

Issue: Sustainable Use

Section: Targets, indicators, monitoring and assessment

Activity 1: Develop targets for sustainable use

Activity 2: Develop indicators for sustainable use

Activity 3: Use indicators for sustainable use

Activity 4: Report on sustainable use targets

Activity 5: Monitor sustainable use

- EU Commission to carry out studies on the effects of marketing on the biological status of indigenous Birds (listed in Annex III/3): [EU Birds, Article 6](#)
- EU Members to monitor compliance with the provisions of this Regulation: [EU Regulation 338-97, Article 14](#)
- Improve the understanding of the impact of wind farms through adequate monitoring and surveillance to provide the broader public with trustworthy information: [24th meeting of the Bern Convention Standing Committee, Appendix 3](#)

COMMENTARY

- [EU Regulation 338-97](#) has to do with guaranteeing the conservation of wild species through regulation of species trade.

Activity 6: Monitor trade in wild species

Activity 7: Report trade in wild species

- Every 3 years EU Members to report to the EU Commission on the implementation of national provisions taken with respect to indigenous Birds: [EU Birds, Article 12](#)
- Each year EU Members to report to the EU Commission on derogations from the provisions of Articles 5, 6, 7 and 8: [EU Birds, Article 9](#)
- Every six years EU Members to report on the implementation of the measures taken under the Habitats Directive: [EU Habitat, Article 17](#)
- Every two years, EU Members to report to the EU Commission on derogations from the provisions of Articles 12, 13, 14 and 15 (a) and (b): [EU Habitat, Article 16](#)

- Every year EU Members to communicate to the EU Commission information required for drawing up the reports referred to in Article VIII.7 (a) of CITES: [EU Regulation 338-97, Article 15 \(4a\)](#)

COMMENTARY

- [EU Birds, Article 12](#) National provisions include management of species and their exploitation
- [EU Birds, Article 9](#) The derogations are with respect to national provisions which ensure the sustainable exploitation of the species
- [EU Habitat, Article 17](#) These measures include provision for the sustainable exploitation of species as set out in Articles 12 to 15

Activity 8: Assess impacts on sustainable use

Section: Communication and research

Activity 1: Communicate on sustainable use

Activity 2: Communicate with MEA Secretariats and other MEA bodies

Activity 3: Communicate within Parties

- EU Members to forward the names and addresses of the designated wildlife trade management authorities, other authorities competent to issue permits or certificates and scientific authorities to the EU Commission: [EU Regulation 338-97, Article 13](#)
- EU Members and the Commission to communicate to one another the information necessary for implementing this Regulation with regards sustainable species trade: [EU Regulation 338-97, Article 15](#)

Activity 4: Communicate with public

- EU Members and the Commission to ensure public awareness of the provisions regarding implementation of CITES and this Regulation: [EU Regulation 338-97, Article 15](#)

Activity 5: Carry out research on sustainable use

Direct Obligation

- EU Members and the Commission to encourage the necessary research and scientific work having regard to the Habitats

Directive with includes work related to the sustainable use of species: [EU HABITAT, Article 18](#)

- EU Members to encourage research and any work required as a basis for the protection, management and use of indigenous Birds: [EU Birds, Article 10](#)

Indirect Obligation

- EU Members to restrict allowable bird hunting for the purposes of research and teaching, of re-population, of re-introduction and for the breeding necessary for these purposes: [EU Birds, Article 9](#)

Section: Cooperation

Activity 1: Cooperation with other Parties on sustainable use

- Parties to adopt programmes and measures and harmonise policies and strategies to protect the maritime area against the adverse effects of human activities so as to conserve marine ecosystems and restore marine areas which have been adversely affected: [OSPAR Convention, Article 2 \(1a & b\)](#)
- Parties to co-operate whenever appropriate and in particular where this would enhance the effectiveness of measures taken under this Convention: [Bern Convention, Article 11 \(1a\)](#)
- EU Members wishing to authorize the use of indigenous Birds shall first consult the Commission to exam jointly whether the marketing of Birds species would result in species being endangered throughout the EC: [EU Birds, Article 6](#)
- The object of EC Regulation 338-97 is to protect species of wild fauna and flora and to guarantee their conservation by regulating trade therein in accordance with the objectives, principles and provisions of CITES: [EU Regulation 338-97, Article 1](#)
- The Standing Committee shall use its best endeavours to facilitate a friendly settlement of any difficulty to which the execution of this Convention may give rise: [Bern Convention, Article 18 \(1\)](#)

Activity 2: Cooperation across borders

- Parties to co-ordinate their efforts for the protection of the migratory species specified in Appendices II and III whose range extends into their territories: [Bern Convention, Article 10 \(1\)](#)

Activity 3: Coordination in implementation of two or more international agreements

Activity 4: Develop further agreements

Section: Legislative measures and national policies

Activity 1: Develop and implement and review legislation on sustainable use

- Party to take appropriate and necessary legislative and administrative measures to ensure the protection of the wild fauna species specified in Appendix III: [Bern Convention, Article 7 \(1\)](#)
- Indigenous bird species listed in Annex II may be hunted under national legislation: [EU Birds, Article 7](#)

Activity 2: Develop, adopt, implement and review policies for sustainable use

- For listed species (EU Birds Annex III) the legal sale, transport for sale, keeping for sale and the offering for sale of live or dead Birds and of any readily recognizable parts or derivatives of such Birds may be allowed by Members: [EU Birds, Article 6](#)
- Regarding the hunting, capture or killing of Birds, EU Members to prohibit the use of all means, arrangements or methods used for the large-scale or non-selective capture or killing of Birds that is capable of causing the local disappearance of a species: [EU Birds, Article 8](#)
- Regarding sustainable ecosystem use in their land-use planning and development policies, EU Members to endeavour to encourage the management of features of the landscape which are of major importance for wild fauna and flora: [EU Habitat, Article 10](#)
- If deemed necessary, EU Members to take measures to ensure that the taking in the wild and exploitation of specimens of Annex V-listed species of wild fauna and flora is compatible with maintaining a favourable conservation status: [EU Habitat, Article 14](#)
- Each Party to promote national policies for the conservation of wild flora, wild fauna and natural habitats, with particular attention to endangered and vulnerable species, especially endemic ones, and endangered habitats: [Bern Convention, Article 2](#)

Activity 3: Develop, adopt, implement and review guidelines for sustainable use

- Exploitation of wild fauna specified in Appendix III shall be regulated using specific measures in order to keep the populations out of danger: [Bern Convention Article 7](#)
- Key concepts relevant to sustainable use are defined including: conservation, habitat of a species, species of Community interest, endangered species, vulnerable species, rare species, endemic species, priority species, conservation status, and specimen: [EU Habitat, Article 1](#)

Activity 4: Develop institutions for regulating sustainable use

Activity 5: Integrate sustainable use with broader planning and decision-making

- Achieve sustainable management and use of the positive potential of Europe's biological and landscape diversity through making optimum use of the social and economic opportunities on a local, national and regional level: [PEBLDS \(no. 2.2\)](#)

Section: Provision of resources

Activity 1: Provide financial and technical assistance for sustainable use

Component 1: Provide financial assistance for sustainable use

Component 2: Provide technical assistance for sustainable use

Activity 2: Provide financial and technical assistance for the implementation of guidelines

Component 1: Provide financial assistance for the implementation of guidelines

Component 2: Provide technical assistance for the implementation of guidelines

Activity 3: Provide financial assistance for joint work between MEAs

Activity 4: Provide financial assistance for monitoring of trade

Activity 5: Provide financial assistance and training for development of indicators

Activity 6: Provide support to achieve and monitor progress towards targets

Activity 7: Provide financial assistance for work on incentives

Activity 8: Provide support to indigenous and local communities

Activity 9: Provide support for Ramsar activities on sustainable use

Section: Management and regulation

Activity 1: Manage sustainable use (principles and objectives)

- Parties to maintain the population of wild flora and fauna at, or adapt it to, a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements: [Bern Convention, Article 2](#)
- Activities referred to in paragraph 1 shall not be prohibited in respect of the species referred to in Annex III/1, provided that the birds have been legally killed or captured or otherwise legally acquired: [EU Birds, Article 6 \(2\)](#)
- Members may, for the species listed in Annex III/2, allow within their territory the activities referred to in paragraph 1, making provision for certain restrictions, provided the birds have been legally killed or captured or otherwise legally acquired: [EU Birds, Article 6 \(3\)](#)
- EU Members to ensure that all hunting and falconry is practiced in accordance with the national measures in force and complies with the principles of wise use and ecologically balanced control of the species of Birds concerned: [EU Birds, Article 7](#)
- Articles 2 and 3 provide definitions and annexes for the management of wildlife trade within EU Member States: [EU Regulation 338-97, Articles 2 & 3](#)
- Integrate sustainable use objectives into all sectors that affect biological diversity: [PEBLDS \(no. 2.2\)](#)

Activity 2: Optimize sustainable use within climate change adaptation

Activity 3: Regulate trade of species threatened with extinction

Component 1: List species threatened with extinction in CITES Appendix I

Component 2: Regulate trade in species threatened with extinction

Activity 4: Regulate trade of species that may become threatened with extinction

Component 1: List species that may become threatened with extinction

Component 2: Regulate trade in species that may become threatened with extinction

- Among EU Members, a wildlife import permit may be issued only if the competent scientific authority is of the opinion that the introduction into the European Community would not have a harmful effect on the conservation status of the species or on the extent of the territory occupied by the relevant population of the species, taking account of the current or anticipated level of trade: [EU Regulation 338-97, Article 4](#)
- Members wishing to grant trade authorization are to first consult the Commission with a view to examining jointly whether the marketing of specimens of such species could endanger their population levels, geographical distribution or reproductive rate: [EU Birds, Article 6 \(3\)](#)
- The EU Commission to carry out studies on the biological status of the species listed in Annex III/3 and on the effects of marketing on such status.: [EU Birds, Article 6 \(4\)](#)

Activity 5: Prepare and decide on proposals to amend CITES Appendices

Component 1: Prepare proposals to amend CITES Appendices

Component 2: Decide on proposals to amend CITES Appendices

Activity 6: Make reservations to CITES listings

Activity 7: Regulate trade with non-Party States

Activity 8: Address trade that is detrimental to the survival of the species

- EU Members to establish a general system of protection for indigenous Birds (see EU Birds, Article 1) prohibiting deliberate killing or capture; deliberate destruction of nests and eggs; taking their eggs in the wild; deliberate disturbance of Birds; and keeping bird species the hunting and capture of which is prohibited: [EU Birds, Article 5](#)

Activity 9: Review Significant Trade in specimens of CITES Appendix II species

Component 1: Conduct Review of Significant Trade

Component 2: Select species to be reviewed

Component 3: Consult with the range States concerning the implementation of Article IV

Component 4: Compile information and categorize

Component 5: Review information and confirm categorization

Component 6: Formulate and transmit recommendations

Component 7: Implement recommendations

Component 8: Support range states

Activity 10: Regulate trade in captive bred and artificially propagated specimens

Component 1: Regulate trade in captive bred and artificially propagated specimens – general

Component 2: Regulate trade in captive bred animals

Component 3: Regulate trade in artificially propagated plants

Activity 11: Ranch CITES-listed species

Section: Sustainable use and particular categories of biodiversity

- Parties to take appropriate measures to minimise the potential adverse effects of wind turbines on wildlife: [24th meeting of the Bern Convention Standing Committee \(Appendix 3\)](#)

COMMENTARY

- [The 24th meeting of the Bern Convention Standing Committee](#) also recommends minimising the damage caused by wind turbines on bat populations and migratory birds.

Activity 1: Ensure sustainable use of agricultural biological diversity

Component 1: Ensure sustainable use of agricultural biological diversity

Component 2: Ensure sustainable use of agricultural biodiversity in wetlands

Activity 2: Promote sustainable use of dry and sub-humid lands

Activity 3: Promote sustainable use of forests

Activity 4: Ensure sustainable use of mountain biological diversity

Activity 5: Ensure sustainable use of inland water ecosystems

Component 1: Ensure sustainable use of inland water systems

Component 2: Ensure sustainable use of mangrove ecosystems

Component 3: Ensure sustainable use of peatlands

Component 4: Ensure sustainable use of temporary pools

Activity 6: Ensure sustainable use of marine and coastal biological diversity

- Assessments to be carried out on the suitability of a location for offshore wind-farms with regard to environmental factors:
[OSPAR BDC Meeting Bonn Feb 05 \(no. 6\)](#)

COMMENTARY

- [OSPAR BDC Meeting Bonn Feb 05 \(no. 6\)](#) Requires a formal environmental impact assessment for individual locations ([Directive 97/11/EC](#) amending [Directive 85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment).

Activity 7: Ensure sustainable use of coral reef ecosystems

- See OSPAR Guidelines for the development and use of artificial coral reefs: [OSPAR](#)

Activity 8: Ensure a sustainable system of aquaculture

Activity 9: Ensure sustainable use of bushmeat

- Members to ensure that the practice of hunting, including falconry if practised, is carried on in accordance with the national measures in force, complies with the principles of wise use and ecologically balanced control of the species of birds concerned and that this practice is compatible as regards the population of these species: [EU Birds, Article 7 \(4\)](#)

Activity 10: Ensure sustainable use of wild species for traditional medicines

Activity 11: Ensure sustainable use of elephants

Component 1: Assessment of proposals for downlisting

Component 2: Internal ivory trade

Component 3: Quotas for ivory trade

Component 4: Support to range states

Activity 12: Ensure sustainable use of Leopard

Activity 13: Ensure sustainable use of Saiga tatarica

Activity 14: Ensure sustainable use of Plants

Activity 15: Ensure sustainable use of timber species

Activity 16: Ensure sustainable use of tortoises and freshwater turtles

Activity 17: Ensure sustainable use of marine turtles

Component 1: Ensure sustainable use of marine turtles

Component 2: Ensure sustainable use of Hawksbill turtles

Activity 18: Address the problem of by-catch in fisheries

Activity 19: Ensure sustainable use of sturgeons and paddlefish

Section: Indigenous and local people, livelihoods and equity

Activity 1: Link sustainable use with addressing poverty

- Measures taken pursuant to the EU Habitats Directive shall take account of economic, social and cultural requirements and regional and local characteristics: [EU Habitat, Article 2](#)

Activity 2: Ensure equitable distribution of the benefits of use

Activity 3: Support sustainable use by indigenous and local people

Section: Economic instruments

Activity 1: Involve private sector in sustainable use

- In accordance with the requirements of other relevant EU Community legislation exemption from the prohibitions regarding purchase, offer to purchase, acquisition for commercial purposes, display to the public for commercial purposes, use for commercial gain and sale, keeping for sale, offering for sale or transporting for sale of specimens of the species listed in Annex A may be granted by issuance of a certificate to that effect by a management authority of the Member in which the specimens are located, on a case-by-case basis: [EU Regulation 338-97, Article 8](#)

Activity 2: Promote incentives for sustainable use

Activity 3: Remove perverse incentives opposing sustainable use

Activity 4: Take account of value of sustainable use