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#### INFORMATION NOTE

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From: General Secretariat of the Council  
To: Delegations  
Subject: Outcome of the 38th meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) (Strasbourg, 27-30 November 2018)  
- Report by the Presidency and the Commission

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Delegations will find in the Annex a report by the Presidency and the Commission on the above subject.

**Outcome of the 38th meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)  
(Strasbourg, 27-30 November 2018)**

**- Report by the Presidency and the Commission -**

The 38th meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) took place between 27 and 30 November 2018, in Strasbourg, France.

The meeting was attended by about 100 participants, including 35 Parties, many non-Parties and non-Governmental organisations.

23 EU Member States participated (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Luxembourg, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, United Kingdom), as well as the European Commission.

The Standing Committee noted with great concern the serious constraints of financing the Convention, which is due to reduced voluntary contributions by Parties and constant decreases in the allocation from the Council of Europe's ordinary budget, with further cuts expected over the next three years.

The Standing Committee decided, as immediate measures, to instruct the Secretariat to seek further savings, to change the modus operandi of thematic Groups of Experts, and to prioritise the continued funding of the Emerald Network and the case-files system. It further decided, with the aim of ensuring a stable, sufficient, predictable, long-lasting and fair future financial mechanism of the Convention, to instruct the Secretariat, in collaboration with an inter-sessional working group, to develop a Resolution for the 39th Standing Committee on the financing of the Convention with a scale of a financial contribution by the Contracting Parties based on a minimum and a maximum level, and to clarify various future financing options.

In light of the current situation and of the prompt readiness of some Parties to increase their voluntary contributions, the Standing Committee called upon all Contracting Parties to review their past contributions with the aim to secure the future joint work of the Convention.

The Standing Committee adopted the Programme of Activities and budget for 2019, to be implemented in accordance with the above decision on financing.

The year 2019 will mark the 40th anniversary of the signature of the Bern Convention. Proposed celebratory events and activities will depend on available financial resources.

For the future derogation reports under Article 9 of the Convention, from 2019 onwards, Contracting Parties being EU Member States can submit one and single report for both EU Nature Directives and Bern Convention derogation/exceptions purposes through the Habides + reporting tool.

A proposal from Switzerland to amend the Convention's Appendices by moving the wolf (*Canis lupus*) from Appendix II to Appendix III of the Bern Convention was not put to a vote, as the Chair noted that many Parties were not ready to take a position. Switzerland then announced that they wished to return to the proposed amendment at a future meeting, once relevant reports under both the Bern Convention and the EU Habitats Directive (Art. 17) are finalised and analysed.

A similar proposal from Norway to amend the Convention's Appendices by moving the Barnacle Goose (*Branta leucopsis*) from Appendix II to Appendix III was also not put to a vote for the same reason. The delegate of Norway informed that the country will revert to the proposal again at an upcoming Standing Committee meeting.

In terms of the monitoring of species and habitats, the Standing Committee recognised the efforts of all Parties working towards the eradication of the ruddy duck in the Western Palearctic. A recently launched LIFE project on the issue in France could bring the Bern Convention Action Plan to its completion.

The Select Group of Experts on Invasive Alien Species (IAS) is currently developing two guidance documents on e-commerce and IAS and on communication and IAS.

An analysis of the needs and opportunities for future work of the Bern Convention on managing protected areas from a climate change perspective has led to the conclusion that in 2019 a joint meeting of the Groups of Experts on Climate Change and on Protected Areas and Ecological Networks, to be hosted by Norway, shall strengthen climate change adaptive management of protected areas.

The Standing Committee adopted Recommendation No. 198 (2018) on the use of artificial feeding as a management tool of large carnivore populations and their prey, with a particular emphasis on the brown bear.

For the important vision of eradicating the illegal killing, trapping and trade of wild birds, the Standing Committee decided that the second draft "Concept Note on the post-2020 strategic priorities of the Bern Convention" on this topic will remain open for comments and that a final version should be decided at the 39th Standing Committee meeting in 2019.

For the Europe-wide conservation of the sturgeon, the Standing Committee adopted Recommendation No. 199 (2018) and the related Pan-European Action Plan for sturgeons.

As regards the Emerald Network, the Standing Committee welcomed the positive evolvement of the network sufficiency and urged Parties lagging behind to step up their efforts in order to achieve the objectives of the revised Emerald Network calendar 2011-2020.

Annex 1 to Resolution No. 4 (1996) was revised to accommodate four new habitats: C3.2 Water fringing reedbeds and tall helophytes other than canes; G1.41 Al-nus Swamp Woods not on acid peat; G3.4G *Pinus sylvestris* forest on chalk in the steppe zone; X36 Depressions (pody) of the Steppe zone.

In order to encourage Parties to further identify marine protected areas under the Emerald Network, set appropriate tools for their evaluation and to enable reporting on marine species and habitats, as required by Resolution No. 8 (2012), the Standing Committee adopted the proposed delineation of marine regions, based on the marine regions agreed upon by EU Member States within the Marine Strategy Framework Directive (MSFD). Its purpose is limited to the evaluation of the sufficiency of marine sites within the framework of the Emerald Network and to the reporting on the conservation status of marine species and marine habitats under Resolution No. 8 (2012).

The Standing Committee formally adopted 36 new Emerald Network sites for Georgia and 52 sites in the Republic of Moldova, who also nominated 8 candidate Emerald sites.

The Standing Committee took note of the completed new guidance on detecting, assessing, reporting and responding to changes and likely changes in the ecological character of Emerald Network sites. Ukraine is volunteering to pilot the guidance on an existing complaint related to an Emerald Network site.

As regards the European Diploma for Protected Areas, a new dashboard is bringing together the annual reports, the on-the-spot appraisal reports and the Resolutions of the Diploma holding areas in order to ensure transparency and visibility and facilitate the monitoring processes.

The Standing Committee took note of the progress in the development of the Protection Strategy for old growth forest in Europe by the Wild Europe Initiative and encouraged Parties to be proactive in the protection of these threatened ecosystems.

For the Reporting under Resolution No. 8 (2012), the Standing Committee took note of the delays in the delivery of the reporting tool until the end of March 2019. It encouraged Contracting Parties being EU Member States to volunteer for mentoring non-EU Contracting Parties which will face their first reporting exercise in 2019.

The Standing Committee also handled specific case files and complaints with the following result:

Files still kept open:

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

Maintained possible files:

- Bulgaria: Motorway through the Kresna Gorge (2001/4)
- Norway: Lack of legal protection for Northern goshawk and birds of prey (2017/01)
- Montenegro: Development of a commercial project in Skadar Lake National Park and candidate Emerald site (2016/4). Recommendation 201 was adopted.

New open case file:

- Albania: Presumed negative impact of hydro-power plant development on the Vjosa river (2016/5). Recommendation 202 was adopted.

The Bern Convention Secretariat continued its cooperation with other MEAs, namely the Ramsar Convention, the CMS and UNEP/AEWA, as well as with the European Commission, the EEA and its ETC/BD. This extends also to various international NGOs and organisations, such as WWF, BirdLife International and IUCN.

Lastly, the Standing Committee elected Ms Jana Durkošová (Slovak Republic) as its Chair, Ms Merike Linnamägi (Estonia) as Vice-Chair, and Mr Jan Plesník (Czech Republic) and Mr Peter Skoberne (Slovenia) as Bureau members. It acknowledged the automatic election of the previous Chair, Mr Øystein Størkersen (Norway), as a Bureau member.

The 39th Standing Committee meeting will be held on 3-6 December 2019 in Strasbourg.

