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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Outcome of the 40th meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) (online meeting, 30 November-4 December 2020) - Report by the Presidency and the Commission

Delegations will find in the Annex a report by the Presidency and the Commission on the outcome of the abovementioned meeting.

Outcome of the 40th Meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)

(online meeting, 30 November - 4 December 2020)

– Report by the Presidency and the Commission –

The 40th Standing Committee meeting of the Bern Convention was held online from 30 November until 4 December 2020. Despite some technical challenges, the online meeting was organized and executed very successfully.

Future financing of the Convention

The most important topic of this year's meeting was the future financing of the Bern Convention (T-PVS/Inf(2020)03). The Bern Convention is facing a difficult financial situation. The amount of voluntary contributions by Parties to the Convention is uncertain and the funds received by the Council of Europe's ordinary budget have undergone continuous reductions. To find a way to ensure sustainable financing of the Convention, two full proposals were put forward: one for amending the Convention and one for an Enlarged Partial Agreement. On the amendment option, the Standing Committee decided to postpone the decision on the possible amendment until next year. This reflects the position of the EU and its Member States, having opted to postpone the decision on an amendment, because there are still open questions that need to be clarified before such as decision can be taken (e. g. how the overall budget would be shared among the parties). With respect of the Enlarged Partial Agreement, the Standing Committee, with no objections, agreed to pursue this option. The next step is that a proposal will be submitted to the Committee of Ministers of the Council of Europe for its approval in the beginning of 2021. Afterwards, each Party may decide individually whether they accept the Enlarged Partial Agreement. The Standing Committee encouraged Parties to join this process and to ensure that their representatives in Strasbourg are aware of it. It is in the interest of the EU and its Member States to keep the text of the draft Enlarged Partial Agreement as agreed by the Standing Committee. Otherwise, there is the risk that another Council Decision next year will be required, which would lead to delays.

Vision and Strategic Plan for the Bern Convention

At the 39th Standing Committee meeting, a decision was taken to postpone the work on a vision and a strategic plan for the Bern Convention to 2030, awaiting the adoption of the post-2020 global biodiversity framework. Even though the CBD process was postponed, the Standing Committee now agreed to go ahead with the development of the Strategic Plan and mandated a working group with this task. It was agreed that after the post-2020 global biodiversity framework is adopted, the working group shall review, and if necessary revise, the proposed Bern vision and Strategic Plan, in order to ensure its coherence with the post-2020 global biodiversity framework.

Reporting

The Standing Committee also discussed the topic of reporting and welcomed the assessment of the reporting under Resolution No. 8 (2012) and encouraged Contracting Parties to reply to a questionnaire on their own experience of the reporting in 2021, noting that this had been the first reporting cycle (T-PVS/PA(2020)03). On the topic of biennial reports by Contracting Parties, which are EU Member States, a reminder point was presented regarding the Habides+ tool. The EU and its Member States appreciated the progress achieved in the streamlining of the reporting procedures under the Birds and Habitats Directives and the Bern Convention. Since 2019, the EU Member States reporting is done via the Habides+ tool, which serves for both the Birds and Habitats Directives and the Bern Convention at the same time and works well.

Invasive Alien Species

The Standing Committee was informed by the Secretariat that three studies (Guidance on communication and IAS, Guidance on e-commerce and IAS, Study on Alien Pathogens and Pathogens spread by IAS) had been expected to be finalised during 2020. However, due to delays resulting from the Covid-19 outbreak, the Bureau had decided to postpone the discussion and possible adoption of the three documents to 2021 in order to be able to give consultation time to Contracting Parties and the Group of Experts on IAS, as well as enhance the studies with pandemic-related content, where necessary.

The Committee examined and adopted, with a minor amendment, Recommendation No. 209 (2020) on the eradication of the Ruddy Duck in the Western Palaearctic by 2025 reiterating the overriding need for collective and coordinated actions in order to effectively address the problem for Europe as a whole.

Action Plan for Marine Turtles

The Standing Committee agreed to develop an action plan or guidance on marine turtles, also with a view to bring to a close a number of case files related to turtles, and to prevent future complaints. The measures to be taken shall be action- and results-oriented. Contracting Parties uniformly signalled support for an action plan. In addition, Monaco and Norway pledged financial support. The EU and its Member States stressed that any measures taken should build on and take into account existing conservation plans and efforts under other MEAs. The Chair invited those interested in participating in the development of the Action Plan or in its financing to contact the Secretariat.

Sturgeon

Following the adoption of the Pan-European Action Plan for Sturgeons (T-PVS/Inf(2018)6), the Standing Committee called on all Contracting Parties and especially the range countries to fully implement the measures included in the Pan-European Action Plan for Sturgeons, and to appoint a national Focal Point for the Action Plan if they had not already done so. Cross-border collaboration was urgently needed, as well as experience and best practice-sharing. It mandated the Bureau to support the Secretariat with the possible joint project with the European Commission DG Environment on the conservation of the sturgeon, to be launched in 2021. The Contracting Parties agreed that significant action is necessary to ensure the recovery of the sturgeon. Several Contracting Parties and the WWF reported on new national conservation efforts in some Eastern European countries and cautioned that the recovery of the sturgeon, even if successful, will take decades.

Emerald Network

The Committee adopted the updated list of candidate and adopted Emerald sites. A study - developed with the purpose to clarify the legal framework of the Emerald Network and compare its requirements with those of the EU Nature Directives - suggests the development of new interpretative resolutions and recommendations, which can clarify and possibly extend the current legal requirements for non-EU Parties with respect of Emerald sites' management and project/plans authorisations. The Committee decided that the study and its conclusions will be further consulted with the relevant group of experts under the Convention, before the Secretariat presents proposals to the same group in 2021 and subsequently to the Standing Committee the same year.

Case Files

The most time at the Standing Committee was dedicated to the discussion of the case files. Seven open files, four possible files, two complaints on stand-by and two follow-ups of previous complaints and Recommendations were discussed in total.

All opened files remain open. Case 2001/4 (Bulgaria: Motorway through the Kresna Gorge) and Case 1986/8 (Greece: Recommendation No. 9 (1987) on the protection of *Caretta caretta* in Laganas bay, Zakynthos) went to a vote on the question whether these files should be elevated from possible files to open files.

Regarding Kresna Gorge, nine Contracting Parties voted to open the file, while six Parties voted against it. Since a two-thirds majority of the votes cast is necessary in order to open a case-file, the proposal to open the file was rejected.

Regarding, Case 1986/8 on the conservation of turtles in Laganas Bay, Greece, 13 Parties voted in favour of opening a case-file, two voted against, with eight abstentions. Therefore, having achieved the two-thirds majority of votes cast as defined by the Rules of Procedure, the file was opened.

All other possible files remain in their status as possible files for review during the next Standing Committee meeting.

Programme of Activities and Budget

The Standing Committee adopted the revised Programme of Activities and budget for 2021 (T-PVS(2020)07), to be implemented subject to the availability of financial resources and to the pandemic situation; and encouraged Contracting Parties to express their interest to the Secretariat of hosting Group of Experts meetings, again subject to the feasibility of hosting physical meetings in 2021. Following the suggestion of the EU and its Member States, the Standing Committee instructed the Secretariat to evaluate the opportunity to hold, where possible and appropriate, the meetings planned for next year in an online-format. The savings should then go to other activities such as on-the-spot appraisals for identifying possible infringements of the Convention. Furthermore, the Standing Committee mandated the Secretariat to provide an assessment of the pros and cons of having a Standing Committee meeting every 2 years instead of annual meetings.

Bureau election

The Standing Committee elected Ms Jana Durkošová (Slovak Republic) as Chair; Ms Merike Linnamägi (Estonia) as Vice-Chair; Mr Jan Plesnik (Czech Republic) and Mr Carl Amirgulashvili (Georgia) as Bureau members. According to Rule 19 of the Rules of Procedure, the Standing Committee acknowledged the automatic election of the previous Chair, Mr Øystein Størkersen (Norway), as a Bureau member.

Next Standing Committee Meeting

The Standing Committee agreed to hold its 41st meeting on 30 November - 3 December 2021, in Strasbourg (dates and venue subject to the pandemic situation in 2021).