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INFORMATION NOTE

From: General Secretariat of the Council
To: Delegations
Subject: 37th meeting of the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) (Strasbourg, 5-8 December 2017)
- Statements by the EU and its Member States

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.

**37th meeting of the Standing Committee of the Convention on
the Conservation of European Wildlife and Natural Habitats (Bern Convention)
(Strasbourg, 5-8 December 2017)**

- Statements by the EU and its Member States -

Agenda item 2: Chairman's report and communications from Delegations and from the Secretariat

Since this is the first time the European Union and its Member States take the floor at the 37th meeting of the Standing Committee of the Bern Convention, we wish to reiterate the importance the EU and its Member States attach to this Convention, the implementation of which in the EU is through the Birds and the Habitats Directives. We highly appreciate the work of the Standing Committee in providing guidance and support to the successful implementation of the Convention by its Contracting Parties, in cooperation with a wide range of stakeholders.

The EU and its Member States would like to thank the Chairman of the Standing Committee and the Secretariat of the Bern Convention for their reports as well as for their work done during 2017 along with many groups of experts and other institutions. A lot of very topical biodiversity issues have been tackled and progress achieved.

Agenda item 3: Monitoring of the Implementation of the Legal Aspects of the Convention

**3.3: Proposal for amendment of the Convention: Proposal for listing the
Balkan lynx (*Lynx lynx balkanicus*) in the Appendix II of the Bern
Convention**

The EU and its Member States welcomes the scientifically well-justified proposal made by the Republic of Albania to list the Critically Endangered Balkan lynx, *Lynx lynx balkanicus* in Appendix II of the Convention. We have worked hard to put in place a Council Decision. As mandated by the Council Decision, the EU and its Member States fully support the inclusion of this subspecies in Appendix II and will work with other contracting parties to improve the conservation status of the Balkan lynx.

3.4: Gender mainstreaming and the Bern Convention

Equality between women and men is one of the Union's founding values. It goes back to 1957 when the principle of equal pay for equal work became part of the Treaty of Rome. The Strategic engagement for gender equality 2016-2019 was published in December 2015, and is a follow-up and prolongation of the Commission Strategy for equality between women and men 2010-2015. A gender equality perspective will be integrated into all EU policies as well as into EU funding programmes. The Strategic engagement also supports the implementation of the gender equality dimension in the Europe 2020 Strategy.

Agenda item 4: Monitoring of Species and Habitats

4.1: Biodiversity and Climate Change

The EU and its Member States welcome the work of the Restricted Group of Experts on Biodiversity and Climate Change and its report and its draft mandate which proposes to make the link to the DRR 'Disaster risk reduction' community, which is well in line to what happens at the CBD level. At the European level the Bern Convention and the EUR-OPA Major Hazards Agreement are the right partners to work hand-in-hand to make this strong synergy between the two policy and response areas.

The EU and its Member States stand ready to be engaged in this work. However, on the proposal for reporting on implementation, we would encourage the Group of Experts to review opportunities for streamlining with other international reporting frameworks and for making best use of existing domestic reporting frameworks in the EU and its Member States.

The EU and its Member States support these Recommendation with some proposed amendments:

- In bullet point “a”, we propose to start the word “recommendation” with lowercase “r”;
- In bullet point “b”, we propose to add in the end of the sentence the wording “as well as ways to simplify and streamline reporting activity”. The new sentence reads: "Review the existing reporting and monitoring tools of the Convention to assess progress by Parties, as well as ways to simplify and streamline reporting activity."

4.2. Invasive Alien Species

a.: Report of the Expert Meeting on the implementation of the Action Plan for the eradication of ruddy duck in Europe

The EU and its Member States welcome the meeting report and the actions taken to save the endangered white-headed duck. We emphasize that the ruddy duck is now on the list of IAS of Union concern of EU Regulation 1143/2014 on Invasive Alien Species, so it is illegal to breed, transport and release ruddy duck in all EU Member States. With efficient implementation of the regulation, the EU and its Member States will help to implement recommendation No. 185 (2016) on the eradication of the ruddy duck (*Oxyura jamaicensis*) in the Western Palearctic by 2020. Noting the excellent efforts of the UK to reduce its Ruddy duck population from 6,000 birds to around 20, eradication has been shown to be feasible and all the concerned Bern Convention Contracting Parties should step up their efforts. Delaying eradication and uncontrolled new introductions just multiplies the management effort and costs down the years and there is always a risk of populations getting out of control.

b.: Report of the Group of Experts on Invasive Alien Species and its back-to-back Seminar on the eradication of IAS in small European islands

The EU and its Member States welcome the meeting report and the excellent meeting prepared by the Bern Convention. The meeting and associated Workshop on Experiences on Control and Eradication of Invasive Alien Species on Islands focused on the effective management options on the most vulnerable places in Europe - the islands. We welcome the excellent work done during the meeting and the draft recommendations prepared.

c.: Draft recommendation of the European Code of Conduct on Invasive Alien Trees

The EU and its Member States support the draft recommendation as invasive alien species are recognised as one of the main drivers of biodiversity loss and therefore it appears crucial to combat the negative effects invasive alien species. We have taken commitments to tackle invasive alien species setting the target 5 of the EU Biodiversity Strategy to 2020 and also as the Convention of Biological Diversity Aichi Target 9. We therefore strongly support the precautionary principle highlighted in the draft code of conduct and the need of tackling the emerging invasive alien species. Despite 3-4 years of constant changes, the principles remain intact so this is still a useful document which can be used on a voluntary basis. A lot of effort has been done to streamline the terminology. The CBD terms are followed, so no conflict with IAS Regulation. However, there are a some editorial amendments to the Code of Conduct proposed which clarify some aspects of the EU IAS Regulation and stress that not all alien trees are invasive.

d.: Draft recommendation on the European Code of Conduct on International Travel and IAS

The EU and its Member States highly appreciate the important and pioneering work of the Bern Convention on Invasive Alien Species and support the draft resolution on the Code of Conduct on International Travel and IAS. This is an important issue since the amount of tourists crossing international borders every year is increasing and the opportunities for them to serve as vectors for IAS is profound and increasing. We therefore support the recommendation with some amendments and we have two small amendments proposed to the main text of the Code of Conduct.

- We propose to replace paragraph 1 of the Draft Recommendation to new text which reads “Promote the principles of the European Code of Conduct to the actors involved in the travel and tourism sector”.
- We also propose to use in paragraph 2 the word “species” instead of “trees”
The new sentence reads: "Collaborate as appropriate with the actors involved in international travel and trade in implementing and helping disseminate good practice aimed at preventing and managing of introduction, release and spread of invasive alien species."
- We have also two small changes to the page 19 of the code of conduct:
 - We propose to use in the second bullet point the wording “as far as” instead of “all”,
The new sentence reads: "Identify and establish appropriate measures to ensure that as far as possible goods, luggage, boxes, bags, clothes or any other items to be transported are free of alien species. Inspections of travellers and tourist luggage and equipment (e.g. on muddy boots or palm frond hats), should always be considered particularly before visiting “sensitive sites”.
 - We propose to use in the fifth bullet point the wording “as far as” instead of “accurate”
The new sentence reads: "Establish appropriate measures to refrain from transporting any construction material, such as timber, rocks, or sand to “sensitive sites” without prior as far as possible check of the presence of alien species as contaminant or stowaway."

e.: Draft Recommendation on the control and eradication of IAS in islands

The EU and its Member States recognise the critical importance of combating the negative effects of invasive alien species. We have taken commitments to tackle invasive species when adopting the EU Regulation No. 1143/2014 and also when setting the target 5 of the EU Biodiversity Strategy for 2020 and the CBD Aichi target 9. We therefore strongly support the proposed recommendation on the control and eradication of IAS in islands, with minor amendments to the operational paragraphs 4 and 7.

- On recommendation para 4 we would rephrase the beginning of the sentence by adding words “Examine and where appropriate”. The new sentence reads: "Examine and where appropriate remove legal barriers that may hinder control of invasive alien animals from islands,"
- On recommendation number 7 we would add after the word “technology” words “on mutually agreed terms”. The new sentence reads: "Co-operate with other States, as appropriate, including transfer of technology on mutually agreed terms or expertise, financially or otherwise in control and eradication programmes in islands."

4.3: Conservation of Birds

1: Group of Experts on the Conservation of Birds

a.: Report of the 6th meeting of the Group of Experts on the Conservation of Wild Birds

The EU and its Member State welcome the important contribution of the Bern Convention to the fight against illegal killing of birds, and encourage all Parties and other stakeholders to continue this commitment by building on the work already carried out in the Mediterranean by the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT), established pursuant to CMS Resolution 11,16. of 2014.

As recently decided at CMS COP 12 in October, the EU and its Member States envisage the Scoreboard developed by MIKT being used as a voluntary self-assessment tool by Parties to measure their progress of eradication of in addressing the illegal killing, taking and trade of wild birds. The EU and its Member States support the Recommendation with changes to bring the Bern Convention recommendation closer in line with the CMS COP 12 Resolution and Decisions.

2: Eradication of illegal killing, trapping and trade of wild birds

a.: Report of the Joint Meeting of the Bern Convention Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT)

The EU and its Member States welcome the work of the Joint Meeting of the Bern Convention Network of Special Focal Points on Eradication of Illegal Killing, Trapping and Trade in Wild Birds (Bern SFPs Network) and the CMS Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT) and their report.

Especially, we would like to thank Malta for their warm hospitality and the excellent preparation of the Joint Meeting of Bern SFPs Network/CMS MIKT, which took place on 22-23 June 2017 in Silema, and for their initiative and contribution to the preparation of the Scoreboard for measuring progress at national level in combatting illegal killing of birds.

The EU and its Member States stand ready to be engaged in this work.

b.: Draft Recommendation on the establishment of a Scoreboard for measuring progress in combating illegal killing, taking and trade of wild birds

The EU and its Member State welcome the important contribution of the Bern Convention to the fight against illegal killing of birds, and encourage all Parties and other stakeholders to continue this commitment by building on the work already carried out in the Mediterranean by the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT), established pursuant to CMS Resolution 11,16. of 2014.

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4.4: Amphibians and reptiles

a.: Report of the meeting of the 9th Group of Experts on the Conservation of Amphibians and Reptiles (including Marine Turtles)

The EU and its Member States acknowledge the work done by the Expert Group and welcomes the report of its 9th meeting. We note the urgent need for using more effective protection and conservation measures to secure the persistence of European herpetofauna. This should include effective habitat protection and degraded habitats restoration, halting of disease, rising public awareness and promoting international cooperation. Moreover, the EU and its Member States strongly support the proposal to create a subgroup on pathogens.

b.: Draft Recommendation on biosafety measures for the prevention of the spread of amphibian and reptile species diseases

The EU and its Member States recognize the urgent need for biosafety measures preventing the spread of infectious disease of amphibians and reptiles. Thus, EU and its Member States support the draft recommendation with some amendments.

4.5: Conservation of other threatened Species

a.: Workshop on the revisions of the Strategy for the Leopard Conservation in the Caucasus and coordinating the Monitoring of Leopard and Prey Species in the Ecoregion

The EU and its Member States welcome the work of the WWF/Council of Europe Workshop and its results as the long term survival of the leopard is essential to the health of the ecosystems. We recognize the importance of the revised strategy 2017 and the objectives therein.

b.: Status of implementation of the Action Plan for the conservation of Sturgeons (*Acipenseridae*) in the Danube River Basin

The EU and its Member States acknowledge the work done by the Danube Sturgeon Task Force. Considering that these migratory species are on the brink of extinction the EU and its Member States note the need for implementation of recommendations to prevent their disappearance.

4.6: Habitats

1: Protected Areas and Ecological Networks

c.: Draft format on reporting under Resolution No. 8 (2012)

The EU and its Member States take note of the legal analysis of the Emerald Network reporting requirements as a background information paper. We welcome the draft reporting format for the period 2013-2018 and very much support the harmonised approach proposed in these documents with reporting under the EU Nature Directives. We also support the conclusions of the Ad Hoc Restricted Group of Experts on reporting and the Group of Experts on Protected Areas and Ecological networks that a full evaluation of the reporting format is undertaken after the first reporting round in order to assess inter alia the scope for further streamlining and simplification in view of the need to minimise administrative burden on Contracting Parties.

- d. Draft updated lists of candidate Emerald sites,**
- e. Draft updated lists of Emerald sites,**
- f. The concept of ecological character of sites in the context of the Emerald Network under the Bern Convention**

The EU and its Members States appreciate the work on the EMERALD network. The EMERALD network complements the NATURA 2000 network, the latter of which consists of over 27 000 sites covering more than 18 % of the terrestrial area of the EU Member States. NATURA 2000 and EMERALD together form the world's largest coherent network of protected areas, which plays a crucial role in the protection of biodiversity, contributing to the delivery of ecosystem services. We welcome the continuation of the work with the concept of the “ecological character” and the preparation of practical guidance in order to assist Contracting Parties in their implementation of Resolution 5 (1998).

2: European Diploma for Protected Areas

a.: Report of the meeting of the Group of Specialists on the European Diploma for Protected Areas

The EU and its Member States would like to express appreciation for the Group of Specialist on the European Diploma for Protected Areas who are doing an excellent and professional work on these issues. We would also call on the Contracting Parties to nominate more sites worthy of this high award, as well as make existing Diploma areas more visible. The Bern Convention Secretariat has greatly contributed in the latter task by improving the visibility of the Diploma areas on their home page and have produced a nice video on that.
