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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

34<sup>th</sup> meeting  
Strasbourg, 2-5 December 2014

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**NOTE ON REPORTING ARRANGEMENTS BETWEEN  
THE EU AND ITS MEMBER STATES REGARDING  
EXCEPTIONS MADE FROM THE PROVISIONS OF  
ARTICLES 4, 5, 6, 7 AND 8 OF THE BERN  
CONVENTION**

*Document prepared by  
the European Commission*

## **NOTE ON DEROGATION REPORTING ARRANGEMENTS BETWEEN THE EU AND ITS MEMBER STATES**

document prepared by the European Commission

The current note aims at clarifying reporting arrangements towards the Bern Convention, by the 28 EU Member States and the European Commission, on the exceptions made from the provisions of Articles 4, 5, 6, 7 and 8 of the Bern Convention.

At this moment, according to the agreed working arrangements, both the EU Member States and the Commission itself report to the Bern Convention on the relevant exceptions issued by the Member States.

The European Commission considers however that it is neither practical nor useful to continue submitting any reports on behalf of the Member States.

The Commission will therefore inform its Member States, through the Habitats Committee, that it does not intend to continue any further reporting to the Bern Convention about the exceptions that EU Member States have made from the provisions of Articles 4, 5, 6, 7 and 8 of the Bern Convention.

As regards future reporting arrangement by the Member States to the Commission on derogations issued from the species protection requirements under the EU Birds and Habitats Directives, the Commission informs the Bern Convention that it is currently working on the development of a reporting tool that is aimed at replacing the tool currently in use (Habides), which has encountered technical and maintenance issues that are hard to overcome. The new tool, that will be hosted online and maintained by the European Environmental Agency (EEA), can be used by local authorities for creating, viewing, editing and compiling derogation reports, as well as for merging these reports into one single national report to be submitted to the European Commission via EIONET Reportnet. No login or password will be required for accessing this tool.

Given that the vast majority of the derogations to be reported under the EU Nature Directives are also relevant for the Member States reporting to the Bern Convention, and in order to avoid any need for double reporting by the Member States to both the Commission and to Bern, the Commission is currently considering to adapt the structure content of its new reporting tool so that it could be used for both reporting streams. Within that frame, the Commission and EEA would be willing to adapt that tool so that other parties of the Bern Convention could also use this tool for their reporting of the exceptions made from the provisions of Articles 4, 5, 6, 7 and 8 of the Bern Convention.

While the above arrangement is considered the most appropriate for streamlining the reporting on derogations under the EU Nature Directives and the Bern Convention, the Commission underlines that this is without prejudice to the EU position on ORS for streamlining the reporting under biodiversity-related MEAs at global level.

The Commission would appreciate any comments on this proposal by the Bern Convention Standing Committee.