



Council of the  
European Union

Brussels, 25 March 2021  
(OR. en)

7364/21  
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ENV 188

#### COVER NOTE

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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	24 March 2021
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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No. Cion doc.:	COM(2021) 136 final
Subject:	ANNEX to the Recommendation for a Council Decision authorising the Commission to negotiate, on behalf of the Union, amendments to the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)

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Delegations will find attached document COM(2021) 136 final - ANNEX.

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Encl.: COM(2021) 136 final - ANNEX



Brussels, 24.3.2021  
COM(2021) 136 final

ANNEX

**ANNEX**

**to the**

**Recommendation for a Council Decision**

**authorising the Commission to negotiate, on behalf of the Union, amendments to the  
Convention on the Conservation of European Wildlife and Natural Habitats (Bern  
Convention)**

## ANNEX

### Directives for the negotiation of amendments to the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)

- (1) The Commission should endeavour to ensure that an agreement leading to any revision of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and its application is consistent with relevant European Union legislation and policies, and in particular Union legislation in the field of nature and biodiversity<sup>1</sup> as well as Union commitments under other relevant multilateral environmental agreements.
- (2) With regard to proposals to amend the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) to introduce an obligatory financial contribution, the Commission should engage in the negotiations on how to best address the issue of establishing a secure and predictable financial basis for the Convention and should endeavour to ensure, in accordance with the position of the Union, that the amendment:
  - (a) should not impose an obligatory contribution with regards to the programmatic budget
  - (b) should not result in a Union contribution of more than 2.5% of the total contributions
  - (c) should not affect existing obligations of the Parties under this Convention.
- (3) The Commission should conduct negotiations in accordance with relevant European Union legislation in force or agreed positions of the Union established specifically for the purposes of these negotiations within the special committee of representatives of the Member States referred to in Article 1(2) of this Council Decision or within the Council.
- (4) The Commission should report to the Council on the outcome of the negotiations and, where appropriate, on any problem that may arise during the negotiations.

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<sup>1</sup> Notably Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora and Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species