



Mr. Thorbjørn Jagland
Secretary General
Council of Europe

12 February 2019
MEDASSET Ref. 24671

Re: Bern Convention on the Conservation of European Wildlife and Natural Habitats

Dear Mr. Jagland,

As supporters and Observers to the Bern Convention we wish to express our views and concerns, as you are preparing to discuss budgetary issues facing the Council of Europe, which might affect the Bern Convention. The timing of this process is critical as it coincides with the 40-year anniversary of the Bern Convention and a year ahead of the 2020 milestone relating to the global efforts for biodiversity conservation and SDGs.

The Bern Convention is an exceptional multilateral environmental agreement that directly benefits Europe's nature and protected species. Encompassing all countries in the European continent, extending to the Mediterranean region, and including both members and non-members of the European Union, it is the only binding international legal instrument in the region that covers such an extensive and holistic geographical scope in the field of nature conservation.

The Convention's Case File system is a unique and unparalleled monitoring mechanism of compliance. It provides an open platform to which the public and civil society can bring possible breaches of the Convention, for discussion, monitoring and issuing of Recommendations that can assist and encourage

parties to ensure compliance and improve conservation efforts. There are numerous examples of the direct conservation improvements that the Case File system has helped to achieve, and we enclose a selection of examples of such cases.

As expressed during the 38th Standing Committee Meeting of the Bern Convention at the Council of Europe (Strasbourg, 27-30 November 2018), the Observer NGOs urged the Council of Europe and its member states to ensure that the Convention, and especially its Case File system, continues to be supported and strengthened, both financially and politically.

On the occasion of the 40th anniversary of the adoption of the Bern Convention, we wish to celebrate the value of the Treaty. At a time when numerous environmental achievements have been accomplished through multilateral cooperation, but countless environmental problems still remain; the Bern Convention is essential in the effort to preserve Europe's wildlife and natural heritage through civil society participation and democratic procedures such as the Case File system.

In view of the ongoing discussion and decision-making in relation to the challenging financial situation that the Council of Europe is facing,¹ we call upon your leadership to maintain and strengthen the Council of Europe's commitment to the conservation of nature and protect the current and future generation's right to a healthy, life-sustaining environment. We kindly seek your support in ensuring that the necessary financial resources for accomplishing this goal, via the Bern Convention, remain available.

As always, we remain at the disposal of the Council of Europe to collaborate and consider potential ways of further strengthening the Bern Convention.

Yours sincerely,

Daphne Mavrogiorgos, Director – ARCHELON, the Sea Turtle Protection Society of Greece
Zeljka Rajkovic, Executive Director – Association BIOM
Andrey Kovatchev – BALKANI Wildlife Society
Branko Micevski, President – Bird Protection Macedonia
Ariel Brunner, Senior Head of Policy – BirdLife Europe and Central Asia
Chris van Swaay, Chair – Butterfly Conservation Europe
Natasa Crnkovic, President – Centar za životna sredina / FoE Bosnia and Herzegovina
Anelia Stefanova, Programme Director – CEE Bankwatch Network
Jovana Janjusevic, Executive Director – Center for Protection and Research of Birds
Marc Goux, Co-responsible – Collectif SOS Loue et Rivières Comtoises
Heinz Schwarze, President – Committee Against Bird Slaughter (CABS)
Aleksandra Bujaroska, Executive Director – Environmental Citizens' Association "Front 21/42"
Gabriel Schwaderer, Executive Director – EuroNatur Foundation
Carol Ritchie, Executive Director – EUROPARC Federation
Myfanwy Griffith, Executive Director – European Association of Zoos and Aquaria (EAZA)
Leticia Bourges, Secretary General – European Council for Rural Law/ Comité Européen de Droit Rura (CEDR)
Jeremy Wates, Secretary General – European Environmental Bureau (EEB)
Patrick Massenet, President – European Institute for the Management of Wild Birds and their Habitats (OMPO)
Jean-David Abel, Vice President – France Nature Environnement
Hervé Bellimaz, President – France Nature Environnement Bourgogne-Franche-Comté
Anastasia Korae, President – Friends of the Earth Cyprus
Jagoda Munic, Director – Friends of the Earth Europe
Manana Kochladze Asin, Chairperson – Green Alternative
Ruud Tombrock, Executive Director – Humane Society International/Europe
Gary Timbrell, CEO – International Association for Falconry and Conservation of Birds of Prey
Tamas Marghescu, Director General – International Council for Game and Wildlife Conservation

¹ T-PVS(2018) 6. Concept Paper on the financial mechanism of the Bern Convention. T-PVS(2018)15. Additional discussion paper on Agenda item 3.1. T-PVS(2018)Misc. List of decisions and adopted texts.

Artemis Yiordamli, Managing Director – Laona Foundation for the Conservation & Regeneration of the Cypriot Countryside

Lily Venizelos, President – Mediterranean Association to Save the Sea Turtles (MEDASSET)

Edith Loosli – Migratory Birds Conservation in Cyprus (MBCC)

Urs Leugger-Eggimann, Director – Pro Natura - Friends of the Earth Switzerland

Rob van Westrienen, Chair – Reptile and Amphibian Conservation Europe

Martin Harper, Director of Global Conservation – Royal Society for the Protection of Birds

Mathieu Denoël, President – Societas Europaea Herpetologica

Lefkios Sergides, Executive Director – Terra Cypria, the Cyprus Conservation Foundation

Ester Asin, Director – WWF European Policy Office

CC:

Mrs Gabirela Battaini-Dragoni, Deputy Secretary General, Council of Europe

Mrs Snežana Samardžić-Marković, Director General, Directorate General of Democracy, Council of Europe

Mr Gianluca Silvestrini, Head of Division of Major Risks and Environment, Council of Europe

Mrs Iva Obretenova, Secretary of the Bern Convention, Council of Europe

Ms Jana Durkošová, Chair of the Bern Convention Standing Committee

Case-File No 2010/5: Greece: threats to marine turtles in ThinesKiparissias

Uncontrolled development and lack of conservation and management measures in a NATURA 2000 site is resulting in negative impacts on the reproduction of the loggerhead sea turtles (*Caretta caretta*). Following the NGO complaint in 2010 and its discussion at the following Standing Committee Meetings, an on-the-spot appraisal led to the adoption of Recommendation No. 174 (2014). The Bern Convention's actions together with NGO lobbying and action by the European Union, led the Greek government to recognise the problem and issue a Presidential Degree to deliver necessary legal protection to the area. The continued monitoring of this open Case File by the Bern Convention will help ensure that the Greek Government complies with the existing Recommendation and that a management plan is developed and enforced with no further delay.

Case-File 2011/5: France/Switzerland threats to the Rhone streber (*Zingel asper*) in the Doubs (France) and in the cantons of Jura and Neuchâtel (Switzerland)

The Doubs river, which meanders through the Limestone karstic Jura mountain range on the border of Switzerland and France, is home to a number of protected and rare fish species which do not occur elsewhere in Switzerland, notably the Mediterranean Nase (*Parachondrostoma toxostoma*) and the Rhone streber (*Zingel asper*), which is endemic to the Rhone basin in France and Switzerland. Despite its rather isolated location, the river is severely impacted by dams, hydropower and pollution, both from insufficient sewage treatment and from agriculture and sylviculture. In consequence, the rare fish species were pushed to the brink of extinction. After long years of raising concerns with regional and national authorities which did not result in any changes, the Swiss NGOs Pro Natura, WWF and the Swiss League for fishing filed a complaint with the Berne Convention, which resulted in an on the spot appraisal with an Expert and all relevant authorities and stakeholders, and finally in recommendation Nr. 169/2013. The Recommendations have been followed up ever since, having resulted already in the establishment of a national action plan to save the river, in concrete changes of the water regime which drastically reduced fish mortalities, in concrete and financed plans to improve sewage treatment plans and in some structural improvements. The issue of agriculture is the next item on the list to be addressed. On the French side, the complaint also has pushed desperately needed action to improve the situation on the Loue, which is connected to the Doubs and where the Rhone streber also occurs. The regular reporting and backing of the issue by the Bern Convention is extremely helpful for ensuring the necessary actions are taken and receive sufficient political priority.

Case-File 2004/2: Bulgaria: Windfarms in Balchik and Kaliakra – Via Pontica

The Bern Convention case-file system has, and continues to provide a vital tool in protecting Europe's best sites for nature. For example in Bulgaria the BirdLife Partner, the Bulgarian Society for the Protection of Birds sent a complaint file to the Convention regarding damaging wind energy development on the Black Sea coast, which threatened globally endangered red-breasted geese. This led to a mission to assess the situation on the ground and recommendations to the Bulgarian government on how to rectify the issues. This action in the Convention placed pressure on the Bulgarian government to act and complemented similar actions at a European Union level. This culminated in a European Court of Justice case, the full designation of the important sites, and a second mission by the Convention to help the Bulgarian government comply with the court judgement.

Case-File 1997/1: *Oxyura leucocephala* (White-headed duck), UK & others**Eradication of the ruddy duck (Recommendations, Action Plans, Group of Experts, etc)**

The Bern Convention's focus on safeguarding the Globally Threatened white-headed duck (*Oxyura leucocephala*) has been highly instrumental in ensuring signatory states take action to control invasive, non-native North American ruddy ducks across their European range. Hybridisation between the two closely-related species poses an existential threat to the white-headed duck. Reducing this threat necessitated urgent and co-ordinated action by countries including Spain, UK, France, Belgium and Netherlands. The Convention Secretariat has played an essential leadership and co-ordination role over more than twenty years, bringing representatives of governments and NGOs together regularly, facilitating evidence gathering and knowledge transfer and supporting interventions, including several Life Nature-funded projects. The largest feral population of ruddy ducks in the UK has almost been eradicated and control efforts are underway in other range states, giving real hope that the threat of hybridisation can be removed and that the white-headed duck will enjoy a more secure future as a result.