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#### INFORMATION NOTE

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From: General Secretariat of the Council

To: Delegations

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Subject: Outcome of the 41st meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) (Online meeting, 29 November - 3 December 2021)  
- Statements by the EU and its Member States

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Delegations will find in the Annex, for information, a compilation of statements delivered on behalf of the European Union and its Member States at the abovementioned meeting.

**Outcome of the 41<sup>st</sup> Meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)  
(Online meeting, 29 November - 3 December 2021)**

**- Statements by the EU and its Member States –**

**Agenda item 1: OPENING OF THE MEETING AND ADOPTION OF THE AGENDA**

Opening statement by Slovenia on behalf of the EU and its Member States to the Standing Committee of the Bern Convention

Chairwoman, Director, distinguished delegates, ladies and gentlemen,

On behalf of EU and its Member States, I would like to thank the Secretariat and the Bureau for their work in these difficult times and for organising this virtual Meeting of the Standing Committee of the Bern Convention.

The Bern Convention on the Conservation of European Wildlife and Natural Habitats is the only regional Convention in the world, focussing particularly on nature conservation. It is one of the first international agreement in this field and as many other treaties, agreements, programmes and projects appeared later on, the role of the Bern Convention changed, from operating as a single player to a partner at the global scene. As a partner, its major strength lies in its Pan-European scope and in providing the greatest intergovernmental platform for nature conservation standard setting and action in the region.

The Bern Convention is the only forum where the EU can co-operate with other countries in Europe on common ground and with common goals in nature conservation.

Within the Council of Europe, the host organisation of the Convention, recent policy priorities have taken a major green orientation. This new political orientation aiming at exploring the links between environment and human rights, should be a chance for the Bern Convention to re-emerge as the only Treaty within the Council of Europe effectively and concretely contributing to achieving a healthy environment in Europe. The role of ecosystem services and biodiversity for the full enjoyment of human rights is particularly well known today.

We underline that in developing different plans and strategies for the benefit of European biodiversity and in helping implement their prescribed concrete conservation actions, the Convention executes its mandate as per the Treaty text itself or the mandates it receives from its sole governing body – its Standing Committee.

Nevertheless, the Convention has suffered several and consecutive severe budget cuts, both in operational and human resources over the past 20 years, and the future is still financially unsecure. We encourage contracting parties to continue to fully engage in the discussions on the options explored and developed for ensuring a stable, fair and long-term budget for the Convention. Most importantly, we encourage all Contracting parties to support and eventually sign the EPA for the fund for the Bern Convention and in doing so, to demonstrate their interest and confidence in the added values of the Bern Convention.

As these processes require time, the Convention governing bodies and Secretariat continue to require additional voluntary contributions in order to function. We remind that these financial means are provided to the Bern Convention by its Parties on a voluntary basis specifically to enable the Convention to execute its numerous mandates and actions, as prescribed in its Programme of work and with the support of its Secretariat. We note with satisfaction that the rest of the Council of Europe organs and hierarchical structures share our understanding.

We consider the 2030 Vision and Strategic Plan to be a key element in shaping and ensuring a successful future for the Bern Convention. It will also serve to highlight the critical contribution of the Convention to the implementation of the future Global Biodiversity Framework.

**Agenda item 3: FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION**

**3.1 Financing of the Bern Convention**

The EU and its Member States highlight the importance of resolving the precarious financial situation faced by the Convention, and in finding fair and durable solutions.

The budget and scale of voluntary contributions is in the mandate of each Party to the Convention. The Member States and the European Commission will speak on their own behalf in relation to these aspects of this agenda item.

On instructing the Intersessional Working Group on Finances, in collaboration with the Secretariat, to follow up on the adoption by the GR-C of the Draft Resolution establishing the EPA and to pursue the elaboration of the draft amendment for its consideration by the 42nd Standing Committee:

The EU and its Member States support the proposed mandate of the Intersessional Working-Group on Finances and propose to include the above-mentioned points to its Terms of Reference. Furthermore, it is suggested to keep the work online as it has proved to be efficient.

**3.1.1 Enlarged Partial Agreement**

The EU and its Member States welcome the results of the work of the GR-C and the Intersessional Working Group on Finances. The EU and its Member States take note of the revised draft of the EPA and will continue to engage constructively in the discussions on this financial mechanism proposed for the Convention. Ensuring financial stability for the Convention and its work should be a priority for all Parties.

At the same time, the EU and its Member States are concerned about the limited number of Parties that have expressed their interest in joining the EPA and reiterate that the EPA would play a crucial role in ensuring financial stability of the Convention and its work. Some Contracting Parties continue to hesitate and are not ready to make a decision with respect of the EPA. For some Parties this is due to pending questions and clarification needs. Therefore, communication and clarification efforts on the aim and statutes of the EPA should continue throughout 2022. We propose that the Secretariat is requested, subject to the availability of resources, to develop a questions and answers document which could clarify as much as possible the foreseen operation of statutes and governance structure of the Agreement. The Secretariat, subject to the availability of resources, should also provide Parties with the opportunity to discuss with them any clarification need they have.

Eventually, the EU and its Member States call on all Parties to actively engage in discussions with their Permanent Representations before the Council of Europe, as well as with the Secretariat of the Convention for any pending question they would have. We also invite all Parties to consider expressing the interest in joining the EPA.

### **3.1.2 Amendment of the Bern Convention**

The EU and its Member States welcome the work of the Intersessional Working Group on Finances with respect of the amendment of the Bern Convention text to include compulsory financial contributions by CPs.

We note the necessity to further develop some of the provisions of the proposed draft text for Article 14 bis. We agree with the proposal that the Intersessional Working Group continues to work in 2022 and urge the Group to finalise the amendment proposal text and to submit it for possible adoption by the SC for its 42nd SC meeting.

Eventually, the EU and its Member States would like to underline that there are certain aspects of the procedure and rules applicable at the level of the CM of the CoE which remain unclear, as the Bern Convention will set a precedent by including financial provisions in its text. We request that a close cooperation with the Legal service of the CoE is established in order to clarify all remaining procedural aspects.

### **3.2 Vision and Strategic Plan for the Bern Convention for the period to 2030 and contribution to the post-2020 global biodiversity framework**

The EU and its Member States would like to thank the Secretariat for well-prepared meeting documents. We also warmly welcome the work done by the Group of Experts.

Regarding the draft Vision (document T-PVS(2021)14) we support the proposal as it is broad, covering all the mandates of the Bern convention and well-tuned to the relevant Multilateral Agreements and international strategic frames.

Regarding the draft of the Strategic Plan we welcome the work of the Group of Experts and the presented draft of the Strategic Plan (document T-PVS/Inf(2021)50). The Goals are set in the right direction; however, it makes sense that all Goals are adjusted with the outcomes of the Global Biodiversity Framework planned to be adopted in 2022, if the Global Biodiversity Framework will be more ambitious.

It should be taken in mind that the achievement of the last three goals (thematic approach) is conditioned firstly by the achievement of the fourth (cross-cutting approach).

Furthermore, additional work is still needed to more concretely distil the contribution and added value of the Convention in the draft Strategy. Emphasis and priority should be given to issues where Bern Convention has strengths regarding to its mandate (Pan-European level), having also in mind its human and financial capacities. In order to develop the Strategic Plan, costs, meetings, development of indicators etc. will be inevitable, but should be kept at a minimum.

The implementation mechanism could also be challenged, especially whether the implementation of the Vision can be most efficiently reached through the Strategic Plan or some other way. Under CITES, for example, a vision document is in place, but without a strategic plan. Accordingly, indicators should be developed at the same time as the goals and as an integral part of the Strategic Plan. As the goal 4 is already an indicator for the three other goals because of its cross-cutting approach, it should apply at all the targets of goals 1,2,3. Reporting should be linked to existing reporting formats and data sets in order to avoid additional unnecessary burden for both Parties and the Secretariat. While considering the EU Biodiversity Strategy for 2030 as a source of inspiration, the indicators and tracking tools that are currently being developed, namely the Catalogue of

Indicators, Biodiversity Targets Dashboard and Biodiversity Actions Tracker, should be taken into account.

Thus, EU and its Member States suggest to mandate the Working Group to continue its efforts in 2022 for the development of a Bern Convention Strategic Plan and propose to include the above-mentioned points to its mandate.

### **3.3 Rules of Procedure- Possible modifications**

The EU and its Member States thank the Secretariat of the Convention and the Bureau for preparing and tabling for discussion a proposal for amending the Rules of Procedure of the Standing Committee. We appreciate the need for integrating explicitly and formally the use of digital technologies, on-line meetings and on-line voting in the Rules of Procedures. We also note that the proposed amendments concern voting rules on the Bureau members' elections and the organisation of on the spot appraisals.

The EU and its Member States are not presently in a position to support the proposal. Given the extent of the proposed changes and the legal effect they will have, we consider that Contracting Parties should be given sufficient time to consider them and their implications. It would be advisable that the Secretariat accompanies the proposal for a change in the voting rules by a short assessment of its potential impact on the already overloaded case-file system. In addition, the EU and its Member States consider that further suggestions for amendments might also be relevant, in particular with respect on the deadlines for the submission of documents for adoption to the Committee. The EU and its Member States need time to complete internal EU procedures before being able to engage in formal negotiations and discussions of the proposals.

We therefore propose a motion to postpone a decision on the amendment of the Rules of Procedure to the 42nd Standing Committee and invite the Committee to mandate the Bureau and the Secretariat to develop a short assessment of the proposed voting rule changes on the case-file system. The final proposals for amendments to the Rules of Procedure should be submitted to Parties for consideration by the end of April 2022, before tabling it for adoption at the 42nd SC meeting.

**Agenda item 4: MONITORING OF THE IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION**

**4.1 Biennial reports 2017-2018 and 2019-2020 concerning exceptions made to Articles 4, 5, 6, 7 or 8**

The EU and its Member States take note of the biennial reports submitted by Contracting Parties.

We appreciate that the reporting procedures under the Birds and Habitats Directives and the Bern Convention is now fully streamlined. Since 2019, EU Member States reporting is done via the Habides+ tool, which serves for both legal frameworks.

We invite the Bern Convention Secretariat to contact the European Environment Agency for any issue they encounter with respect of the reception of automatic notifications every time a national EU Member States derogation report is submitted.

**Agenda item 5: MONITORING OF SPECIES AND HABITATS**

**5.1 Invasive Alien Species**

The EU and its Member States would like to thank the Secretariat for the very well prepared meeting documents. We warmly welcome the work done by the Group of Experts and support the proposals by the Group for its future areas of work.

It is unfortunate that the work on the draft Guidance on communication and IAS did not progress as the EU and its Member States find communication on IAS important for the prevention of the risks of IAS. We believe that such guidance, encompassing also the communication examples specific to IAS, would be beneficial.

We welcome the draft Guidance on e-commerce and IAS. The importance of e-commerce as mechanism for introduction of IAS has been well recognized and presented in the document. With ever increasing e-commerce global market a guidance, how we can approach to minimize its negative effect is very welcomed. We have suggestion for some smaller amendments of the text:



- On page 26 where summary of relevant provision of the EU legislation is introduced, we would suggest amendment of the text in the fourth paragraph. Instead of pointing Articles 31 and 32 to be the key points of the EU Regulation on the management of e-commerce pathway, we propose new wording: “Also of relevance to the trade of listed species through e-commerce are the provisions found in article 31 and 32 of the regulation which provide transitional measures (...)”. Because “the key points of the EU Regulation on the management of e-commerce pathway” are rather to be found in the restrictions under Article 7 (“shall not be placed on the market, used, exchanged...”).
- As it is referenced in the Guidance document in the EU invasive alien species are regulated also based on the EU legislation, therefore we would propose to delete word national in the first line of Guiding principle 2 on page 29.
- We propose to broaden the Guiding principle 5 and give stronger emphasis on the need to collaborate in monitoring of e-commerce with relevant international and regional organizations and neighbouring states and trade partners. The Guiding principle would read “Collaborate with relevant international and regional organizations as well as neighbouring states and trade partners to develop and carry-out monitoring of e-commerce of Invasive alien species at all scales.”

We also support the recommendation discussed at the Group of Experts meeting that the Secretariat submit this guidance document as an information document to the next meeting of the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) to the CBD, scheduled for January 2022 in Switzerland.

We have also examined the Draft Recommendation on e-commerce and IAS and are ready to adopt it, considering the before suggested amendments in Guiding principle 2 and 5. We suggest that in active paragraph 2 of the recommendation word national is removed and Guiding principle 5 broadened.

The EU and its Member States are recognizing the growing threat to biodiversity by emerging infectious diseases caused by alien pathogens and parasites, as well as by invasive alien species that may act as vectors or hosts of pathogens and parasites. Therefore, we are looking forward towards envisaged updates of the Study on Alien Pathogens and Pathogens spread by IAS. We also support a suggestion for a joint meeting with the Bern Convention Groups of Experts on IAS, the conservation of bird and amphibians and reptiles proposed by the Group of Experts on Invasive Alien Species.

In relation to position paper on non-native species and climate change we note the progress. We propose that the Group of Experts on IAS continue with its work virtually in 2022 in consultation with other relevant Groups of Experts to further elaborate the document.

## **5.2 Conservation of Birds: eradication of illegal killing, trapping and trade of wild birds**

The EU and its Member States take note of the second draft of the second assessment of the Scoreboard reporting and acknowledge the countries that have participated in the assessment.

The scoreboard can serve as a useful tool to report on progress in addressing the IKB issues and to detect the areas where more efforts are still needed. The EU and its Member States express concern that, despite some improvement in all groups of indicators, the situation with IKB has not significantly changed since 2018 and urge parties to increase efforts, especially in improving information and awareness raising among judges and prosecutors, as well as increasing enforcement of regulations against Illegal Killing and Taking of Birds.

The EU and its Member States support the proposal to streamline periodic assessments of IKB by completing the scoreboard with comments, to also fit the reporting needs of the Rome Strategic Plan. We welcome the proposal to hold “in person” joint meetings every three years, except in 2022. We thank the Government of Spain for proposing to host the next meeting in Spain in 2022.

The EU and its Member States support the two documents providing guidance for countries on National Action Plans and setting the baseline and methodology for assessing progress towards the Rome Strategic Plan.

### 5.3 Amphibians and Reptiles

The EU and its Member States welcome the outcomes of the 10th meeting of the Group of Experts on the conservation of amphibians and reptiles, which took place on 28th September 2021, and take note of the recommendations of the Group regarding further implementation of recommendation No. 176 (2015) and future work of the Group. We also welcome the collaboration with the Group of Experts on Invasive Alien Species and call for the Group to also consider working on the impact of the current and expected climatic changes on herpetofauna distribution and sustainability.

85% of amphibian species in the EU are covered by the EU Habitats Directive, making amphibians the best-represented species groups in the Directive's Annexes. Unfortunately, the most recent EU State of Nature report (2020) indicates that 50% of all biogeographical-level conservation status assessment of amphibian species are currently showing a deteriorating trend. Together with fish, these hold the highest levels of decline amongst species groups covered by the Directive.

We are also concerned by the recent detection of mass mortalities of amphibian triggered by several fungal diseases of non-native origin, which, as recent research has shown, have been introduced into the EU through the global trade of amphibians as pet species.

Following the description of the fungal pathogen *Batrachochytrium salamandrivorans* (Bsal), with the help of funding from a European Parliament budget for Pilot projects, the European Commission granted a contract to a consortium of scientific organisations and NGOs under the leadership of the University of Ghent (Belgium). The main objectives of this contract were to (1) delineate the current range of Bsal within the EU, (2) establish an Early Warning system (EWS) to allow rapid detection of novel Bsal outbreaks, (3) to develop a Bsal Action Plan for the short term and (4) to provide proof of concept for sustainable long term mitigation measures.

The findings of this contract underline the need for additional coordinated action at European level to mitigate the impacts of this highly infectious exotic fungal disease on native salamanders and newts.

#### **5.4. Guidance tool for the Conservation of Marine Turtles**

The EU and its Member States thank the Bureau of the Bern Convention for initiating the development of a guidance tool for the conservation of marine turtles and for supporting Contracting parties in finding a solution to the pending marine turtle cases. The EU and its Member States welcome the progress achieved so far and thank all members of the working group for their commitment and efforts.

The EU and its Member States regret not having the opportunity to examine the Report of the first meeting of the ad hoc working group, as it was not made available in due time prior to the meeting of the Standing Committee.

We however appreciate the importance of this initiative. Marine turtles are in a critical situation, with decreasing trends and threats in many Mediterranean nesting sites are the subject of several complaints within the case-file system of the Bern Convention. Such an initiative not only will support marine turtle conservation, but it will also assist Contracting Parties in finding a solution to the pending marine turtle cases and preventing future complaints.

Finally, EU and its Member States call on CPs to provide extra voluntary contribution to support this initiative.

#### **5.5 Pan-European Action Plan for Sturgeons**

The EU and its Member States express their strong regret over the fact that the Bern Convention Secretariat has been unable to conclude the grant agreement with DG ENV due to lack of support within the Council of Europe. The EU and its Member States stress that the supporting conservation action for threatened migratory species, especially those whose recovery strongly depends on coordinated efforts at pan-European level is fully within the mandate of the Convention and is one of its main tasks.

The European Commission is currently exploring options for redirecting the available funding towards support for concrete actions foreseen in the AP. This will most possibly happen through a dedicated call for tender to be published in 2022.

The EU and its Member States call on all range countries to appoint a national Focal Point for the Pan-European Action Plan for Sturgeons and agree with the proposal by the Secretariat that a meeting of the Focal Points takes place in 2022 to review progress in the implementation of the AP.

## **5.6 Eradication of the Ruddy Duck**

The EU and its Member States take note of the report of the expert meeting and the information presented as well as of the outcomes of the progress review of the implementation of the Action Plan for the eradication of the Ruddy Duck in the Western Palaearctic 2021-2025.

Whilst the implementation has improved the EU and its Member States continue to stress the need for collective and coordinated action for implementation of the Action Plan, especially in countries that had or still have significant breeding populations, to effectively address the problem for Europe as a whole.

## **5.7 Review of the Plant Conservation Strategy**

The EU and its Member States welcome the final version of the Review of the European Plant Strategy, which brings the Strategy in line with the current state of knowledge.

Whereas only a limited share of European plant species are directly covered by the annexes of the EU Habitats Directive, it is important to keep in mind that an important focus of the Directive is on the protection of the natural habitats that are the basis for the conservation of these species. Protecting Europe's natural habitats through the EU-wide network of Natura 2000 sites is therefore making a significant contribution to the conservation of Europe's plant species.

The EU Biodiversity Strategy for 2030 acknowledges that, based on our knowledge on the current state of Europe's biodiversity outlined in the EU State of Nature report of 2020, more important efforts are required for biodiversity conservation, both in terms of increasing the area coverage of protected sites and the effectiveness of their management, and in terms of stepping up restoration efforts. This is reflected in the Strategy through the objectives and targets for a Trans-European Nature Network and an EU Nature restoration plan.

A specific target in the strategy is dedicated to the improvement of the conservation status of protected species and habitats. By the end of 2022, all EU Member States are expected to submit pledges for action that should lead to a measurable improvement in the conservation of at least 30% of all species and habitats not currently in favourable conservation status, and the absence of deterioration in all the remaining ones. This target is also applicable to plant species listed in the Directives.

## **5.8 Conservation of Habitats**

### **5.8.1 Emerald Network of Areas of Special Conservation Interest**

The EU and its Member States welcome the work of the Group of Experts on Protected Areas and Ecological Networks. We thank the Contracting Parties, Observer States, other members of the Group, consultants and the Secretariat for their efforts to, advise on, support and monitor the progress in the Emerald Network setting-up and implementation.

The EU and its Member States will provide their position on each of the individual sub-items concerning the Network.

The EU and its Member States thank the Group of Experts on Protected Areas and Ecological Networks and the Secretariat for further considering the recommendations stemming from the comparative legal study on the obligations of Contracting Parties towards the Emerald Network and those of EU countries stemming from the Nature Directives and the case law of the Court of justice of the EU.

We further thank the legal expert Mr Arie Trowborst for providing a discussion paper.

In line with their position at the 40th SC meeting, the EU and its Member States continue to consider that a full alignment of obligations of EU and non-EU countries will bring clarity for non-EU member states and enhance implementation of obligations. The results of the second and more detailed consultation are not fully conclusive and somehow reflect the understanding that the options on the table are not mutually exclusive and can be combined.

The EU and its Member States propose that the Standing Committee mandates the Secretariat to initiate the development of proposals which target the necessary consolidation, but also clarification and extension of the Emerald Network requirements in 2022. Content wise, the focus of this work should be the results to be achieved under Article 4 of the Bern Convention, the Emerald site' protection status and management measures and the requirements for assessing and authorising projects potentially affecting candidate and adopted Emerald sites. The result of this work should be presented for discussion at the 13th meeting of the Group of Experts on Protected Areas and Ecological Networks and submitted to the Standing Committee for consideration at its 42nd meeting.

The EU and its Member States welcome the creation of the Emerald Barometer. The Barometer would be an excellent tool for monitoring progress in the implementation of the Emerald Network by Contracting Parties. Its use for awareness raising and communication purposes should also be considered by the Secretariat and the Group of Experts.

The EU and its Member States welcome the launch of the IPA project aimed at facilitating the update of the Emerald Network databases in the Western Balkans. We note the strong potential of the project to assist EU candidate and accession countries in their efforts in achieving progress in their negotiations or preparations for negotiations under Chapter 27. We urge the targeted countries to engage in the project, implemented by the Environment Agency of Austria. We look forward to the outcomes of the project.

The EU and its Member States thank the European Environment Agency and the European Commission for their continuous commitment to support the Bern Convention and non EU CPs in the Emerald Network establishment.

The EU and its Member States support the adoption of the updated lists of officially nominated candidate Emerald sites and officially adopted Emerald sites.

We appreciate the progress in the setting-up of the Emerald Network and in particular the hard work and excellent results achieved by Ukraine which has updated its Emerald Network database with additional 161 sites. We further welcome the achievements of Belarus, which has identified 15 new Emerald Network sites and by Liechtenstein which proposed 2 Emerald Network sites. We also support the transfer of UK's remaining former Natura 2000 sites under the Emerald Network.

The EU and its Member States noted that Iceland has announced its intention to propose 5 Emerald Network sites and suggest that the Standing Committee urges the country to concretise its intentions as soon as possible.

## **5.9 Reporting under Resolution No. 8 (2012) on the conservation status of species and habitats**

The EU and its Member States would like to thank the expert for dedicated work that is reflected in this excellent report (document T-PVS/PA(2021)04) and as well to the Secretariat for well-prepared meeting documents.

We welcome the efforts of the non-EU countries in reporting according to the Art. 8 of the Bern Convention, especially those that actively participated in the survey and despite data deficiency, low capacity and financial constraints.

Through the Emerald network the Bern Convention is contributing to the important EU Biodiversity Strategy goal: Establishing a larger EU-wide network of protected areas on land and at sea. The Bern Convention is the only intergovernmental platform that can steer the establishment and management of Pan-European ecological network beyond EU Natura 2000.

Collecting relevant conservation data information is important not only for international reporting but in the first place for nature sound decision making at national level as well as shaping adequate and efficient management measures.

In this line we support the establishment of the Ad hoc Working Group on Reporting entrusted with following up on the findings of the survey, addressing technical challenges and proposing a future reporting scheme in order to assist countries that need technical support.

Terms of reference should include the recognition of benefits of adequate data collection.

We welcome the creation of national summary dashboards, presuming that they will be generated in a way compatible with the EU reporting data and request no additional data.



## **Agenda item 6:           SPECIFIC SITES AND POPULATIONS**

### **6.1 Case-file system reflection and possible improvements**

The EU and its Member States thank the Secretariat of the Convention and the Bureau for preparing and tabling for discussion a proposal for a Guide of procedures for the case-file system and an explanatory Memorandum presenting the main challenges facing the system and possible solutions.

The EU and its Member States are not in a position to support the adoption of the Guide of Procedures at this point in time, nor the endorsement of the Memorandum. Contracting Parties should be given sufficient time to consider the documents proposed and their possible implications. The EU and its Member States need time to complete internal EU procedures before being able to engage in formal discussions and negotiations on the Guide of Procedures. In addition, the EU and its Member States would have requests for clarification on certain elements of the guide, on the rules and future solutions it includes, but also on the choice of the instrument itself.

The EU and its Member States propose a motion to postpone a decision on the draft Guide of procedures for the case-file system to the 42nd Standing Committee. We propose that, in the first quarter of 2022, the Secretariat collects questions and remarks from CPs on the draft Guide for procedures and further reviews both documents. The final draft versions of the Guide of procedures and accompanying Memorandum should be made available to all Parties at the latest by end May 2022, ahead of a possible submission for adoption at the 42nd SC meeting. These versions should be accompanied by a proposal for the responsible body to take forward and implement the possible changes to the case file system process, either the Bureau, the Secretariat or a dedicated working group.

## **Agenda item 9:           DRAFT PROGRAMME OF ACTIVITIES AND BUDGET FOR 2022-2023**

The EU and its Member States welcome the Draft Programme of Activities and budget for 2022-2023 prepared by the Secretariat.

As per the legal text of the Treaty, the Standing Committee is the main governing body of the Convention and decides on its work priorities. The Standing Committee develops, discusses and adopts the biennial Programme of Work of the Convention and subsequently mandates and gives instructions to the Secretariat to implement it. The Bureau to the Convention monitors the implementation and further guides the Secretariat work in the intersessional period. The Standing Committee expresses its concern over interferences with its prerogatives and their consequences on the functioning of the Convention.

Last but not least, the Standing Committee reminds that developing concrete Species Action Plans, Strategies, tools for protecting the habitats of species and other policy documents for the benefit of European biodiversity and most importantly implementing them, is fully within the mandate of the Convention and its main mission.

Based on the discussion under item 6.1 (Case-file system reflection and possible improvements) the EU and its Member States suggest adopting the budget breakdown for 2022-2023 with the deletion of budget lines “compendium of good practices (case-file study)”.

With regard to the Draft Calendar of meetings for 2022, the EU and its Member States would like to point out that meetings of the Intersessional Working Group on Finances and the Working Group on developing a Strategic Plan are not included. Since both groups have worked efficiently online, the EU and its Member States propose to continue this practice. Furthermore, we encourage the Secretariat to examine whether additional meetings could be held on-line without affecting the expected outcomes.

On the information presented about the lessons learned from the pandemic and on the pros and cons of holding Standing Committee meetings only every two years:

The Member States and the European Commission will speak on their own behalf in relation to these aspects of this agenda item and possible follow up.

Contracting Parties should be given sufficient time to consider the information presented to decide on a possible follow-up. Therefore, the EU and its Member States propose delivering a written information in a form of a meeting document at least one month before the opening of the meeting concerned when decisions are expected to be taken.

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