3: “consider the possibility of abandoning the option of enlarging the current road since this would substantially increase damage to a unique site, without possible measures of compensation, and continue studying alternative routes located outside the gorge that would respect the natural constraints as far as possible and provide for the integration of engineering works and compensate for environmental impact;”.

Taking into account that the project implementation as currently planned appears to not fully comply with the Recommendation, the Bureau instructed that the Secretariat discusses the pending issues with the European Commission.

5.3 Complaints on stand-by

➤ 2014/6: Wind energy: Possible threats to an endangered natural habitat in Izmir (Turkey)

DECISION: The Bureau noted the lack of reporting by the Turkish authorities and instructed the Secretariat to request a new report by the authorities for the Bureau meeting in September 2018.

The Bureau encouraged the authorities to carefully examine and report on the cumulative impact of wind energy in the area and to cooperate, as advised by the Group of Experts on the Conservation of Birds, with relevant actors such as the Turkish Birdlife International partner and other Conventions such as AEW and CMS, including in the use of international standards.

➤ 2014/8: Presumed large-scale exploitation and marketing of protected marine shelled molluscs in Greece

[T-PVS/Files(2018)20 – Report by the Complainant]

DECISION: The Bureau thanked the Archipelagos Institute of Marine Conservation for the new complaint submitted on the issue of the conservation of protected marine shelled molluscs in Greece and their agreement to join the current complaint on stand-by on the issue 2014/8.

The Bureau instructed the Secretariat to send this new available information on continuous illegal exploitation of the protected molluscs to the authorities and to request a report for their second annual meeting in September 2018. The Bureau encouraged the authorities to establish a long-term programme to improve the outreach of the issue and to raise awareness among the public at large with a view to curb the illegal exploitation and trade.

The Bureau is planning to discuss the case again in September in view of establishing a recommendation on the case. The Secretariat is instructed to contact DG Environment and request information on their own possible processes regarding the case.

- **2014/3: Presumed deliberate killing of birds in Serbia & 2016/3: Alleged deliberate killing of birds of prey in Serbia**

[T-PVS/Files(2018)10 – Report by the Government]

[T-PVS/Files(2018)8 – Report by the Complainant]

DECISION: The Bureau thanked the Serbian authorities for their detailed report and the actions undertaken to stop the illegal bird killings in the country, including the abolishment of the concerned toxic substances and the enhanced waste treatment. At the same time, the Bureau noticed that there is a strong need to improve the prosecution of violations at national level and to step up punishment levels.

The Bureau encouraged the national authorities to collaborate closely with the Bern Convention Network of Special Focal Points for IKB and to make use of the Guidance on sentencing principles developed and adopted.

The Bureau instructed the Secretariat to request an updated report to the authorities on progress for their upcoming meeting in September.

- **2015/2: Possible impact of wind-farm developments on bats (“the former Yugoslav Republic of Macedonia”)**

[T-PVS/Files(2018)13 + Ann – Report by the Government]

DECISION: The Bureau thanked the national authorities for their updated report. The Bureau decided to await the reception of the first results of the post-construction monitoring, including the means put in place to fill in the identified gaps in the monitoring planning and to consider the case again at its upcoming meeting in September 2018.

The Secretariat was instructed to continue liaising with the EUROBATs Secretariat on the issue.

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

[T-PVS/Files(2018)2 + Ann – Report by the Complainant]

DECISION: The Bureau thanked the national authorities for kindly agreeing to host the Bern/Ramsar on-the-spot appraisal and welcomed the very positive cooperation between the two Conventions. The Bureau further thanked the complainant for the informative and useful report.

The Bureau took note that the on-the-spot appraisal is planned for mid-June 2018 and expressed its hopes that the mission findings and recommendations will be available for the upcoming September meeting of the Bureau when the issue will be revisited.

- **2016/05: Presumed negative impact of hydro-power plant development on the Vjosa River in Albania**

[T-PVS/Files(2018)19 – Report by the Complainant]

DECISION: The Bureau thanked the national authorities of Albania for kindly agreeing to host the on-the-spot appraisal to Vjosa River and instructed the Secretariat to move forward with the preparations of the visit, including contacting the IUCN South-East Europe Office in view of their possible participation in the mission as observers. The Bureau further thanked the complainant and its partners for the updated report.

The Bureau took note that on-the-spot appraisal might take place in June 2018 and expressed its hopes that the mission findings and recommendations will be available for the upcoming September meeting of the Bureau when the issue will be revisited.

➤ **2016/09: Possible threat to Svaneti 1 Candidate Emerald site from Nenskra HPP (Georgia)**

[T-PVS/Files(2018)7 – Report by the Government]

[T-PVS/Files(2018)11 + Ann + Ann 2 – Report by the Complainant]

DECISION: The Bureau thanked the national authorities of Georgia for the many reports and statements made in relation to the case-file - a sign of the importance the Government gives to the issue. The Bureau also thanked the complainant NGO and its partners for their relevant and informative reports. The Bureau further noted that the case is an important one as it is the first that relates to a reduction in the size of a candidate Emerald Network site.

The Bureau welcomed the initiative of the authorities to propose three new areas in compensation for the significant reduction in the size of the initial candidate Emerald site Svaneti 1. The conclusions of the 2017 Emerald Biogeographical Evaluation indicate that these sites are likely to keep the sufficiency conclusions stable compared to 2015.

However, the Bureau noted that the following must be ensured by the national authorities, in order to confirm the sufficiency assumptions of the Seminar and to allow for the Bureau to make a determination on the case:

- The submission of an updated database addressing the inconsistencies and comments contained in the 2017 conclusions;
- To consider the submission of the three compensatory (Racha) sites for official adoption by the Standing Committee in 2018;
- To consider the opportunity for submitting all Georgian candidate Emerald sites for official adoption by the Standing Committee in 2018;
- To consider the inclusion of the 20 newly proposed sites which were evaluated in November 2017 in the list of sites to be nominated as candidates in 2018 or to be directly adopted as full Emerald sites;

In September 2018, the Bureau will re-assess the progress in updating the national Emerald database of Georgia and the eventual decisions of the authorities regarding the status of their various proposed and candidate Emerald sites.

➤ **2016/06: Presumed risk of national extinction of great bustards (*Otis tarda*) in Serbia**

[T-PVS/Files(2018)9 + Ann – Report by the Government]

[T-PVS/Files(2018)1 – Report by the Complainant]

DECISION: The Bureau thanked the national authorities and the complainant for their updated reports. It welcomed the efforts of the authorities to implement several solutions, including establishing a larger protected area for the benefit of the threatened species. However, the Bureau noted that progress is still slow and encouraged the authorities to speed up their efforts, including through international cooperation for the management of the species. The country should therefore consider signing the CMS Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard and its Action Plan.

The Bureau further discussed the issue of the possible conflict of interest regarding the current manager of the area charged with the protection of the great bustard and considered that the authorities should look into the matter and carefully assess the situation.

The Bureau instructed the Secretariat to request an updated report by the national authorities for its second annual meeting.

5.4 Other complaints

- **2017/2: Alleged negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Sites due to infrastructure developments (“the former Yugoslav Republic of Macedonia”)**

*[T-PVS/Files(2018)18 – Report by the Government]
[T-PVS/Files(2018)16 – Report by the Complainant]
[T-PVS/Files(2018)3 + Ann – Complaint form]*

DECISION: The Bureau thanked the complainant for indicating the issues facing the candidate Emerald sites and the national authorities for the report they provided to UNESCO/WHC following their visit and shared with the Bureau members.

The Bureau discussed the different options for action by the Convention, taking into account the current procedure under the World Heritage Convention and instructed the Secretariat to liaise with UNESCO WHC on the issue. The Bureau will revert back to the case at its September meeting and decide what role the Bern Convention can have on the case, in view of avoiding double work and efforts.

- **2017/3: Possible negative impact of a harbor’s construction on the confluence of the Sava into the Danube (Serbia)**

*[T-PVS/Files(2018)4 – Complaint form]
[T-PVS/Files(2018)6 – Government Report]*

DECISION: The Bureau thanked the authorities and the complainant for the information provided in their reports and recognised the importance of the area (an IBA) for the conservation, among others, of bird species protected by the Convention, including its floodplain role.

The Bureau further recognised the current process of development of SEIA/EIA regarding the planned harbour project and decided to wait that all necessary assessment processes are finalised at national level.

It instructed the Secretariat to follow up the assessment processes, by requesting updated reports by the authorities. The Bureau will re-assess the case at its September meeting in 2018.

- **2017/4: Presumed threat to Emerald site Tarutino (UA0000137) from cultivation developments (Ukraine)**

*[T-PVS/Files(2018)5 – Complaint form]
[T-PVS/Files(2018)12 – Government Report]*

DECISION: The Bureau thanked the complainant for pointing out the serious issues faced by the Tarutino Emerald site and expressed its great concern over the conservation of the threatened steppe ecosystems for which the area has been designated as Emerald site.

The Bureau thanked the authorities for the positive initiatives taken so far to stop the illegal cultivation of the area. However, the Bureau noted that signals are still being received that the cultivation in the site area continues and that new parts of the site are being prepared for cultivation. The national authorities are advised to consider, given the importance of the steppe habitats, to grant the area a strict protection status in addition to its Emerald site status.

The Bureau instructed the Secretariat to urgently contact the national Focal point of Ukraine and request an updated report on action taken to stop the illegal cultivation in the adopted Emerald site, ahead of its next meeting in September 2018 where the case will be re-assessed.

6. FOLLOW-UP OF PREVIOUS RECOMMENDATIONS: PROPOSALS BY THE SECRETARIAT

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

[T-PVS/Files(2018)21– Report by the NGO]

DECISION: The Bureau assessed again the information provided by the NGO on the state of conservation of *Caretta caretta* in Zakynthos, 30 years after the adoption of Recommendation No. 9 (1987). Taking into account the major concerns expressed by the NGO, the Bureau instructed the Secretariat to liaise with the European Commission ahead of formulating a response and a potential recommendation. The Bureau reminded that taking into account the area is a Natura 2000 site; the case should most probably be referred to the European Commission.

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

DECISION: The Bureau regretted the lack of clear progress in the implementation of the operational paragraphs of the Recommendation and agreed that progress continues to be followed-up closely by the Convention in cooperation with AEWA and its Standing Committee. The follow-up of the Recommendation will be again included in the agenda of the Standing Committee, at its 38th meeting. The Bureau instructed the Secretariat to request an updated report to the national authorities on the implementation of the Recommendation, which should also take into account the latest comments formulated by the AEWA Standing Committee.

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

DECISION: The Bureau agreed that progress in the implementation of this newly adopted Recommendation is included in the agenda of the upcoming Standing Committee meeting. It advised that the request for reporting to Parties is survey based, aiming in particular to clarify if biosafety protocols are in place and how they are implemented.

7. COMMUNICATION AND VISIBILITY

The Secretariat provided an update on the forthcoming awareness-raising campaigns (social media focused) to be developed by the Convention in 2018, (1) on climate change, biodiversity and nature based solutions and (2) on the prevention of wildlife diseases and humans role in it. The Bureau welcomed the ideas developed so far for the campaigns and wished to contribute to their success by providing advice on the concept notes when possible.

8. STRATEGIC DEVELOPMENT OF THE CONVENTION 40TH ANNIVERSARY OF THE BERN CONVENTION

8.1 40th anniversary of the signature of the Bern Convention – 2019

The Secretariat reminded that the 40th anniversary of the signature of the Convention is fast approaching and preparation for the marking of the occasion should be initiated already.

The idea currently being discussed within the Secretariat is the organisation of a separate session (or alternatively a side event) at the upcoming 38th Standing Committee meeting, aiming at discussing the role of the Bern Convention, at Pan-European level, in supporting the achievement of the Sustainable Development Goals, underpinning the delivery of the Paris Agreement of the United Nations Framework Convention on Climate Change as well as the Sendai Framework for Disaster Risk Reduction. The event should also contribute to the definition of the role and expected contribution of the Bern Convention to the new Post-2020 Global Biodiversity Framework currently being developed. The results will emphasise the fundamental importance of biological diversity and ecosystem services to achieving Sustainable Development Goals, and the importance of nature-based solutions to the delivery of the Sendai Framework for Disaster Risk Reduction and the Paris Agreement through adaptation and mitigation measures.

DECISION: The Bureau welcomed the ideas of the Secretariat and advised that when a concept paper on the issue is developed, it should very clearly lead from the global dimension to the Pan-European dimension and keep it regional. The three approaches of the dedicated event/discussion/side event at the next Standing Committee should be (1) the scientific aspect, (2) the policy aspect and (3) the interface between both of them or how science can influence the policy and vice-versa.

The Bureau further agreed that the next meeting of the Bureau might be extended by half a day to allow sufficient time for the Bureau to work collectively on the concept and preparation of the discussion at the upcoming Standing Committee.

8.2 Priorities of the Georgian Presidency of the Council of Europe

The Secretariat informed the Bureau of the initiative of the newly appointed Georgian Ambassador to the Council of Europe, to include the issue of linking human rights and the environment protection as one of the three priorities of the future Georgian Chairmanship of the Council of Europe (November 2019-May 2020). Consultations are currently taking place on the idea internally at the Council of Europe and would lead to the organisation of a Ministerial Conference for Ministers of Environment, to take place in Tbilisi at the beginning of 2020.

DECISION: The Bureau welcomed the idea and wished every success to its initiators in making the idea a reality. It stressed that the Bern Convention is ready to contribute to the event and should use this opportunity to emphasise and raise-awareness on the particular importance of nature for human health, well-being and human rights in general.

9. ANY OTHER BUSINESS

The Secretariat informed the Bureau that following the inclusion of some financial support to Planta Europa in the Programme of Work and budget of the Convention for 2018-2019, a meeting between the Secretariat of the Convention and the Mr Philippe Bardin from the Museum national d'Histoire naturelle (MNHN) is going to take place in April. Mr Bardin is in charge of the organisation of the next Planta Europa Conference, scheduled to take place in 2020. The meeting will aim at discussing how the Convention can support the network in their work on the revision of the European Plant Conservation Strategy and in the organisation of their next Conference.

DECISION: The Bureau welcomed the organisation of the coordination meeting and taking into account the traditional long-term cooperation between the Convention and Planta Europa, instructed the Secretariat to pursue the collaboration with the organisation and report back to the Bureau on progress.

Appendix 1



Strasbourg, 13 March 2018



T-PVS/Agenda(2018)2

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee
Bureau meeting

Strasbourg, 19 March 2018
(Room 14, opening: 9:30 am)

AGENDA

1. ADOPTION OF THE AGENDA

[T-PVS/Agenda(2018)2 - Draft agenda]

2. FINANCING OF THE BERN CONVENTION

3. IMPLEMENTATION OF THE 2018 PROGRAMME OF ACTIVITIES AND BUDGET ISSUES

[Note for the Bureau]

[T-PVS(2017)20 - Programme of Activities and budget for 2018-2019]

3.1 Group of Specialists on the European Diploma for Protected Areas: results of the meeting

[T-PVS/DE(2018)1 - Agenda]

[T-PVS/DE(2018)8 – Draft Resolutions on the renewal of the EDPA]

3.2 Invasive Alien Species: state of preparation of the meeting of the Select Group on IAS

[T-PVS/Agenda(2018)3 - Draft agenda]

3.3 Illegal killing of birds: state of preparation for the launching of the IKB Scoreboard

3.4 Setting-up of the Emerald Network: state of progress, planning of activities for 2018

3.5 Reporting under Resolution No. 8 (2012): state of preparation of the capacity building Workshops

3.6 Climate change and protected areas: state of preparation of the joint meeting of two Groups of Experts

3.7 Old Growth Forests: opportunities for cooperation with Wild Europe

3.8 Pan-European Action Plan for the conservation of the sturgeon

4. MONITORING OF THE IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION: BIENNIAL REPORTS AND ORS

5. IMPLEMENTATION OF THE CONVENTION: CASE-FILES (SEE NOTE BELOW)

[T-PVS/Notes(2018)1 – Summary of case files and complaints]
[T-PVS/Inf(2018)1 – Register of Bern Convention's case-files]

5.1 Specific Sites - Files open

- 2004/2: Bulgaria: Wind farms in Balchik and Kaliakra –Via Pontica
- 2012/9: Presumed degradation of nesting beaches in Fethiye and Patara SPAs (Turkey)
- 2013/1: Hydro power development within the territory of Mavrovo National Park (“the former Yugoslav Republic of Macedonia”)
[T-PVS/Files(2018)14 – Report by the Government]

5.2 Possible files

- 2001/4: Bulgaria: Motorway through the Kresna Gorge
[T-PVS/Files(2018)15 – Report by the Government]
[T-PVS/Files(2018)17 – Report by the NGOs]

5.3 Complaints on stand-by

- 2014/6: Wind energy: Possible threats to an endangered natural habitat in Izmir (Turkey)
- 2014/8: Presumed large-scale exploitation and marketing of protected marine shelled molluscs in Greece
[T-PVS/Files(2018)20 – Report by the Complainant]
- 2014/3: Presumed deliberate killing of birds in Serbia & 2016/3: Alleged deliberate killing of birds of prey in Serbia
[T-PVS/Files(2018)10 – Report by the Government]
[T-PVS/Files(2018)8 – Report by the Complainant]
- 2015/2: Possible impact of wind-farm developments on bats (“the former Yugoslav Republic of Macedonia”)
[T-PVS/Files(2018)13 + Ann – Report by the Government]
- 2016/4: Development of a commercial project in Skadar Lake National Park and candidate Emerald site (Montenegro)
[T-PVS/Files(2018)2 + Ann – Report by the Complainant]
- 2016/05: Presumed negative impact of hydro-power plant development on the Vjosa river in Albania
[T-PVS/Files(2018)19 – Report by the Complainant]
- 2016/09: Possible threat to Svaneti 1 Candidate Emerald site from Nenskra HPP (Georgia)
[T-PVS/Files(2018)7 – Report by the Government]
[T-PVS/Files(2018)11 + Ann + Ann 2 – Report by the Complainant]
- 2016/06: Presumed risk of national extinction of great bustards (*Otis tarda*) in Serbia
[T-PVS/Files(2018)9 + Ann – Report by the Government]
[T-PVS/Files(2018)1 – Report by the Complainant]

5.4 Other complaints

- 2017/2: Alleged negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Sites due to infrastructure developments (“the former Yugoslav Republic of Macedonia”)
[T-PVS/Files(2018)18 – Report by the Government]
[T-PVS/Files(2018)16 – Report by the Complainant]

[T-PVS/Files(2018)3 + Ann – Complaint form]

- 2017/3: Possible negative impact of a harbor's construction on the confluence of the Sava into the Danube (Serbia)

[T-PVS/Files(2018)4 – Complaint form]

[T-PVS/Files(2018)6 – Government Report]

- 2017/4: Presumed threat to Emerald site Tarutino (UA0000137) from cultivation developments (Ukraine)

[T-PVS/Files(2018)5 – Complaint form]

[T-PVS/Files(2018)12 – Government Report]

NOTE: To be assessed at the September 2018 Bureau meeting:

- **File Open** - 1995/6: Cyprus: Akamas peninsula
- **File Open** - 2010/5: Greece: threats to marine turtles in Thines Kiparissias
- **Possible file** - 2017/1: Lack of legal protection for Northern Goshawk and birds of prey in Norway
- **Complaints on stand-by** – 2011/5: France / Switzerland: threats to the Rhone streber (*Zingel asper*) in the Doubs (France) and in the canton of Jura (Switzerland)
- **Other complaints** - 2017/6: Iceland: Possible negative impact on Breiðafjörður Nature Reserve's authentic birch woods from new road infrastructure

6. FOLLOW-UP OF PREVIOUS RECOMMENDATIONS: PROPOSALS BY THE SECRETARIAT

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

[T-PVS/Files(2018)21– Report by the NGO]

- Recommendation No.190 (2016) on the conservation of natural habitats and wildlife, specially birds, in afforestation of lowland in Iceland
- Recommendation No. 197 (2017) on biosafety measures for the prevention of the spread of amphibian and reptile species diseases

7. COMMUNICATION AND VISIBILITY

8. STRATEGIC DEVELOPMENT OF THE CONVENTION 40TH ANNIVERSARY OF THE BERN CONVENTION

8.1 40th anniversary of the signature of the Bern Convention – 2019

8.2 Priorities of the Georgian Presidency of the Council of Europe

9. ANY OTHER BUSINESS

Appendix 2

**Voluntary contributions to the Bern Convention
received for 2018 budget
(in alphabetical order)**

	Announced	Received	Credited on BC Account (*)	Levy
Andorra		1,000.00	934.58	65.42
Croatia		2,000.00	1,869.16	130.84
Cyprus	1,000.00			
Czech Republic	8,000.00			
Luxembourg	10,000.00			
Norway (Ministry)	20,000.00			
Poland	5,000.00 (?)			
Slovak Republic		2,000.00	1,869.16	130.84
United Kingdom	17,000.00			
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	61,000.00 €	5,000.00 €	4,672.90 €	327.10 €(*)
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(*) Levy (logistical support) amount to be deducted

Appendix 3

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