

Convention on the Conservation of European Wildlife and Natural Habitats



Standing Committee

Recommendation No. 117 (2005) of the Standing Committee on the plan to set up a wind farm near the town of Balchik and other wind farm developments, on the Via Pontica route (Bulgaria)

(adopted by the Standing Committee on 1 December 2005)

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, acting under the terms of Article 14 of the Convention;

Having regard to the aims of the Convention to conserve wild flora and fauna and their natural habitats;

Pointing out that Article 1, paragraph 2, of the Convention calls on the Parties to give particular emphasis to endangered and vulnerable species, including endangered and vulnerable migratory species;

Pointing out that, in pursuance of Article 3, paragraph 2, of the Convention, “Each Contracting Party undertakes, in its planning and development policies and in its measures against pollution, to have regard to the conservation of wild flora and fauna”;

Recalling that Article 4 of the Convention stipulates that “Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in Appendices I and II, and the conservation of endangered natural habitats”;

Recalling that Article 4 of the Convention also stipulates that “The Contracting Parties in their planning and development policies shall have regard to the conservation requirements of the areas protected under the preceding paragraph, so as to avoid or minimize as far as possible any deterioration of such areas”;

Recalling that Article 4 of the Convention further stipulates that “The Contracting Parties undertake to give special attention to the protection of areas that are of importance for the migratory species specified in Appendices II and III and which are appropriately situated in relation to migration routes, as wintering, staging, feeding, breeding or moulting areas”;

Referring to the other provisions of the Convention relating to the protection of habitats and the conservation of species;

Recognising the value of wind power in the fight against climate change, and welcoming that the Bulgarian Government has opted to follow this path;

Recognising the value of SEA/EIA and policy guidance for providing certainty for investment by industry and protection for the environment, including biodiversity, and therefore in respect of wind farms contributing to sustainable development;

Drawing attention to its Recommendation No 109 (2004) on minimizing adverse effects of wind power generation on wildlife;

Referring to Birdlife International’s report: “Wind farms and Birds: an analysis of the effects of wind farms on birds, and guidance on environmental assessment criteria and site selection issues” [document T-PVS/Inf (2003) 12];

Recognising the importance of the Bulgarian Black Sea coast as a part of the Via Pontica migration route of major global importance for birds breeding in at least 17 European countries;

Aware that within this area there are a number of key areas where migrating birds concentrate and the siting of wind farms in these locations is likely to be particularly problematic;

Further aware that the first instance of a wind farm development along this coast will set a precedent for future developments;

Referring to Mr Guy Jarry's report (document T-PVS/Files (2005) 8) on the proposed wind farm at Balchik, in Bulgaria, drawn up following a meeting with the Bulgarian authorities and a site visit and its concern that risks to a number of groups of migratory and resident species may be significant;

Noting with concern that the report found that the scientific work carried out within the framework of the EIA on the Balchik wind farm, was greatly insufficient, and for some aspects completely lacking with consequential absence of understanding of the impact of the proposed wind farm;

Further noting with concern its findings as to the inadequacy of the evaluation report and the supplementary report which informed the decision-taking process;

Aware that information from NGOs was available for consideration as part of the scientific analysis to address some of the insufficiencies in the EIA;

Emphasising the need, before any decision within the SEA and EIA processes is taken, to carry out sufficiently thorough and detailed studies to inform the selection of wind farm sites;

Considering that the site between Balchik and Albena is important to the implementation of the Emerald/Natura 2000 Networks;

Recommends the Bulgarian Government to:

1. Reconsider its decision to approve the proposed windfarm in Balchik taking into account its potential impact on wildlife and its obligations under the Convention;
2. Undertake a strategic environmental assessment of Bulgaria's programme or plan for harnessing wind power, taking the greatest account, inter alia, of the risk of cumulative effects from different projects and other threats and adopt best practice in these respects, including a precautionary approach;
3. Involve and takes account of the views, information, data and reports provided by scientific institutions and NGOs in the above process including results of research and identifying sensitive areas in relation to windfarms in the Black Sea coast;
4. As a consequence of the above, set out, for the benefit of industry, civil society and others as appropriate, its expectations for the future development of wind power development in Bulgaria;
5. Develop and use guidance on undertaking EIA screening and project assessment, including cumulative impacts and consideration of alternative locations, taking account of existing guidance such as the CMS Resolution 7.5 and report T-PVS/Inf (2003) 12 by BirdLife International's and published by the Bern Convention: "Windfarms and Birds: An analysis of the effects of windfarms on birds, and guidance on environmental assessment criteria and site selection issues" and potential Emerald/Natura 2000 Network sites;
6. Involve and take account of the views, information, data and reports provided by scientific institutions and NGOs in undertaking future EIAs;
7. Apply the approach described above to other proposed windfarm developments in the Black Sea coast.