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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

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**Group of Experts on Protected Areas and Ecological  
Networks**  
10<sup>th</sup> meeting  
2<sup>nd</sup> October 2019

**MECHANISM FOR EXTENDING THE LIST OF SPECIES AND HABITATS TO  
BE PROTECTED UNDER THE EMERALD NETWORK**

*Document prepared by  
the Directorate for Democratic Participation*

## BACKGROUND

The Standing Committee considered that, for the designation of ASCIs and for the protection of natural habitats, it was necessary to reinforce the work that Contracting Parties were carrying out in habitat protection. Thus, it decided to ask Parties in Recommendation No. 14 (1989) to:

"1. Identify in the areas within their jurisdiction:

- a. Species requiring specific habitat conservation measures;
- b. Endangered natural habitats requiring specific conservation measures;
- c. Migratory species requiring specific habitat conservation measures;
- d. Species of which the breeding and/or resting sites require protection and their breeding and/or resting sites types requiring protection;

and for each of these categories to indicate, as far as possible, their sites".

Although the above tasks were addressed to Contracting Parties, the Standing Committee decided, after 1989, to prepare for the whole of Europe lists for points a, b, c and d above.

In December 1996 the Standing Committee adopted Resolution No. 4 (1996) identifying endangered natural habitats (point b. above) requiring specific conservation measures. In 1998, the Standing Committee adopted Resolution No. 6 (1998) listing the species requiring specific habitat conservation measures (including the migratory species mentioned in c. above).

In 2011, on the demand of the Bern Convention Secretariat, the European Topic Centre on Biological Diversity started a comparison exercise between the Bern Convention lists of habitats and species requiring special conservation measures (Resolution No. 4 (1996) and Resolution No. 6 (1998)) and the EU Habitats and Birds Directives lists of threatened species and habitats (Annex I and II of the Habitats Directive and Annex I of the Birds Directive). Due to the successive enlargements of the European Union (1995, 2004 and 2007), the list of species and habitats for which Member States have to designate Natura 2000 sites has grown over time to take into account the new ecological context and characteristics of the new countries. Resolutions No. 4 (1996) and No. 6 (1998) of the Bern Convention had yet to follow this evolution.

The main aim of this comparison exercise was therefore to keep the Emerald and Natura 2000 Networks as coherent as possible, also because the Emerald Network approach is helping the EU candidate countries to prepare for the Natura 2000 implementation and the *acquis communautaire* in this field.

In December 2011, a revised Annex I of Resolution No. 6 (1998) consistent with the relevant annexes of the Birds and the Habitats Directives was adopted by the Standing Committee to the Bern Convention. A comparison exercise is also being developed between the lists of habitats targeted by Resolution No. 4 (1996) of the Bern Convention and the Annex I of the Habitats Directive since 2012.

The lists of species and habitats included respectively in Resolutions No. 6 (1998) and No. 4 (1996) were established with a focus on the western European context. The Bern Convention has recurrently encouraged eastern and southern Caucasian Contracting Parties to propose additions of species and habitats predominantly present in Eastern Europe which would in turn contribute to improve the sufficiency of the Emerald Network.

In 2014, the Standing Committee to the Bern Convention adopted a revised Annex I of Resolution No. 4 (1996) following both the process of harmonisation of the tools and methodologies used under the Emerald and Natura 2000 frameworks and the proposal of two additional habitats submitted by Switzerland.

In 2018, the Standing Committee to the Bern Convention adopted for the second time a revised Annex I of Resolution No. 4 (1996) considering the proposals of additions of 3 habitats by Switzerland and Ukraine.

However at its 9th meeting, the Group of Experts on Protected Areas and Ecological Networks mandated the Secretariat to propose a mechanism to control the addition of new species and/or habitat to the Resolutions No. 6 (1998) and No. 4 (1996) as long as the Emerald Network does not reach an adequate level of sufficiency for the species and habitats already considered in the Resolutions.

### PROPOSAL OF MECHANISM

To keep fostering the spirit of the Bern Convention which considers that biodiversity evolves and conservation action should adapt to the actual needs of nature, the mechanism proposes that the control and evolution of the lists of the species and habitats protected by the Emerald Network remains flexible and is conceived to enable Contracting Parties to adjust conservation priorities to their own context.

The process of update of the lists of features of European interest will not be locked but the proposal will favour inclusion in Resolutions No. 4 (1996) and No. 6 (1998) of country-specific features with a limited range in Contracting Parties.

The endemic character of the feature will therefore become a more important criterium in the analysis by the ETC/BD of the proposals of additions. The [information form](#) adopted by the Standing Committee to the Bern Convention in 2010 for the purposes of the proposals of additions already foresees the field “endemic”.

#### European Interest

**Please mark with "X" for which of the following criteria the species or habitat is proposed (as interpreted from the guideline 1 in the Bern Convention's Recommendation 56 (1997), and also indicated in subparagraphs of Article 1 g of the Habitats Directive)**

- Endangered*, except those species whose natural range is marginal in that territory and which are not endangered or vulnerable in the Western Palearctic Region
- Vulnerable*, i.e. believed likely to move into the endangered category in the near future if the causal factors continue operating
- Rare*, with small populations that are not at present endangered or vulnerable but at risk. The species is located within restricted geographical areas or are thinly scattered over a more extensive range
- Endemic** and requiring attention by reason of the specific nature of its habitat or the potential impact of its exploitation on its habitat or the potential impact of its conservation status

#### Remarks:

as described in Recommendation 56 (1997) account will be taken of the category of threat, the vulnerability of the species to changes in its habitat, its particular link with a threatened habitat, the trends and variations in population level and its vulnerability to a possible non sustainable use. Account will be taken of whether the species is declining in the central area of its distribution, or it is only threatened in the border of its range.

The mechanism proposed will consist of two phases of consultations over two consecutive years as displayed in the following flowchart:

Year N

By 1st July, Contracting Parties submit their proposals of additions to Resolutions No. 4 (1996) and No. 6 (1998) to the Secretariat of the Bern Convention.



The proposals of additions are assessed by the European Topic Centre on Biological Diversity (ETC/BD) ahead of the Group of Experts on Protected Areas and Ecological Networks. The analysis aims to assess 1. whether the features are not already present in the Resolutions and 2. whether the features are endemic in the Contracting Partie(s) introducing the proposal and if not in which other countries it occurs/may occur.



The proposals and their assessments are presented and discussed at the Group of Experts on Protected Areas and Ecological Networks.



No decision is made at this stage. Contracting Parties are invited to crosscheck with their national experts the outcomes of ETC/BD's analysis and confirm/deny the occurrence of the features on their territory.

Year N+1



By 1<sup>st</sup> July, Contracting Parties submit their aggregated comments resulting from the consultations with national experts to the Secretariat of the Bern Convention.



The comments are reviewed in liaison with the ETC/BD and shared with the Group of Experts on Protected Areas and Ecological Networks.



Only Contracting Parties in which the features occur or might occur express their views on the addition of the features to the Resolutions No. 4 (1996) and No. 6 (1998).



In the case the Group of Experts on Protected Areas and Ecological Networks agrees to amend the annexes to the Resolutions No. 4 (1996) and No. 6 (1998), the draft amended annexes are submitted to the Standing Committee to the Bern Convention for formal approval.

As the aim of the mechanism proposed is to enable Contracting Parties to focus their resources and efforts on reaching a full sufficiency of the Emerald Network for the species and habitats already listed in Resolutions No. 6 (1998) and No. 4 (1996), it is proposed to reassess the relevance and need of such a mechanism in 2025.