



Strasbourg, 26 January 1996  
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**T-PVS (96) 23**

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

Standing Committee

15th meeting  
Strasbourg, 22 - 26 January 1996

**REPORT**

Secretariat Memorandum  
established by the  
Directorate of Environment  
and Local Authorities

**PRELIMINARY NOTE: SUMMARY OF DECISIONS TAKEN**

1. The Standing Committee held its 15th meeting from 22 to 26 January 1996 in Strasbourg. The list of participants and the agenda appear in Appendices 1 and 2 to this document.

2. In accordance with Article 14, paragraph 1, the Standing Committee followed the application of the Convention, and the Chairman and Vice-Chairman were elected.

3. Poland's presence for the first time as a Contracting Party and Tunisia's recent accession were welcomed.

4. The Committee decided unanimously to invite the following states to attend its 16th meeting: Algeria, Belarus, Bosnia-Herzegovina, Cape Verde, Croatia, the Holy See, Mauritania and Morocco.

5. The Committee amended Appendices II and III of the Convention.

6. The Committee adopted the following resolution:

-Resolution No. 3 concerning the setting up of a pan-European Ecological Network (Emerald Network).

7. The Committee adopted the following recommendations:

-Recommendation No. 47 concerning the conservation of European semi-aquatic insectivora;

-Recommendation No. 48 concerning the conservation of European globally threatened birds;

-Recommendation No. 49 concerning protection of some wild plant species which are subject to exploitation and commerce.

8. The Committee decided concerning the procedure of opening and closing of files and follow-up of Recommendations to continue applying provisionally the current practice.

9. The Committee discussed the situation of marine turtles in Laganas Bay (Zakynthos). It found that Greece has achieved only limited progress with respect to the Decision of 24 March 1995. It continued to be very concerned that not all obligations of this Decision have been fulfilled satisfactorily. Therefore it decided to finance an expert to analyse the legal situation in Greece relevant to this matter.

10. The Committee examined urgent cases concerning the implementation of Recommendation Nos. 26 and 27 concerning the conservation of some threatened reptiles and amphibians. It also discussed the situation of several species that require conservation attention, such as tortoises (in Maures, France), marine turtles (in Patara, Turkey), bears (in the French Pyrenees), migratory birds (in Tarifa, Spain), common seals (in the Somme Bay, France), and several reptiles (in Totes Moor, Lower Saxony, Germany). The situation of the Missolonghi wetlands (Greece), of the Gallocanta marshes (Spain), of a number of dams built in Spain (Iruña, Itoiz), the construction of a road in the Grünwald forest (Luxembourg) were also discussed.

11. The Committee approved a work programme and budget for 1996, using FR 780,000 provided for annually by the Committee of Ministers, some FR 214,912 remaining in the Convention's special fund and new donations to be made by Contracting Parties.

12. The Committee decided to hold its 16th meeting on 2 to 6 December 1996.

As provided for in Article 15, the Standing Committee forwarded to the Committee of Ministers of the Council of Europe the report on its work and on the functioning of the Convention.

The short report will have annexed:

- Abbreviated list of participants;
- Agenda;
- Amendments to Appendices II and III;
- Recommendations Nos. 47 (1996), 48 (1996), 49 (1996);
- Resolution No. 3 (1996);
- Programme and budget.

## **PART I - DEVELOPMENT AND IMPLEMENTATION OF THE CONVENTION**

### **1. Opening of the meeting and adoption of the agenda**

T-PVS (95) 36 Draft Agenda  
T-PVS (95) 46 Annotated Draft Agenda

The 15th meeting of the Standing Committee of the Bern Convention was opened by the Chairman, Mr Antti Haapanen, who welcomed the participants (see Appendix 1 of this report).

He congratulated Poland and Tunisia on their accession to the Bern Convention.

The draft agenda, as contained in Appendix 2 of this report, was adopted.

### **2. Chairman's report and communications from the delegations and from the Secretariat. Report from new Contracting Parties.**

T-PVS (95) 40 Report of Bureau meeting  
T-PVS (95) 41 Chart of signatures

#### **- Chairman's report**

The Chairman gave his report:

«Ladies and gentlemen,

It is an honour and a pleasure for me to open the fifteenth meeting of the Standing Committee of the Bern Convention.

This Convention has been in force already for a fairly long period of time. The number of the parties is growing all the time. This shows that countries in Europe and Africa consider it worthwhile to join this Convention. This time I have the pleasure to welcome the Polish and Tunisian delegations for the first time as full partners in our meeting.

My opinion is that the Convention has been in force for such a long time that the evaluation of its effectiveness could be made. There are, I am sure, several cases where good results in a particular problem of conserving nature and its components can be attributed to the Bern Convention and its Standing Committee. There are, however, other cases which indicate that we have not been as effective as would be desirable. I understand that there are non governmental organisations who do not think that we have been too successful in our activities.

Hand on heart we must ask ourselves whether what we say here is in line with our actions.

I believe that we should devote more attention and our energy to habitat conservation. Of course we have already worked to that end. There are several resolutions and recommendations of the Standing Committee on habitat conservation. The recent Conference of European Ministers of Environment endorsed the document on the Pan-European Biological and Landscape Diversity Strategy, which includes among other things the idea of Eeconet and the European ecological network. This document is in line with those earlier recommendations of ours and especially with the Monaco Declaration which was adopted last year in our fourteenth meeting.

So we have a sufficient number of guidelines to follow. It is time for practical action. With great pleasure I can inform you that the Government of the Netherlands has made an important donation to help our work in finding a way to further develop the Eeconet concept. I understand that there is no need for double work concerning European Union member countries who are already involved in the establishment of the Natura 2000 network. However the Central and Eastern European Countries could make a very important contribution to the European ecological network. There are in these countries natural areas of great European values. Some of these represent habitat

types which are to a large extent already lost in Western Europe.

We all have to contribute to the conservation of the common European Natural Heritage. In many western countries this means the extensive restoration of natural habitats and in central and eastern Europe often setting aside valuable areas before these economies in transition will develop more intensive land use practices.

In our annual meetings we have for quite some time devoted a lot of attention to deal with matters concerning complaints against parties for not fulfilling their obligations. We are still facing the problem of solving the procedural difficulties involved here in a generally acceptable way having of course the principles and goals of the Convention clear in our minds.»

The representative of Poland, presented a report describing the legislation and organisation arrangements on nature conservation in his state (T-PVS (96) 14).

- **Communications from delegations and from the Secretariat**

The Netherlands delegate drew participants' attention to his government's interest in international nature conservation. This question had become a priority in 1995: specific new funds had been earmarked and a master plan for Dutch involvement in international nature conservation had been adopted in November 1995. Matters affecting nature conservation at European and indeed pan-European level, the protection of migratory waterfowl and wetlands, and the integration of ecology in the various sectors of activity were further priorities. Together with the increased budget devoted to these aspects, his government had increased its contribution to the Bern Convention in the interests of nature conservation.

The Co-ordinator of the Bonn Convention expressed the view that there were numerous matters of common concern to the Bonn and Bern Conventions and that closer co-operation should be sought between the respective secretariats in order to improve efficiency and stimulate synergy.

The Hungarian delegate reported that a new environmental law had entered into force in Hungary on 1 January 1996. It consisted of a framework law to be followed up by sectorial laws on fishing, hunting, forestry etc. An exhibition on sustainable development and wildlife, entitled "Nature-expo", was to be organised throughout the year. In addition, it was now prohibited to transport birds without authorisation.

Some delegations (United Kingdom, Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals - Bonn) submitted written reports. The delegate of the Netherlands also presented a statement on behalf of Dr Michael Moser, Director of Wetlands International, concerning the European Habitat Conservation Stamp of the Netherlands. These reports are contained in document T-PVS (96) 24.

The Secretariat informed the Standing Committee briefly on the implementation of the Programme of Activities for 1995 and on the financial situation of the Convention. The whole Programme of Activities had been fulfilled, with the only exception of a Seminar to present the objectives of the Convention on Biological Diversity (CBD) to states of Central and Eastern Europe. This Seminar was planned to be organised with the Secretariat of CBD but in the end the participation of the Bern Convention was not requested. The expenses saved from this activity were used to advance to 1995 a group of experts on threatened marine and coastal species of the Mediterranean, an activity which was organised with the Secretariat of the Barcelona Convention. The difficulties encountered in the implementation of the work programme had come from limitations of time and resources. The last meeting of the Committee was at the end of March 1995, which meant that most activities had to be carried out in the relatively short period from May to December. The Secretariat apologised for the late preparation and despatch of some documents and reminded the Committee that with the present staff and the delays from translations it was not technically possible to do otherwise. Referring to finances, the Secretariat informed the Committee that voluntary contributions from Parties had been much less than expected and that the special fund was more than halved, making it very difficult to pursue regular activities in 1996 without help from the Parties. The Secretariat presented the report of the Bureau.

### **3. Development of the Convention**

#### **3.1 Strategic issues. Role of the Convention in the implementation of the Pan-European Conservation Strategy**

T-PVS (96) 2                      Role of Convention on Pan-European Strategy  
 CDPE (95) 16    Pan-European Biological and Landscape Diversity Strategy

At the Ministerial Conference, Environment for Europe, held in Sofia (Bulgaria) from 23 to 25 October 1995 the Ministers endorsed the Pan-European Biological and Landscape Diversity Strategy, as transmitted by the Committee of Ministers of the Council of Europe, as a framework for the conservation of biological and landscape diversity. The Ministers welcomed the readiness of the Council of Europe and the UNEP, in cooperation with the OECD and the IUCN to establish a Task Force or other appropriate mechanism in order to guide and coordinate the implementation and further development of the Strategy. The role of the Bern Convention in the implementation of the Strategy was discussed at the Bureau of the Standing Committee and at the Committee of Ministers of the Council of Europe. Both bodies share the idea that the Convention could well have a leading role in the implementation of two Action themes in the Strategy:

Action Theme 1:            *Establishing the Pan-European Ecological Network*  
 Action Theme 11:        *Action for threatened species*

The Secretariat was asked by the Bureau of the Committee to develop this idea in a document. The Secretariat presented the document, which takes also into account the Monaco Declaration on the role of the Bern Convention in the implementation of worldwide international instruments for the protection of biodiversity, as the Standing Committee took note on 24 March 1995.

The Committee held an exchange of views on the subject. Some delegations supported the idea that the Convention play a leading role in coordinating one or other Action Theme of the Strategy but did not see very well how it could be put into practice. Some delegations wished the Convention to play a more active role in Action Theme 2 (Integration of biological and landscape diversity considerations into sectors). Others wished that the Convention play no role at all.

The delegation of the Netherlands wished in particular that the Convention play an important role in the establishment of the Pan-European Ecological Network and suggested that a financial contribution be made to the reinforcement of the habitat provisions of the Convention. The French delegate felt that it was not possible to make an activity which had not been decided upon by the Committee subject to a voluntary contribution.

The Secretariat summarised the discussion noting that there was some consensus on two

topics:

- the Convention should somehow be involved in the implementation of the Strategy, especially in the subjects on which it is strong: species and habitat conservation;
- it seems that, at the present stage and pending formal decisions on the Task Force, it was not in the interest of the Convention to be involved in the formal set up of the Secretariat of the Task Force ; but the Committee wished to come back on the role of the Bern Convention in the implementation of the Pan-European Strategy pending a decision to be made by the Task Force.

### **3.2 States to be invited as observers to the 16th meeting**

The Committee decided unanimously to invite the following states, non member states of the Council of Europe, to its 16th meeting:

Algeria, Belarus, Bosnia-Herzegovina, Cape Verde, Croatia, Holy See, Mauritania, and Morocco.

## **4. Legal aspects**

### **4.1 Opening and closing of files and follow-up of recommendations**

T-PVS (95) 49 Report of group of experts on opening and closing of files

At its 13th meeting, in December 1993, the Committee examined a procedure for the follow up action of recommendations of the Committee and the opening and closing of files on "specific sites". A proposal had been previously circulated to Contracting Parties for comment in 1993. The Committee amended the procedures, decided to postpone until its 14th meeting the final decision on their adoption and decided to apply them provisionally until a final decision on the matter had been taken. At its 14th meeting in March 1995 the delegate of the European Commission raised some objections concerning the cases that may concern member states of the European Union and, on his request, the Committee created a Group of experts to discuss possible solutions to the objections raised. The Group met in Strasbourg on 12 October 1995. It made proposals to amend the text of the procedure so that it would be more in line with the comments made by the European Commission and discussed the possible options for the legal status of the text.

The Secretariat presented the report of the meeting, inviting the Committee to discuss the issue and to examine the amended procedure. Several options were presented to the Committee :

- a) to maintain the *status quo*;
- b) to opt for an additional protocol to the Convention;
- c) to adopt an interpretative resolution appended to the Convention;
- d) to adopt an interpretative resolution which would be published independently from the Convention.

The delegate of WWF-International deplored the fact that the time allowed governments to reply to requests for information was so long and also thought, generally speaking, that it would be necessary to speed up complaints procedures concerning nature conservation, insofar as certain actions may cause irreversible damage to wildlife or habitats.

The Commission delegate explained certain relevant legal matters linked to the establishment of the European Community and pointed out that, owing to the difficulties of a political and legal nature raised by this matter, his authorities preferred the solution consisting in the drafting of a protocol. It would nonetheless be necessary to await a decision by the Council.

Certain delegations (Germany, Netherlands) sought clarification of the question as to whether it might not be possible to have recourse to other international bodies outside the Treaty establishing

the European Community. They felt that it was untenable to claim that Contracting Parties could not participate in the system of files. As for the French delegate, he thought that it would be advisable to adopt a protocol in order to avoid a two-tier Convention. The Norwegian delegate, for her part, insisted that all Contracting States had obligations *vis-à-vis* the Convention, whether or not they were members of the European Union. If special procedures were to be adopted for European Union, she was looking for some information routines whereby the Secretariat would inform the Standing Committee of the status of such cases. The opinion of the Swiss delegate was that it was essential to maintain the flexibility with which the files procedure had so far been implemented.

The Italian delegate, with the backing of the German delegation, having proposed to maintain the *status quo*, the Standing Committee decided to continue applying provisionally the current practice, pending further discussion within the European Union of the relationship between non-compliance procedures under the Convention and infringement procedures under the Treaty.

#### **4.2 Group of experts on the legal aspects of the introduction and reintroduction of wild species**

T-PVS (95) 30 Report of Group of Experts on introductions and re-introductions

The Secretariat reported that the Group of Experts on the legal aspects of the introduction and reintroduction of wildlife species had met for the second time in Strasbourg on 11 and 12 May 1995. As the question of the introduction and reintroduction of species of both flora and fauna was of special importance for the conservation of wildlife (as borne out by the Rio Convention on Biological Diversity), the Standing Committee had decided in 1992 to set up a Group of Experts with the task of reviewing the national legislations of the different Contracting Parties. This Group had met for a second time in 1993 and had found that the texts compiled by the Secretariat revealed wide disparities among the legislations concerned. A legal study on the introduction, reintroduction and repopulation of animal and plant species had therefore been commissioned from a consultant and it was decided that the said study should aim to examine possible ways of harmonising national legislations as well as submitting proposals on how this aspect could be given fuller consideration in the context of the Bern Convention.

At its meeting last May, the Group of Experts had therefore examined these proposals and prepared a draft recommendation on the introduction of non-native organisms into the natural environment, together with a draft resolution on the Group's terms of reference. It had also selected a series of themes for more detailed study: introductions of species for biological control purposes; deliberate or accidental introductions of non-native plants into the natural environment; restocking of game species or species of interest to anglers. The first two themes are mentioned in the 1996 Programme of activities (T-PVS (95) 38) to be examined under item 8 of the agenda. The third item could be studied in 1997, together with other matters such as the production of a (French-English) glossary on expressions connected with introduction, reintroduction, restocking and repopulation, and the study of questions connected with the introduction of non-native marine species in the Mediterranean, with regard to the particular problem of the massive entry of Red Sea species into the Mediterranean Sea. At its next meeting, the Group was expected to draw up a draft recommendation on the reintroduction (or restocking) and reinforcement of populations of wildlife species in the natural environment. In so doing, the Group should take account of the Guidelines for reintroduction approved by the IUCN Council in May 1995.

The Secretariat drew attention to a further point which the Standing Committee would have to decide on: it would be necessary to make Appendices I, II and III of the Convention more explicit in order to avoid introduced species being inadvertently protected by the Convention. This might happen when use was made of the expression, with reference to fauna, "all species". To clarify this situation it would be possible to add in the title of the appendices the term "native" (for example "strictly protected native flora species", "strictly protected native fauna species and "protected native fauna species". To make these changes, it would be necessary to follow the procedure laid down in Article 17 of the Convention which deals with amendments to the appendices and it would be necessary for a Contracting Party to communicate this proposal to the Secretary General of the Council of Europe in time for the next meeting.



The Hungarian delegate insisted that the Group of Experts had attached great importance to the problem of accidental introductions and trade in non-native species. These matters were generally highly topical and were also dealt with by the Convention on Biological Diversity. He asked the Standing Committee to approve the draft recommendation and resolution.

The Norwegian representative also thought that this question, which was covered by the Rio and Bern Conventions and the new agreement reached at The Hague, deserved close attention owing to the harmful repercussions which such uncontrolled introductions could have on the environment. It would indeed be advisable to check whether certain species were not being inadvertently protected, establishing whether there were not legal shortcomings in various countries and examining the impact of introduced species in the natural environment. She added that an international Conference would be held on this subject in July in Norway and that it would be desirable for the Standing Committee to keep informed.

Certain delegations (including Switzerland, France and Portugal) having expressed their willingness to adopt the draft recommendation while others (Denmark, Germany, Monaco, United Kingdom) expressed the wish that certain points should be redrafted or added. The United Kingdom delegate said that care should be taken in order to avoid conflict with activities where accidental escapes are unlikely to lead to the establishment of populations in the wild. The representative of the International Association for Falconry and Conservation of Birds of Prey also pointed out that it was necessary to ensure that the draft recommendation did not affect falconry, in so far as the birds were not in fact released into the wild. The Standing Committee decided to set up a working party composed of the delegates of Germany, Hungary, the United Kingdom, Switzerland, Norway, Portugal, the Netherlands, IUCN and the International Association for Falconry and Conservation of Birds of Prey, with the task of revising the draft recommendation on the introduction of non-native organisms into the natural environment.

The Standing Committee decided to accept the working party's proposal to mail a revised version of the draft recommendation to the Group of Experts on the legal aspects of the introduction and reintroduction of wildlife species so that its members could re-examine the text. It decided that the Secretariat should take account of any comments formulated and would present the text once more at the 16th meeting of the Standing Committee, for adoption. The United Kingdom delegate said that care should be taken in order to avoid the draft recommendation affecting certain activities such as zoos, botanic gardens or falconry centres. The representative of the International Association for Falconry and Conservation of Birds of Prey also pointed out that it was necessary to ensure that the draft recommendation did not affect falconry, in so far as the birds concerned were not in fact released into the wild.

With regard to the terms of reference of the Group of Experts, the delegates of Monaco and Switzerland thought that it would be preferable to set up a network of specialists rather than giving the group the task of examining practical cases resulting from the introduction, reintroduction and reinforcement of populations.

The Standing Committee decided that it was not necessary to adopt a resolution for the Group of Experts to continue functioning and decided to defer to the 16th meeting any decision regarding the terms of reference to be assigned to the Group of Experts.

#### **4.3 Amendment of Appendices II and III for mammals (proposal from Germany)**

T-PVS (95) 45 Proposal from Germany to include new mammal species in Appendices II and III of the Convention

T-PVS (96) 4 Proposal from Italy to include new amphibians, reptiles and insects in Appendix II of the Convention

The Government of Germany presented on 6 November 1995 a formal proposal to amend Appendices II and III of the Convention to include new species of mammals. The list presented by

Germany had been discussed at the 14th meeting of the Committee which had decided that the list was a good basis for amendment of the Appendices, although no agreement had been reached for the inclusion of *Balaenoptera physalus*, species that is considered to be threatened in the Mediterranean Sea, and *Monodon monoceros*.

The delegates of Bulgaria, France, Monaco and Switzerland seconded the proposal of Germany.

The delegates of Norway and Iceland proposed that *Monodon monoceros* and *Balaenoptera physalus* remain in Appendix III of the Convention. They referred to scientific information indicating that *Balaenoptera physalus* was not threatened in the North Atlantic and showing positive population trends in the centre of its distributional range. The possible need for protecting the species in the Mediterranean does warrant protection of the species in the North Atlantic. In her opinion the most important criteria would be:

1. the candidate species is threatened, and/or
2. the population is declining, and/or
3. application of the pre-cautionary principle, based on documentation that warrants concern.

She thought that *P. physalus* should stay in Appendix III, as data from the International Whaling Commission (IWC), Scientific Committee, showed that the North Atlantic population was not threatened, but in fact, increasing. For the *P. physalus* in the Mediterranean she encouraged more information to be given in order to determine whether this was a separate population, and then decide whether this population needed inclusion in Appendix II. *Monodon monoceros* had been characterised by IUCN as insufficiently known and further population counts were needed before a decision should be taken as to its inclusion in Appendix II.

After two non-valid votes, questioned by Iceland and Norway, the Committee decided to vote the German proposal separately, voting as follows:

- 1) German proposal excluding *Monodon monoceros* and *Balaenoptera physalus*: votes in favour 26, against 0, abstentions 0;
- 2) *Monodon monoceros*: votes in favour 25, against 0, abstentions 2;
- 3) *Balaenoptera physalus*: votes in favour 23, against 2, abstention 1.

The German proposal was thus adopted fully by a two-thirds majority of the Contracting Parties as it figure in Appendix 3 of this report. Following the provisions of Article 17, paragraph 2, of the Convention, the text adopted shall be forwarded to Contracting Parties.

The delegates of Iceland and Norway regretted the inclusion of *Balaenoptera physalus* in Appendix II of the Convention as, according to the scientific data from the Reports of the IWC, Scientific Committee, 1993 and 1994, the North Atlantic population is not threatened. Both delegations announced that they intended to notify objections in the sense of Article 17, paragraph 3, of the Convention regarding this species.

The delegate of Iceland stated that the procedure used for including species in Appendix II, particularly the lack of defined criteria and reliable data on populations and population trends of species in the question, is unacceptable and not in conformity with the outcome of the United Nations Conference on Environment and Development. In this light it is difficult to see how the Convention can become a tool for implementing the Convention on Biological Diversity in Europe.

The delegate of Denmark made the following statement:

"Although the European Community supports the proposal of amendment of Appendices II and III with certain listed mammal species Denmark as a matter of principle finds it questionable to

include species of cetaceans covered by ICRW in Appendix II to the Bern Convention as long as this inflicts upon the competence of the International Whaling Commission (IWC). The Rio declaration acknowledges the competence of IWC in the management and conservation of cetaceans in conformity with the International Convention for the Regulation of Whaling 1946 (ICRW).

Furthermore Denmark does not find it justified to include the narwhal (*Monodon monoceros*) in Appendix II and draws attention to the distress this might cause to Inuit communities".

The delegate of Iceland could not understand the statement made by Denmark voted in favour of the inclusion of the whale species in Appendix II of the Convention.

The delegate from Italy briefly presented a proposal for amendment of Appendix II which had been formally presented by his state but had arrived too late for discussion at the meeting. It concerns four species of amphibians and eight species of reptiles (present mainly in Eastern Europe, the Caucasus and Turkey) and two butterfly species endemic to Italy. This proposal will be formally discussed at the 16th meeting of the Committee.

On the request of the delegate of Norway, the Standing Committee charged the Secretariat to prepare, for the next meeting of the Committee, a document on criteria for listing species in the Appendices of the Convention.

#### **4.4 Legal Aspects: other items**

The following items were presented by the Secretariat for information but not discussed

##### **- Seminar on hunting law and management of Europe's hunting resources**

T-PVS (95) 34 Legislation of Parties on hunting

The Seminar, co-organised with the French Environmental Law Society (SFDE) in association with FACE, CIC, IWRB and the French hunting authorities (Office national de la chasse de France - ONC) was held in Strasbourg on 9 and 10 November 1995. It analyzed different hunting legislation and strategies for the preservation of hunting resources in Europe. A compilation of hunting legislation of Contracting Parties and observer states is being prepared by the Secretariat.

At its meeting in September 1995 the Bureau approved the proposal made by the Secretariat to gradually undertake comparative studies of legislation on the main types of human activities in conjunction with the conservation of species and natural habitats (hunting, fishing, picking, leisure activities...).

##### **- Report on compensation for damage caused by wild fauna to farming, forestry, fish farms and livestock raising**

T-PVS (96) 1 The compensation of damage caused by wild animals

The report analyses the compensation systems which the Contracting Parties to the Convention used in the event of damage caused by wild fauna to crops, farm animals, forestry, and livestock raising. The Secretariat sent a questionnaire to Contracting Parties and observer states. In the report, the author makes proposals to improve the effectiveness of the system.

##### **- Report on the legal obstacles to the application of nature conservation legislation**

T-PVS (96) 12 Legal obstacles to application of nature conservation legislation

Nature conservation legislation is often easier to adopt than apply, mainly owing to its contradiction with other legislation, to the dispersal of responsibilities among different state or regional bodies and to the difficulty of applying criminal offenses against nature conservation legislation. The report analyses all these circumstances and suggests possible solutions to obtain a

sounder application of nature protection legislation.

- **Report on private or voluntary systems of habitat protection and management**

T-PVS (95) 47 Study on voluntary systems of habitat protection and management

The report describes some of the European systems that enable private institutions to acquire or manage land for nature conservation purposes. The role of NGOs in this process is examined and recommendations made to enable systems to be developed in the countries of Eastern Europe.

The report will be subject to a more in-depth review at the Seminar on the same subject that is to be held in Romania from 29 September to 2 October 1996.

- **93-94 Biennial Reports**

T-PVS (95) 31 Model form for biennial report 1993-1994

Biennial reports for the period 1993-1994 were asked to contracting parties, in June 1995. As only a few Parties had sent reports (Bulgaria, Denmark, Germany, Luxembourg, Netherlands, Portugal, Romania, United Kingdom), they will be discussed at the 16th meeting of the Committee.

- **4-year General Reports**

T-PVS (95) 11 Guidelines for the contents of a general report by the Parties of the Bern Convention

In 1994 the Committee decided that Contracting Parties would submit every four years a general report on the implementation of the obligations in the Convention. Such reports are to be prepared following the guidelines set in document T-PVS (95) 11. Parties were asked to submit such reports by 1 January 1996, but as only a few reports had been received (Austria, Bulgaria, Denmark, Malta, Netherlands, Romania, United Kingdom, Monaco), they would be discussed at the 16th meeting of the Committee.

## PART II - THREATENED SPECIES AND HABITATS

### 5. Threatened species and habitats

#### ■ Fauna and Flora

#### 5.1 Group of experts on threatened marine and coastal species of the Mediterranean

T-PVS (95) 64 Report of group of experts on threatened species in the Mediterranean

The meeting of this Group of Experts, initially scheduled for 1996, was brought forward to 1995. It was held in Montpellier (France) from 22 to 25 November 1995 and was organised in collaboration with the Regional Activity Centre for Specially Protected Areas (RAC/SPA) of the Mediterranean Action Plan. It identified the endangered marine species of the Mediterranean which need a protection status so that they might, if appropriate, be included in the appendices of the Convention.

The Secretariat presented the report of the meeting. The Group of experts had discussed general conservation problems of marine species of the Mediterranean and proposed the inclusion of a certain number of species in Appendices I, II and III of the Convention. The amendment of the Appendices to the Convention with some of the species proposed could help to have a more comprehensive list of species protected by the Convention, as marine species (except for cetaceans, four species of reptiles and a few birds) were not well represented.

The delegate of Monaco offered to present a formal amendment of the Convention to include the species proposed, as well as to provide the required information. The delegate of France offered to collaborate with Monaco to produce the technical information requested.

The Committee took note of the report and welcomed the suggestion of Monaco to submit a formal proposal to be discussed at its next meeting.

#### 5.2 Seminar on the conservation of European desmans and water shrews

T-PVS (95) 32 Report of the Seminar on the conservation of desmans and water shrews

The Seminar was held from 7 to 10 June 1995 in the Ordesa National Park (Spain) with also the support of the French Government. The problems associated with the conservation of European desmans (*Galemys pyrenaicus* and *Desmana moschata*) and water shrews (*Neomys fodiens* and *N. anomalus*) were discussed and guidelines which might improve the status of these threatened species were proposed.

The report of the meeting was presented by Mrs QUEIROZ, from Portugal, as the delegate of Spain had not attended the Seminar. She congratulated Spain for the excellent organisation of the Seminar which she believed had had a very good scientific content. Two of the semi-aquatic insectivora discussed were very threatened species, one in Appendix II of the Convention and the other a candidate species for Appendix II. *Neomys* species were less threatened but, as any aquatic species, very vulnerable to habitat change.

She presented a recommendation which was adopted by the Committee as it figures in Appendix 4 of this report.

### 5.3 Action plans for European globally threatened birds

T-PVS (95) 33 report of the Seminar  
T-PVS-Birds (95) 1 rev to T-PVS-Birds (95) 23 rev

The Seminar was organised in conjunction with BirdLife International and was held in Strasbourg from 19 to 21 June 1995. Action plans were presented on the following species:

Macaronesian and Iberian endemic:

<i>Pyrrhula murina</i>	<i>Columba junoniae</i>
<i>Pterodroma madeira</i>	<i>Fringilla teydea</i>
<i>Pterodroma feae</i>	<i>Chlamydotis undulata</i>
<i>Columba trocaz</i>	<i>Aquila adalberti</i>
<i>Columba bolli</i>	

Waterbird species:

<i>Numenius tenuirostris</i>	<i>Marmaronetta angustirostris</i>
<i>Pelecanus crispus</i>	<i>Branta ruficollis</i>
<i>Phalacrocorax pigmaeus</i>	<i>Anser erythropus</i>
<i>Oxyura leucocephala</i>	

Non-waterbird species:

<i>Aquila heliaca</i>	<i>Larus audouini</i>
<i>Aegypius monachus</i>	<i>Acrocephalus paludicola</i>
<i>Falco naumanni</i>	<i>Crex crex</i>
<i>Otis tarda</i>	

At the Seminar, the plans were discussed and amended. Corrected versions of the plans were sent to contracting parties and observers, either directly through the Secretariat or - for European Union member states - through the ORNIS Committee.

The representative of BirdLife thanked the Contracting Parties for their collaboration in the preparation of the plans, and also Mr HEREDIA for having coordinated this exercise. The EC and RSPB were thanked for their financial support. Minor comments to the plans had been received since the revised versions had been printed. There was only substantial new information on two species:

*Anser erythropus*: the situation of the species is more critical than previously thought, as the suspected numbers may be very significantly lower than those recorded in the revised version of the plan.

*Oxyura leucocephala*: there are still differences on the way the competing species (*O. jamaicensis*) should be controlled in the areas where it has been reintroduced.

The delegate of Senegal congratulated BirdLife for the great quality of the plans and wished that they may be effectively implemented, especially for migratory species visiting the African continent. He hoped the plans could be a framework for North-South cooperation in the field of nature conservation.

The delegate of Spain said that his country was implementing already some of the plans and wished, in particular to be re-assured about the continuation of measures to control the spread of *Oxyura jamaicensis* in the United Kingdom. The United Kingdom delegate said that he understood that it was likely that the proposed regional trials would proceed as planned.

Delegates of several states, including Portugal and Norway, congratulated BirdLife for the plans, which they wished would be implemented in coordination with other initiatives, such as the African-Eurasian Migratory Waterbirds Agreement.

The Committee adopted the recommendation on the Action Plans as presented in Appendix 5 of this report.

#### **5.4 Follow up of urgent cases of Recommendations Nos. 26 and 27**

T-PVS (96) 6 and Addenda Reports from Parties on the implementation of Recommendations Nos. 26 and 27

At its 14th meeting, the Committee decided to pay particular attention to the follow up of Recommendations Nos. 26 and 27 at its next meeting. The following cases were regarded as international priorities:

##### **- Protection of *Coluber cypriensis* in Cyprus**

This rare species lives in forest regions in the Trodos range of mountains of central Cyprus in areas owned by the state and therefore free from tourist pressures. The government is going to organise a public awareness campaign. The SEH believed that the management of the forest where the species lives should be the subject of a management plan that would take more care of the conservation of this species.

##### **- Protection on *Chelonia mydas* in Cyprus**

The Government believes that the areas where this species nest are sufficiently protected as beaches are state-owned. A very complete management plan for this species and *Caretta caretta* is carried out by the government, including the establishment of hatcheries. MEDASSET believed that a better protection of the area would be obtained if important beaches were designated as national parks, as there may be tourist development projects that would be not compatible with the preservation of marine turtles.

##### **- Protection of *Vipera ursinii ursinii* in La Plaine de Caussols (France)**

The French delegation presented a report informing the Committee that new sites had been identified and some of these sites were about to be protected, which would avoid any urbanisation of the area. Prospecting for new sites would continue. The Committee considered that there should be no further follow up to the Recommendation in this case. The SEH delegate welcomed the protective measures being taken by France at Caussols and agreed that this was by far the most important national site.

##### **- Protection of *Vipera lebetina schweizeri* in Milos (Greece)**

The Greek delegate informed the Committee that this species is a priority one in terms of conservation; the Ministry of the Environment in cooperation with the Local Authorities concerned and the Goulandris Natural History Museum are carrying out a project for the elaboration of the appropriate conservation measures, that have to be adopted and implemented, as well as for the promotion of public awareness and for the wardening of the area. The SEH delegate outlined the uniqueness of this long isolated taxon and the result of three seasons of ecological research which had confirmed its critical status. The continuing lack of any practical conservation measures was deplored and was hastening to snakes otherwise inevitable slide to extinction. In the opinion of SEH, this was a clear breach by Greece of obligations under the Convention.



- **Protection of *Testudo marginata* in Gythion (Greece)**

The delegate of Greece informed the Committee that quite recently, at the end of 1995, a National Inventory had been completed as required by the Directive 92/43/EEC for the establishment of the European Network "NATURA 2000". This threatened endemic species is found in south-western mainland Greece (Eperos, Sterea Ellade, Peloponissos). Conservation measures will be formulated in the context of the "NATURA 2000" Network after having evaluated the results of the aforementioned Inventory. The delegate of SEH confirmed that the area around Gythion remained the only known concentration of this threatened species and again urged protective measures to offset habitat loss by deliberate fires, over-grazing, and agricultural reclamation.

- **Protection of *Natrix natrix cetti* in Sardinia (Italy)**

This high mountain species from Sardinia has become more and more rare without any particular known reason, as the ecosystems where it was found are still present in a relatively good state. Italy has included some of these sites in NATURA 2000. SEH encouraged that efforts be resources and continued in field surveys for this increasingly rare animal.

- **Protection of *Lacerta lepida* in Ciaxie and Finale (Italy)**

The known biotopes of this species have been included in the NATURA 2000 Network, as the species is very rare in Italy. This was welcomed by SEH.

- **Protection of *Trionix triunguis* in Turkey**

SEH noted that most of the elements contained within this part of the Recommendation remained unfulfilled and should now be urgently pursued. Plans have been prepared to carry out a survey based on direct observations and questionnaires along the Southern Aegean-Mediterranean coasts. Following an initial study aiming to identify main threats through an habitat inventory more detailed researches regarding development of protection strategies for habitats of the species with first degree priority and populations thereof will be conducted. The MEDASSET delegate outlined the current situation of continuing and serious threats from pollution and speeding boat traffic which was in contrast to the statement from Turkey.

- **Protection of sites of high herpetological interest in the region from Giresun to Hopa (Turkey)**

A survey based on direct observations and questionnaires relating to reptile fauna is also planned to be carried out in the region between Giresun and Hopa. The Standing Committee wished that the on-the-spot appraisal that had been proposed at a previous meeting be carried out. Turkey agreed to organise a visit by an expert accompanied by the Secretariat. The terms of reference of the visit would be to identify areas of high herpetological interest which may be good candidates for protection.

- **Protection of sites of *Vipera albizona*, *V. pontica* and *V. wagneri* in Turkey**

The Turkish delegate informed the Committee that more rigid measures will be implemented to control hunting of *Vipera* species and to prevent illegal exportation thereof. The SEH hoped that such measures would be implemented with efficiency.

- **Protection of *Mertensiella luschani* in Greece**

The Greek delegate informed the Committee that this species occurs in some islands of the Dodecanese complex of the Aegean Sea, namely Kassos, Karpathos, Saria and Kastellorizon. This amphibian is free from threat in the fairly inhabited island of Saria, whilst in Karpathos accidental forest fires are a threat. In Kastellorizon no threat has been recognised. Local Port Police and Forest Authorities are becoming aware of the need for a preventive control, although any collection is not known as a practice in the above mentioned areas.

SEH recognised the practical difficulties posed by field surveys on this species but encouraged Greece to continue with their stated work.

- **Protection of *Euproctus platycephalus* in Sardinia and *Salamandra aurorae* in Bosco del Dosso (Italy)**

Sites for these species had been integrated into the NATURA 2000 Network. The biotope of Valdassa-Bosco del Dosso has been proposed for inclusion in the NATURA 2000 Network. The road to Bosco del Dosso has been closed to traffic. Foresters and other local authorities (*Reggenza dei Sette Comuni*) have been alerted to the situation. A survey carried out in October 1995 by the foresters of the Asiago region produced 27 specimens of this animal. In the meantime, research carried out by Dr. K. GROSSENBACHER (Bern) has demonstrated that this species occurs also well outside its previously known range and over a territory whose extremes span at least 15 km. Research is under way also by a group of local herpetologists coordinated by Mr Patrizio Rigoni.

- **Protection of *Proteus anguinus* in Trieste (Italy)**

The Italian delegate informed the Committee that a sizable part of the Korst had been protected from building activities and possibly pollution, so that the cave species were relatively safe.

- **Protection of *Rana latastei* in Pra Coltello, Novazzano (Switzerland)**

The site has been integrated into the Federal inventory of breeding sites of amphibians of national importance. This implies that the Canton, in agreement with the local authorities, will delimit the areas where special management contracts will be signed with owners. This was welcomed by SEH.

- **Protection of *Mertensiella luschani* in Turkey**

Work is under way to prevent loss of habitats as a result of environmental pollution (pesticides, chemical waste, etc.) which affect this species living around rocky areas in the vicinity of water accumulations and small creeks.

- **Protection of *Rana holtzi* in Turkey**

Plans have been prepared to protect meadows with an area of more than 2,500 square metres on Bolkar mountain in Toros chain. The plans also provides for implementation of measures designed to prohibit hunting of specimen. These studies have been included among projects to be carried out in 1996. The SEH delegate explained that this aquatic frog was confined to two small lakes and it was this habitat rather than meadows which required protection.

Two other urgent issues regarding implementation of Recommendations Nos. 26 and 27 were discussed:

- ***Triturus cristatus* in the United Kingdom**

The delegate of WWF informed the Committee that his organisation had submitted to the Bureau a complaint regarding the urbanisation of one of the most important breeding sites in the United Kingdom for *Triturus cristatus* (Orton Brick). The area had received planning permission and was to be developed. The United Kingdom delegate said that the matter was now the subject of a letter from the Commission before possible implementation of article 169 of the Treaty establishing the European Community and that a reply was being prepared. His Government was now examining the biodiversity proposals prepared by the United Kingdom Biodiversity Steering Group, which included action plan for a number of threatened species in the United Kingdom, including *Triturus cristatus*. The United Kingdom Government will respond to the proposals in the Spring of 1996.

- ***Lacerta agilis* in the Netherlands**

The SEH delegate reminded the meeting of last years tabled paper; the planned works would destroy the main habitat of a nationally most important population of *Lacerta agilis* unless a series of precautionary measures were taken. It seemed that the Netherlands herpetological Group had been unable to elicit any response from approaches made to the Company since 1993. It recently found that the official Environmental Impact Assessment failed event to address reptiles. SEH considered that the time left to consider adequate precautionary measures was now short and they therefore urged Governmental intervention.

The delegate of the Netherlands will inform the Committee on this issue at its 16th meeting.

The acting Chairman, Mr SPIRIDONOV, summarised the discussions of the Committee proposing that five cases be examined at the next meeting of the Committee for the possible opening of a file. These were the following:

*Vipera lebetina schweizeri* in Milos, Greece;  
*Testudo marginata* in Greece;  
*Trionix triunguis* in Turkey;  
*Rana holtzi* in Turkey;  
*Triturus cristatus* in the United Kingdom.

For the other cases, the Chairman recommended that Contracting Parties keep monitoring the status of the threatened populations concerned, particularly *Coluber cypriensis* and *Natrix natrix cetti*.

## 5.5 Group of experts on plant conservation

T-PVS (95) 39 Report of group of experts on Plants, Hyères

The Group met in Hyères (France) from 8 to 10 September 1995. It discussed the implementation of recommendations concerning plant conservation and the revision of Appendix I. Proposals were made concerning application of national legislation and on the problems caused by invasive plants. A draft recommendation was proposed concerning wild plants subject to exploitation and commerce.

The Committee took note of the report of the meeting which the Secretariat presented, and in particular the continuation of the activities of the Group for the next two years. The Committee also took note of the Resolutions of the PLANTA EUROPA Conference and discussed in detail the draft recommendation on wild plants subject to exploitation and commerce. The Secretariat explained that the recommendation had been drafted following the text of the Habitats Directive and that it was intended to encourage states to monitor plants threatened by commerce.

The Recommendation was adopted as it figures in Appendix 6 of this report.

### ■ Habitats

## 5.6 Development of Recommendations Nos. 14, 15 and 16

T-PVS (95) 42 Convention's texts on habitat protection  
 T-PVS (95) 15 rev Draft resolution on species requiring habitat conservation  
 T-PVS (95) 16 rev Draft resolution on endangered natural habitats  
 T-PVS (95) 62 Report of meeting on endangered natural habitats  
 T-PVS (96) 3 Development of protection of natural habitats within the Convention  
 T-PVS (96) 5 Report on the possible development of Recommendation 16 to  
 create a pan-European network of areas of species conservation interest  
 T-PVS (96) 8 Report on species requiring habitat conservation

In June 1985, the Committee adopted Resolution No. 1 and Recommendations Nos. 14, 15, and 16 concerning protection of habitats under the Convention. These recommendations ask parties, among other things, to:

- a) identify species regarding specific habitat conservation means;
- b) identify endangered natural habitats regarding specific conservation means;
- c) take steps to designate areas of special conservation interest.

To meet these three requests, the following activities were carried out in 1995:

### a. Identification of species requiring specific habitat conservation means

A report was prepared in 1995. The Secretariat presented a draft resolution, which had been prepared on the information provided by the consultant. The list of species appended was not agreed, as some delegations had objections concerning the inclusion of some species and others wished new species to be listed. As the delegations had not been given the documents in advance, appropriate consultations had not been made so the Standing Committee preferred to examine the draft resolution at its 16th meeting.

The Secretariat was instructed to circulate the document to Parties and observers for comment.

**b. Identification of endangered natural habitats requiring specific conservation means**

A Group of experts on identification of endangered natural habitats met in Strasbourg on 4 and 5 December 1995. The Secretariat presented the report of the meeting and the draft resolution as proposed by the Group of experts.

The Committee held an exchange of views on the draft resolution and decided that it had not been forwarded to Parties in time enough for internal consultation, and some European Union members were concerned with the interface between the proposed list of habitats and those already listed in Annex 1 of the "Habitats" Directive. As some concerns were also expressed by non European Union members, the Committee decided to re-examine the draft resolution at its next meeting.

The Committee instructed the Secretariat to remind the Parties that the draft resolution would again be discussed at its next meeting.

**c. Designation of areas of special conservation interest**

After the adoption of the pan-European Biological and Landscape Diversity Strategy, the Bureau of the Committee wished to have a clear picture as to the options opened to the Committee to coordinate its work on habitats and species with the objectives set up in the strategy. Regarding conservation of habitats, the Bureau of the Committee took the decision to ask for a report on the topic (including the possible legal ways to reinforce the obligations regarding habitat conservation). The Bureau also asked the Secretariat to prepare a short document concerning the development of Recommendation No. 16 in connection with the strategy. The Secretariat presented both documents, pointing out that it would be desirable to create a Pan-European Ecological network by developing Recommendation No. 16.

The Secretariat presented its views regarding the development of Recommendation No. 16. Such a recommendation was a possible way to create a pan-European network that would bridge the initiatives of the European Union (NATURA 2000) with a parallel network to be built on non European Union member states. This could be easily done by adopting the draft resolution proposed, which would create a pan-European network, the Emerald Network. The members of the European Union may consider that their contribution to the pan-European network would be the NATURA 2000 Network.

Some delegations objected that such a network be identified with the pan-European Ecological Network to be developed in the framework of the pan-European Strategy as this one should be open to European states which were not Contracting Parties or observer states of the Bern Convention and had a wider character. The delegates of Bulgaria and Hungary supported the creation of a network be developing Recommendation No. 16, such as the one proposed, as this might help the creation of protected areas in their states.

Some delegations wished to have a clarification on the legal basis of the building of the network. The Secretariat informed them that the adoption of a resolution developing Recommendation No. 16 was within the competence of the Committee. The legal reach of Recommendation No. 16, as indeed of all recommendations of the Committee, was that of a soft-law instrument which would not be legally binding for the Contracting Parties or observers.

The Committee adopted Resolution No. 3 as it appears in Appendix 7 of this report.

## 5.7 Threatened species and habitats: other items

The following items were presented only for information and were not subject to discussion.

### - **Agreement on the Conservation of African-Eurasian Migratory Waterbirds, The Hague, 16 June 1995**

A negotiation meeting held in The Hague from 12 to 16 June 1995, jointly prepared by the Secretariat of the Bonn Convention on the Conservation of Migratory Species of Wild Animals (CMS) and the Netherlands Government, adopted by consensus the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA). It is an AGREEMENT within the meaning of Article IV, paragraph 3 of the CMS. It was opened for signature at the Ministry of Foreign Affairs of the Kingdom of the Netherlands from 16 October 1995. It concerns the Bern Convention in so far as the latter attaches special importance to migratory species (Article 1, paragraph 2 and Article 10). A statement was inserted into the Final Act of the AEWA negotiation meeting to the effect that the meeting "encouraged the establishment of co-operation with the Bern Convention, which is also concerned with migratory species". The Final Act of the Agreement contained a provision mentioning that the meeting encouraged the establishment of co-operation with the Bern Convention, which is also concerned with migratory species.

### - **Draft Agreement on the conservation of cetaceans of the Mediterranean and Black Seas**

The official meeting for the negotiation of the draft Agreement on the conservation of [small] cetaceans of the Mediterranean and Black Seas, which was jointly prepared by the Secretariat of the Bonn Convention on the Conservation of Migratory Species of Wild Animals (CMS) and the Monaco Government, was held in Monaco from 26 to 30 September 1995. The purpose was to discuss and finalise the preliminary draft Agreement on the conservation of [small] cetaceans of the Mediterranean and Black Seas. This is an AGREEMENT within the meaning of Article IV of the CMS. However, the negotiation meeting has not yet resulted in the adoption of the Agreement. A further meeting will be held in 1996 to secure the effective adoption of the Agreement.

### - **Handbook of site management for amphibians and reptiles**

T-PVS (96) 9 Document in preparation for publication

The Secretariat informed the Committee that the handbook had been finalised by the consultant but was not yet ready for publication. The handbook is aimed at site managers and includes the following items:

- the most frequent causes of disappearance of species from sites;
- types of site management which are potentially damaging to amphibians and reptiles;
- recommended management practices for different types of amphibians and reptiles;
- acceptable methods for translocation and colony establishment for different types of amphibians and reptiles;
- standard components of recovery plans for different types of amphibians and reptiles.

- **Report on saproxylic invertebrates of Eastern Europe**

T-PVS (96) -- This document is not yet in its final version

This report is a compilation of threatened saproxylic invertebrates in Eastern Europe. Some suggestions are made concerning their conservation and the inclusion of some species in the Appendices of the Convention.

- **Seminar on plant conservation in Europe PLANTA EUROPA**

The first European Conference on the Conservation of Wild Plants (PLANTA EUROPA) was held from 2 to 8 September in Hyères (France). It was held in co-ordination with the Group of experts on plant conservation which met in Port Cros from 8 to 10 September 1995. The Conference was organised by PLANTLIFE and the French Government.

The Conference addressed to governments a number of recommendations, some of which are included in the report of the group of experts on Plants. PLANTA EUROPA plans to create a network of organisations involved in plant conservation in Europe, to promote plant conservation action. The Secretariat of the Convention will be part of the steering committee to create the PLANTA EUROPA network.

- **Report on threatened flora of Eastern Europe and on amendment of Appendix I**

T-PVS (95) 48 Threatened flora of Eastern Europe - amendment of Appendix I

The Secretariat presented for information a report proposing some species of Central and Eastern Europe for amendment of Appendix I of the Convention. The report is the basis for a formal proposal to be made by Bulgaria to amend the Convention at the end of 1996. The Secretariat informed Contracting Parties and Observer States that they would be asked to send their comments in writing on the list proposed in the report.

- **Report on re-enforcement of the implementation of Recommendation No. 16**

This report, requested by the Bureau was presented at point 5.6 (c) ahead.

- **Report on traditional management of species-rich grasslands**

T-PVS (96) -- This document is not yet in its final version

The report describes the main ecological and management factors that are responsible for the diversity characteristic of grasslands. It presents different types of traditional management and makes suggestions concerning the means of maintaining their plant diversity.

**PART III - SPECIFIC SITES****6. Specific sites****6.1 *Caretta caretta* in Laganas Bay, Zakynthos (Greece)**

- T-PVS (95) 50 Zakynthos: report by Secretariat  
T-PVS (95) 63 Zakynthos: report by MEDASSET  
T-PVS (96) 7 Zakynthos: report by Sea Turtle Protection Society  
T-PVS (96) 21 Zakynthos: report by Greece

The Chairman remarked that this item had been on the agenda of the Committee since 1986 and no satisfactory solution has yet been found. It concerns a bay of particular importance for the nesting of the marine turtle *Caretta caretta* (Appendix II to the Bern Convention), which is threatened by tourist development.

At its 14th meeting the Standing Committee adopted a Decision concerning the conservation of Laganas Bay (see Appendix 9 to document T-PVS (95) 26) stating that failure by Greece to comply with any of the four conditions listed in the Decision would be understood by the Standing Committee as a grave and repeated breach of its obligations under the Bern Convention and as an encouragement to Parties to proceed according to Article 18, paragraphs 2 to 5 of the Convention. At its meeting on 28 September 1995 the Bureau instructed the Secretariat to ask the Greek Government to present a report at the Standing Committee's 15th meeting on the implementation of the provisions of the Decision. It also instructed it to contact the Commission of the European Communities to ascertain whether this case had been brought before the Court of Justice of the European Communities. The Secretariat has contacted the Greek authorities to that effect.

The Secretariat said that it had prepared a summary of this case (T-PVS (95) 50). A report had also been submitted by the Government (T-PVS (96) 21), while MEDASSET and the STPS had provided information documents (T-PVS (95) 63) and (T-PVS (96) 7).

The Greek delegate reported on progress with a view to creating a marine park, which was the aim pursued by the Government, as well as on the actual situation based on the relevant information (T-PVS (96) 21).

In this context she referred to:

- the overall nesting activity of *Caretta caretta* on Zakynthos island during the last ten years, shows a fluctuation, which cannot lead to any safe prediction of population decrease or increase, whereas the number of nests, during the 1995 summer was the highest ever recorded for the island (2,018 nests);
- the significant improvement of the conservation state of the marine area, with no injury to sea turtles during 1995, due to the total ban of speedboats in the bay;
- successful prevention of human presence on the nesting beaches, at night, due to the tourist awareness programme and the hiring of wardens by the local municipalities;
- elimination of light and noise disturbance, due to the rescheduling of flights in Zakynthos airport, with no arrivals and/or departures between 2200 hours and 05.00 in the morning;



- the encountered difficulties of Prefectoral Authorities for purely legal reasons related to the rights over privately owned land, towards their attempt for demolition of the illegal houses on Dafni beach and the subsequent "moratorium", between the Authorities and the owners of those houses fully kept by the latter, for not using them during summer;
- the opening of a road by removal of natural vegetation from the sides of a pre-existing foot-path leading to the Sekania beach, by the landowners, without obtaining a permit from the Prefectoral services. At the request of the Ministry of the Environment for immediate action, in order to prevent further ecological damage and to restore the site, the local Forestry service, sued the culpable persons, whereas the municipality concerned placed a warden to control access. Today, this road, due to its primitive construction, is inaccessible to vehicles.

Furthermore the Greek delegate referred to the official meetings, which took place in Zakynthos in April and July 1995, in the presence of the Secretary General of the Environment Ministry with the participation of representatives of Local Authorities, Regional Services and other parties of the Ministry of the Environment, in the course of the establishment of the National Marine Park, including the second draft of the zoning proposal for which, some of the comments, expressed by Local Authorities and NGOs at a later stage, will not be taken into consideration. Meanwhile, the elaboration of proposals for the land acquisition and management policies in the Park and for the Management Authorities form and its legal status, consigned by the Ministry of the Environment, is scheduled to be presented, on Zakynthos, in the coming years. As for the Priority Actions for 1996, it is expected that the necessary, by the Law 1650/86 for the Protection of the Environment, legal texts for the establishment of the Marine Park (i.e. delimitation of its zones management objectives, creation of Management Authorities and introduction of financial means and regulations) will be prepared.

The acquisition by the State (purchase or expropriation) of 4 ha of privately owned land, behind the Sekania beach (where the aforementioned road is found), is planned as a priority action in 1996; it will ensure that, together with the 30 ha, acquired by WWF Greece in 1994, the most important nesting beach of Sekania will be under absolute protection. Land owners of the land behind Dafni beach will be offered, by the State, the choice of temporary rental (under the condition that those who have built illegally will pull down these constructions), until the means of ownership exchange and/or transfer of building coefficient will allow the acquisition by the State. In the case that the constructions are not demolished, the State is planning to use expropriation, in order to acquire the land with these constructions, and will consequently demolish them. Priority land acquisition costs will be covered by national funds, whilst the projects of the Ministry of the Environment, providing infrastructure for the operation of the Park, the sewage management and solid waste recycling, are to be implemented. Finally the Greek delegate considered necessary to associate all the factors for the nature protection in this process and explained in detail the necessary legal provisions and procedures.

The Secretariat expressed its disappointment at the lack of progress and felt that this undermined the credibility of the Convention.

The Swiss delegate wondered why it was necessary to compensate owners of illegal buildings. The German delegate thought that the situation was nevertheless improving and that the Greek Government deserved encouragement.

The MEDASSET delegate stressed that the situation had remained largely unchanged. No real progress had been achieved: the buildings in Dafni had only been provisionally closed last season; the funds earmarked by the Government to compensate the owners had been returned by the Prefect to the Government department; the regulations banning outboard motorboats were not enforced; the local warden system was inadequate; the illegal buildings had not been demolished; lastly, a new roadway which would bring an influx of 1,435 tourists a year had been built causing catastrophic erosion of the cliffs. The meetings on the creation of the marine park were constantly postponed, the local communities were unanimous in rejecting the proposed park and the beaches were littered with sunshades. Last but not least, a nature conservationist had been subjected to an attack, his premises having been blown up. The SEH delegate expressed his very great concern regarding the long-term conservation of this Laganas Bay population of Loggerhead Turtle and pointed out the ecological significance of fulfilling without further delay elements 2 and 3 of the Committee's Decision of March 1995 (T-PVS (95) 50). SEH, having heard also of the continuing and unfavourable conservation situation on Milos and at Missolonghi, felt that the current view of judging the efficacy of the Convention on the outcome of Zakynthos was unfair. It would better be judged on how the Convention deals with the conservation situation in Greece.

The European Commission representative said that a complaint was being examined by his authorities.

The Swiss delegate proposed that, in accordance with the Decision of 24 March 1995, the Standing Committee should declare that Greece had failed to fulfil one of the stipulated conditions and that this failure was regarded as a serious and repeated infringement of its obligations under the Convention and an encouragement to the Parties to take action in accordance with Article 18, paragraphs 2 to 5 of the Convention.

The German delegate proposed that, within the next 6 months a legal expert should carry out a study of the means necessary to guarantee the adequate conservation of Laganas Bay. He considered that the Greek Government had displayed a genuine willingness to improve the situation. The Swiss delegate agreed that it would be appropriate to carry out this study. The MEDASSET delegate added that the laws existed but were unfortunately not applied.

The Swedish delegate felt it was desirable to declare that the Convention had been breached, so that the Standing Committee could convey its concern both to the Government concerned and to the European Commission. The French delegate proposed to take note of the serious efforts made by the Greek Government but to declare that there had indeed been an infringement of the Convention and to reiterate Item 5 of its Decision of 24 March 1995.

With respect to the decision of 24 March 1995, the Standing Committee finds that Greece has achieved only limited progress. It continued to be very concerned that not all obligations of the decision of 24 March 1995 have been fulfilled satisfactorily. Therefore the Standing Committee decided to finance an expert to analyse the legal situation in Greece relevant to this matter. The Standing Committee expected that all pertinent facts will be presented in a report from the Greek Government so the matter can be settled as expeditiously as possible. The legal report and that of the Greek Government must be concluded and received by the Secretariat no later than 15 September 1996 for distribution to the Contracting Parties. It is necessary that the Secretariat provides this information to the Contracting Parties at least six weeks before the next meeting of the Standing Committee.

## 6.2 Possible new files

### - Dam project in the province of Salamanca (Spain)

T-PVS (95) 51 Irueña: report by Secretariat

T-PVS (96) 9 Irueña: report by Spain

The Secretariat reminded the Standing Committee that this project concerned the construction of a dam in Spain which is likely to affect several Appendix II species, although none so severely as to threaten its survival. At the Standing Committee's request, a consultant, Mr L. ROSE, accompanied by a member of the Secretariat and the Spanish delegate to the Standing Committee, carried out an on-the-spot enquiry from 3 to 6 May 1994. At its 14th meeting the Standing Committee adopted Recommendation No 46 on the Irueña dam (see Appendix 10 to document T-PVS (95) 26). At its meeting on 28 September 1995 the Bureau instructed the Secretariat to ask the government to present a report on the implementation of these provisions at the Standing Committee's 15th meeting. The Secretariat has addressed a request to that effect to the Government.

The Secretariat said that it had prepared a summary of the situation (T-PVS (95) 51) and that the Government had submitted its report (T-PVS (96) 9), which stated that the competent authorities had decided to go ahead with building the dam, although with certain modifications entailing the following reductions in the scope of the project: a 42% reduction of the initial flood area; a 57% reduction in the area of oak forest affected; a 74% reduction in the area of pine forest affected; a three kilometre reduction in the riparian forest affected. The General Waterworks Directorate had also agreed to fulfil the following conditions: there would be a specific study of the river ecosystem to determine the ecological volume needed by the river. The volume regime would be incorporated into the programme of environmental monitoring; water quality would be protected by means of preventive measures against erosion, dumping etc; the sandpits would be located away from the cliffs with breeding birds of prey and, if possible, within the area to be flooded; there would be corrective measures, to be implemented by the regional authorities, to compensate for the adverse effects on fauna; there would also be a project of environmental rehabilitation and landscape integration in the degraded areas and a programme of reforestation with native species would be carried out at the head of the basin. In addition, during the five years following completion of the dam, a monitoring programme would operate including annual reports on water quality and the state of the river ecosystem and a final report on the state of the restored areas and the status of the most significant species of fauna. The funding of the corrective measures and the monitoring programme would be ensured by the promoting agency, the General Waterworks Directorate.

The Secretariat drew attention to its summary of the case (T-PVS (95) 51) which indicated that the Standing Committee was invited to examine the follow-up to its Recommendation No. 46 and to decide whether or not to open a new file. It considered however that, in the light of the Government's report submitted after the drafting of the Secretariat document, the Standing Committee was free to decide whether the measures taken by the Spanish Government seemed satisfactory.

The BirdLife delegate said that they would like a file to be opened. It was hard to see how the very minimalist response of the Spanish government can be matched to Recommendation No. 46 of this Committee. In particular, there did not seem to be any response to the expert's suggestion for a "mixed" solution - for instance to protect the natural channel of the river Mayas. This is just one example of a piecemeal loss of rivers in Spain -the subject of a major campaign this year by the Spanish Ornithological Society.

The Spanish delegate pointed out that a complaint lodged with the European Commission had been rejected. He was not opposed to the case being monitored but did not consider it necessary for a file to be opened. The Swiss delegate proposed that the item should be put on the agenda for the next meeting.

The Standing Committee declared that it was satisfied with the measures adopted by Spain and decided that the matter required not further attention, unless some new element arose in future.

- **Conservation of loggerhead turtles (*Caretta caretta*) and construction projects on the beach of Patara (Turkey)**

- T-PVS (95) 52 Patara: Secretariat report
- T-PVS (96) 13 Patara: WWF-International report
- T-PVS (96) 15 Patara: report by Turkey

The Chairman reminded the Committee that this question concerns a beach which is a major nesting site for *Caretta caretta* marine turtles (Appendix II to the Bern Convention) in Patara and which, according to some information, is threatened by building projects. Recommendation No. 24 (1991) on the protection of some beaches in Turkey of particular importance to marine turtles asked Turkey to halt construction activities on the beach at Patara until a management plan was drawn up. The Secretariat was informed by MEDASSET that several building projects posed a serious threat to the beaches, but the Turkish representative presented a report showing that there were no specific threats to this area, classified as a "Specially Protected Area" under Turkish legislation. At the Standing Committee's 14th meeting the observer from WWF International stated that his organisation had received a report from DHKD, its partner organisation in Turkey, on problems at Patara beach which were not reflected in the Turkish Government's report. He offered to provide the Secretariat with a copy of the report and urged the committee to undertake an on-the-spot appraisal as soon as possible before development proceeded too far. The Standing Committee therefore decided to leave the timing of an on-the spot appraisal in the hands of the Bureau. At its meeting on 28 September 1995 the Bureau noted that it would have to await receipt of a copy of the above report requested by the Secretariat from WWF International and decided to keep this matter on the agenda for the Standing Committee's 15th meeting.

The Secretariat said that it had prepared a summary of the case (T-PVS (95) 52). The government, for its part, had also submitted a report (T-PVS (96) 15), which indicated that the area had been classified as a "specially protected area" in 1990 and that there were few problems on the site compared with other nesting sites. WWF-International had also submitted a document at the present meeting (T-PVS (96) 13) which claimed that there were still problems at Patara in this connection.

The WWF-International delegate said that problems remained with regard to the protection of *Caretta caretta* and *Chelonia mydas* in Patara. The Ministry of Environment supervisory plan merely covered the physical planning aspects and not the ecological problems. The pressures affecting the beach were such that an on-the-spot appraisal would be desirable.

The Turkish delegate presented her report and indicated that the local authorities had been requested in March 1995 to take the measures required to ensure better protection of the beach. The German delegate considered that the ecological component of the supervisory plan appeared to be inadequate and that a precise evaluation of the situation would be desirable. The IUCN delegate said he was in favour of opening a file and organising an on-the-spot enquiry. The Swiss delegate supported this proposal, provided that the Turkish Government accepted it.

The Turkish delegate having indicated her approval, the Standing Committee requested the Turkish Government to provide the Secretariat with a copy of its supervisory plan of Patara beach and instructed the Secretariat to get in touch with the Turkish authorities in order to organise an on-the-spot enquiry in accordance with Rule 11 of the Rules of Procedure. The Committee decided to commission an expert to examine the situation, to inform the appropriate authorities of the requirements to ensure the conservation of the species concerned, to propose effective measures for this purpose and to report back to the Standing Committee. It consequently decided to defer its decision on the need to open a new file to its next meeting.

- **Conservation of migratory birds and construction of wind-powered generators in Cadiz Province (Spain)**

T-PVS (95) 53 Tarifa: report from Secretariat

T-PVS (96) 9 Tarifa: report by Spain

The Chairman recalled that this case concerned a wind farm in Tarifa where an additional ninety windmills are to be installed. The Spanish Ornithological Society (SEO) claimed that the location chosen (*Sierra del Cabrito*) was not an appropriate place in view of its position along migratory flyways. At the Standing Committee's 14th meeting, the BirdLife delegate expressed regret that the Spanish authorities seemed powerless to stop the construction of ninety new turbines. He said that collisions with migrating and local bird populations were now inevitable. The Spanish delegate informed the Standing Committee that a permit for the installation of other new mills had been stopped pending the results of an environmental impact assessment to be carried out by the SEO. He offered to present a report on the issue to the next meeting of the Standing Committee. At its meeting on 28 September 1995 the Bureau noted that the Government report would be submitted to the Secretariat for the Standing Committee's 15th meeting.

The Secretariat said that it had prepared a summary of the case (T-PVS (95) 53). The Spanish Government had also submitted its report (T-PVS (96) 9), which indicated that, in January 1994, the Andalusian Environmental Protection Agency had instructed the Spanish Ornithological Society (SEO) to carry out a study of the impact of these windmills on the birds, while blocking any further authorisations until publication of the results of the study. The relevant findings were as follows: during 1984, the windfarm had not interfered with the behaviour or routes of the migratory species; nor did there seem to have been any disturbance to the migratory birds at roosting or feeding sites. The supporting installations (electric lines, pylons etc) had had no side effects either on the birds. The main problem resulted from birds colliding with the turbine propellers: this had affected 30 griffon vultures (out of a total local population of 1200 pairs) and kestrels. 57% of the accidents occurred at 28 windmills under particular wind conditions (speeds of up to 8 m/s). It was therefore concluded that the incidence of the windfarm on the birds was low, which did not preclude the adoption of all the necessary measures to minimise the impact.

The Secretariat indicated that, in its summary of the file (T-PVS (95) 51), the Standing Committee was invited to consider whether it would be advisable to open a new file and, if necessary, adopt a recommendation, a draft of which was appended to the document. In the light of the Government report, it thought that the Standing Committee was in a position to judge whether the measures taken by the Spanish Government appeared satisfactory.

The Chairman felt that this was a serious matter in so far as the griffon vulture was included in Appendix II to the Convention and that thirty birds had already been killed.

The Spanish delegate confirmed that measures had indeed been applied on the basis of the study and recommendations of the SEO with the view to remedying the problem. A waste dump which attracted numerous birds had been removed, which already made it possible to reduce the concentration of birds on the site. He also mentioned that the complaint lodged with the European Commission had not been acted upon.

BirdLife supported the view of the Chairman that the killing of 30 Griffon Vultures by wind-turbines was of concern. The Global Plan mentioned in the report of the Spanish government is vital for the future of this site. However, according to the Spanish Ornithological Society, which has been very closely involved with this issue, the first draft of the Plan does not take proper account of information available on the most important areas for the Griffon Vulture. BirdLife urged the Spanish Government to reexamine this aspect with particular care.

The Swiss and French delegates expressed the wish to obtain further information on the impact which wind-powered generators could have on birds and wildlife in general. This was an important matter and should be taken seriously in-so-far as this new source of energy was destined to be used more and more. The Netherlands delegate concurred with this point of view but also thought that windmills could have greater repercussions on landscape amenity and noise levels than on birdlife. He was therefore surprised that the vultures had been killed in this way. The Swiss delegate thought that it was not windmills as such that could cause damage, but rather their density. Certain bird populations in the USA were also reported to have suffered.

With the agreement of the Spanish delegate, the Standing Committee decided to ask the Spanish Government to submit a report for its next meeting on the impact which the Tarifa windmills were continuing to have on the griffon vulture population now that the waste dump had been removed. It also considered that it would be useful for one of its future programmes of activities to make provision for a study of the impact of windmills on wildlife and, more particularly, birds.

- **Itoiz dam project (Navarra, Spain)**

T-PVS (95) 54 Itoiz: Secretariat report

T-PVS (96) 9 Itoiz: Spanish report

The Chairman said that this case concerned the plan to build a dam in Itoiz, which would probably have serious environmental effects as it would flood through natural reserves (classified under regional law) of interest for birds. Populations of over one hundred and fifty protected species, some of them endangered, would be affected to varying degrees. At the Standing Committee's 14th meeting the Spanish delegate stated that the project had been discussed under the "Habitats" Directive and that after thorough consultation with the Commission, it had finally been concluded that the environmental impact anticipated was much lower than previously stated. The project had been given the green light by the Government and was going ahead. The European Commission had decided not to start a procedure for presumed violation of the "Habitats" Directive. The Spanish delegate offered to present a written report for the Standing Committee's next meeting. At its meeting on 28 September 1995 the Bureau noted that the government report would be submitted to the Secretariat for the Standing Committee's 15th meeting.

The Secretariat said that it had prepared a summary of the case (T-PVS (95) 54) and that the Government had also submitted its report (T-PVS (96) 9). The report described how the proposed dam had been the subject of an environmental impact study, the conclusions of which had been published in 1990, in a declaration specifying the conditions to be observed in order to limit the impact of this dam on the environment both during construction and once operational. The dam was in fact the subject of a lawsuit before the Spanish courts and in October 1995 its construction illegal by the Appeal Court (*Audiencia nacional*), although this decision had been appealed against before the Supreme Court.

The Secretariat pointed out that the summary invited the Standing Committee to make up its mind whether a file should be opened on this case and, if appropriate, to order an on-the-spot enquiry.

The Standing Committee accepted the Spanish delegate's proposal to await a decision of the Supreme Court. It expressed its interest in the project and hoped that the situation could be resolved in the best interests of environmental conservation. It further accepted the Spanish delegate's offer to submit a report on developments for the next meeting.

- **Construction of a road in the Grünewald forest (Luxembourg)**

T-PVS (95) 55 Grünewald: report from Secretariat

T-PVS (96) 20 Grünewald: report by Luxembourg

The Chairman recalled that this case concerns the construction of a 17.4 km long road in the Grünewald forest, an area on which the government placed a compulsory protection order under a decision of 24 April 1981. The forest provides habitats for several species of fauna and flora listed in Appendices I and II to the Bern Convention. At its meeting on 28 September 1995 the Bureau noted that information had been provided by the Government, but in view of the importance of the area concerned, decided to include the matter on the agenda of the Standing Committee's next meeting. It wondered in particular about the advisability of organising an on-the-spot enquiry.

The Secretariat said that a summary had been prepared (T-PVS (95) 55), in which Standing Committee was invited to judge whether it was necessary to open a file and, if so, to arrange for an on-the-spot enquiry. According to the information sent to the Secretariat in August 1995 by the Government, the latter was required to conduct impact studies by the end of May 1996 and to enable the Chamber of Deputies to take a decision by mid-July 1996 on the draft legislation amending and supplementing the law on the creation of a major road networks and a highways fund.

The Luxembourg summarised his report (T-PVS (96) 20), mentioning the different variants originally proposed and the final itinerary. The current impact study should guide future decisions and define the compensatory measures required. The German delegate thought that fuller details would be necessary on the project and on the potential impact of the road on wildlife species and habitats. The Hungarian delegate remarked that a roadway as such had considerable repercussions on the natural environment.

The Standing Committee expressed its concern at the probable serious repercussions the new road would have on the natural habitat and the numerous plant and animal species in the area concerned. With the agreement of the Luxembourg delegation, it therefore instructed the Secretariat to arrange for an on-the-spot enquiry in accordance with Rule 11 of the relevant rules of procedure. The visiting expert would be asked: to examine the situation; to inform the authorities of the conservation needs of the species and habitats concerned; to propose effective measures for this purpose; and to report back to the Standing Committee.

The Standing Committee therefore decided to defer to its next meeting any decision as to the advisability of opening a new file. It also hoped to obtain a copy of the impact study that will be realised and to have the opportunity of making its opinion known before any final decision had been adopted.

- **Conservation of *Phoca vitulina* in the Somme Bay (France)**

T-PVS (95) 56 Somme : report from Secretariat

The Chairman said that this concerned the problem of protecting the common seal (*Phoca vitulina*) (Appendix III to the Bern Convention) in the Somme Bay. The destruction of explosives which had been stopped in 1993 resumed in 1995, and these activities have affected some animals. At its meeting on 28 September 1995 the Bureau noted that the government had been requested to provide information. By letter of 12 October 1995, the government stated that the destruction of explosives was indeed being pursued, but that alternative solutions were being sought.

The Secretariat had summarised the case in document T-PVS (95) 56, in which the Standing

Committee was invited to decide whether a file should be opened and, if so, whether to adopt a draft recommendation.

The French delegate described the current situation and the steps taken by his government to find the best solution. He felt that the draft recommendation was therefore superfluous, in so far as a solution was soon to be found, and that the small population of seals continues to grow.

The Standing Committee welcomed this news which indicated that the explosives could be destroyed without impairing the wildlife of the Somme Bay and accepted the French delegate's offer to report back at the next meeting.

#### - **Development projects in Gallocanta marshes (Spain)**

T-PVS (95) 57 Gallocanta: report from Secretariat

T-PVS (96) 9 Gallocanta: report by Spain

The Chairman recalled that the case concerned plans for the development of plots of agricultural land which may affect the Gallocanta marshes, a resting area and site of major importance for the migration of cranes (*Grus grus*) (Appendix II to the Bern Convention). At its meeting on 28 September 1995 the Bureau noted that the government had been requested to provide information for the Standing Committee's 15th meeting.

The Secretariat said that a summary could be found in document (T-PVS (95) 57) and that the Government had also submitted its report (T-PVS (96) 9). This document indicated that, when the regional environmental authorities had learned that these plots of land had been ploughed up without the necessary permits having been obtained, they had immediately intervened to put a stop to these activities. By this time 30 hectares, almost half of the total area, had been ploughed up. Legal action had been taken against 51 offenders, including the municipality of Bello on account of damage caused to an endangered plant, *Puccinellia pungens*. The regional government had also taken measures to protect the lagoon, to rehabilitate the area and to promote sustainable development. In the Secretariat summary, the Standing Committee was invited to consider whether a file should be opened concerning the agricultural projects affecting the land bordering the Gallocanta marshes and to adopt, if necessary, the draft recommendation appended to the document.

The Spanish delegate presented his report, explaining that there was a grave conflict in this area between the interests of the farmers and those of the cranes. As this site attracted numerous members of this species it was soon to be granted additional protected status. The Spanish delegate proposed that the case should not be treated under the Bern Convention, since the European Commission intended to take action on the complaint lodged with it.

The Swedish delegate considered that green tourist projects might be organised on the site and be of considerable interest to the local economy, after the pattern of a similar case in Sweden: a lake situated in a rural area was now attracting a large number of American tourists.

The BirdLife delegate expressed his concern, particularly with regard to the vital plan for natural resources.

The Standing Committee decided to ask the Secretariat to write on its behalf to the Aragon regional government expressing the very special importance which it attached to the Gallocanta wetlands and the implementation of the regional plan to protect the natural resources approved by decree 67/1995. It accepted the Spanish delegation's offer to keep it informed of developments at its next meeting.

### **6.3 Information to be given**

#### - **Conservation of the habitat of Hermann's tortoise (*Testudo hermanni*) in the Maures Plain (France)**



- T-PVS (95) 58 Plaine de Maures : report from Secretariat
- T-PVS (96) 10 Report by the Société Nationale pour la Protection de la Nature
- T-PVS (96) 17 French report

The Chairman said that Hermann's tortoise (*Testudo hermanni*) (Appendix II to the Bern Convention) is now only to be found in the massif of the Maures Plain, which is ecologically outstanding for both its flora and its fauna and constitutes a unique ecosystem in Provence. A tyre test track (Michelin) which was planned for the central part of the plain risked causing irreversible damage to local fauna and particularly Hermann's tortoise. At its meeting on 28 September 1995 the Secretariat informed the Bureau that the National Nature Protection Society had sent it a press release stating that the project had been discarded and the site purchased by the Conservatory for Coastal and Lakeside Areas (*Conservatoire de l'espace littoral et des rivages lacustres*). The Bureau welcomed this news and noted that the Government's report would be submitted to the Secretariat for the Standing Committee's 15th meeting.

The Secretariat said that a document had been prepared (T-PVS (95) 58), in which the Standing Committee was invited to take note of the report to be submitted by France and, where appropriate, to take any steps which it considered necessary. The Government had duly submitted its report (T-PVS (96) 17) and the national conservation society (SNPN) had also provided an information document (T-PVS (96) 10).

The French delegate introduced her report, indicating that the best solution had been found in so far as the Michelin tyre test track had been moved elsewhere and the site had been acquired by the Coastal Conservatory.

The SNPN representative thought that the situation had indeed progressed but that one should remain vigilant with regard to the total preservation of the site, owing to the presence of numerous Hermann's tortoises. An application had been lodged for permission to clear a large area of the region. The SEH delegate was mindful of the good progress but also requested that the file be kept open in order to monitor the effects of recent developments in the Plain and of those currently proposed.

The Standing Committee declared its constant interest in the site. It welcomed the news that the Michelin company had voluntarily accepted to transfer its activities and praised this spirit of understanding by industry for nature conservation. It also congratulated the French Government for having modified its texts so that the Conservatory for Coastal and Lakeside Areas could acquire this site, and for having drawn up, in consultation with local partners, a long-term conservation strategy for the site, and accepted its proposal to keep it informed of developments with regard to other building projects at its next meeting.

- **Conservation of the brown bear (*Ursus arctos*) in the Pyrenees (France)**

- T-PVS (95) 59 Pyrenees: report from Secretariat
- T-PVS (96) 10 Report by the Société Nationale pour la Protection de la Nature
- T-PVS (96) 16 French report

The Chairman recalled that at its 14th meeting the Standing Committee expressed its intention of keeping a close watch on the problems associated with the conservation of the Pyrenean brown bear (*Ursus arctos*) (Appendix II to Bern Convention) and asked the French Government to ensure that the species survived in a suitable habitat. It also asked the French delegate to submit a report at the Standing Committee's 15th meeting. At its meeting on 28 September 1995 the Secretariat informed the Bureau that a bear cub had recently been born in the Pyrenees. The Bureau noted that the government report would be submitted to the Secretariat for the Standing Committee's 15th meeting.

The Secretariat had prepared a document (T-PVS (95) 59), in which the Standing Committee was invited to take note of the report to be submitted by France and, where applicable, to take any

further steps considered necessary. The Government report (T-PVS (96) 16) had been submitted and the French National Conservation Society (SNPN) had also submitted an information document (T-PVS (96) 10).

The Government introduced its report, describing the situation in the Western and Central Pyrenees, with particular mention of the proposed introduction of bears from Slovenia in April/May 1996. The French delegate stressed that in order to ensure conservation of the brown bear, it was essential that local partners in both the Central and Western Pyrenees became involved in the operation.

The Finnish delegate offered technical co-operation, if this proved necessary. The Swedish delegate mentioned the possibility of reintroducing bears from Sweden in the Pyrenees.

The SNPN delegate commented on the contents of his document and said that problems persisted: two years after the signature of the initial Charter between the Environment Ministry and the local authorities, no law or regulation had been applied for the long-term protection of the habitat of the brown bear, in breach of Article 4 paragraph 1 of the Bern Convention. The IUCN representative stressed that the heritage value of this species was still only very dimly perceived.

The French delegate pointed out that because of doubts about the separate populations the Slovenian bears had been chosen in preference to the Swedish bears. Furthermore, the small size of the population of Cantabrian bears had not allowed any specimens of that origin to be introduced. The Spanish delegate confirmed the IUCN's own recommendations that the donor population should in no way suffer as the result of removing specimens.

The Standing Committee expressed its continued interest in the preservation of the Pyrenean brown bear, and its habitat, in compliance of Article 4 paragraph 1 of the Bern Convention it accepted the French offer to report back at the next meeting.

- **Conservation of the Missolonghi wetlands (Greece)**

T-PVS (95) 60 Missolonghi: report from Secretariat

This issue, the Chairman recalled, concerned several development projects in Greece which are candidates for financial support from the European Community and might result in adverse ecological effects on areas of great biological importance, including the Missolonghi wetlands. The Standing Committee adopted Recommendation No. 38 (1992) on the conservation of the Missolonghi wetlands, Greece, in which it recommended that Greece ensure that an environmental impact assessment be carried out to consider the effect of the project on the species listed in the appendices to the Convention, and that the proposal to divert the river Acheloos be subject to the findings of the impact assessment. At the Standing Committee's 14th meeting the Greek delegate apologised for not having submitted a written report and said that she would do so promptly. She informed the Committee that the State Council (Supreme Court) had cancelled the joint ministerial decision concerning the environmental conditions and authorised, for the period 1991-1993, the technical works for the diversion to the Thessaly region of 1,100 million m<sup>3</sup> per year from the Acheloos river. The Swedish, Swiss and BirdLife delegates were disappointed that Greece had not sent a written report, as this made discussion of the matter very difficult. The Standing Committee took note of the situation and asked Greece to produce a report for the 15th meeting. The Secretariat was instructed to monitor events and keep the Bureau and the Standing Committee informed so that an early reaction from the Bureau would be possible. The Secretariat asked the Greek Government to provide information and the text of the judgment. At its meeting on 28 September 1995 the Bureau asked the Secretariat to contact the government to request it to provide a report for the Standing Committee's next meeting. It decided that the Standing Committee would discuss the issue at its 15th meeting and also asked it to send a copy of the letter to the European Community.

The Secretariat had prepared a document (T-PVS (95) 60), in which the Standing Committee was invited to take note of the report due from the Greek delegation and, where appropriate, to take any further measures considered necessary. As the Secretariat had not received any report, the Greek delegation was invited to furnish any relevant information.

The Greek delegate regretted that it had not been possible to provide a full description of the situation before the meeting. She gave, after the meeting, information on this case, summarised as follows.

The Acheloos diversion is a large scale technical work, having effect on a large geographical area, extending in the north from Thessalia and Southern Pindos range to the west, to Aetoloakarmania. This diversion is a project with multiple purposes, i.e.

- water supply for improvements of the irrigation conditions, for the 240,000 ha of insufficiently irrigated area, nowadays, in Thessalia;
- production of hydro-electric power, in parallel with energy saving, due to the reduction of water pumping for irrigation purposes in Thessalia;
- water supply for domestic uses in Thessalia for urban centres, facing severe shortages at present;
- environmental and ecological benefits to reverse the overexploitation of underground water in Thessalia and to provide water for both the river beds of Penios and Acheloos, that can sustain the riverine ecosystems, the estuary of Acheloos, the lagoons of Missolonghi-Aetolikon and to improve the ecological conditions at the Penios Delta in Thessalia.

The diversion scheme includes the following technical works:

- dam, reservoir and hydroelectric power station at Mesochora;
- the Mesochora-Glistra 7.4 km diversion tunnel;
- dam, reservoir and hydroelectric power station at Sykia;
- the 17.4 km diversion tunnel for the upper part of Acheloos river to the Thessalia area, and

- the hydroelectric power stations at its end;
- the regulation small scale reservoir and the hydroelectric power station at Mavromatti.

Following the relevant decisions of the Supreme Administrative Court (State Council) in 1994, the Greek Government having reassessed its initial diversion plans, proceeded for the holistic Environmental Impact Assessment (for the construction and operation phases), in which, four alternative solutions, covering also the water supply deficit in the wider hydrological basin of Thessalia, have been examined. From the comparative examination of the alternatives, it has been concluded that the diversion of  $600 \times 10^6 \text{ m}^3/\text{year}$  of Acheloos water to the Thessalia plain, is the optimum alternative, fulfilling the initial objectives, from all their aspects (environmental, integrated management of water resources, and regional development). A very general picture, in respect to the impact on water resources and the associated natural environment shows that in Aetoloakarmania (lower reaches and river mouth of Acheloos river, lagoons of Missolonghi-Aetalikan, lakes Trichonis, Amvrakia, Ozeras), practically no impact is expected. The irrigation return flow and the run off of the Acheloos drainage basin are the main sources of freshwater supply to the lagoons ( $\approx 500 \text{ m}^3/\text{h}$ ), whilst the direct Acheloos river contribution is only 3-6% of the total freshwater supply. There is not any recharge between the river's water and the aquifer along the river course, mainly due to the geological substratum. Therefore, only limited reduction in freshwater flow in the wetlands area of the river mouth, can be predicted; on the other hand, this limited expected reduction can be compensated by increased freshwater supply from the lakes in the area and through the multipurpose use patterns of the water-storage technical works already existing in the area.

In Thessalia, an increase of the Penios water flow is expected, all year around, as well as recharge of the underground water resources: therefore, stabilisation of the actual situation is expected, so that  $389 \times 10^6 \text{ m}^3/\text{year}$  of underground water can be exploited with no impact on the aquifer. At present, an overexploitation of underground water is prevailing in the western part of the Thessalia plain, causing thus the continuous dropping of the groundwater level, whereas in the eastern point of the plain, such an overexploitation has caused sea-water intrusion. In the mountainous area (Southern Pindos range), local scale degradation of the landscape and of natural ecosystems is expected, due to the technical constructions. Similar impacts are expected during the operational phase on the riparian vegetation and the fish populations, due to the construction of the dams. To this point, the water reservoirs and dams (Kastraki-Kremasta Strates) already existing since the 70's have already become impenetrable barriers for the free movement of fish populations. The previously exposed impact has been satisfactorily examined by the Environmental Impact Assessment (EIA) Study, which has been carried out, examined and approved, according to the National and Community Legislation (i.e. Law 1650/86 on the Protection of the Environment, Law 998/79 on the Protection of Forests, Joint Ministerial Decision 69269/5387/25 October 1990 in accordance to the EEC Directive 85/337 and the Joint Ministerial Decision 75303/5512/2 November 1990 for the information of the public and its representativeness in respect to EIA studies. In this context the EIA Study has been submitted for comments to eight Prefectural Councils and according to the Joint Ministerial Decision 23271 issued on 15 December 1995, on the basis of the Environmental Impact Assessment Study, the environmental conditions, terms and mitigation measures, for the construction and operation of the upper flow of Acheloos river to Thessalia have been approved.

In this context and in respect to Recommendation No. 38 (1992) of the Bern Convention, the environmental conditions set are presented by the Greek delegation in brief for the area concerned:

- i. For sustaining and improving, at least, the current environmental state, a minimum continuous flow of the lower reaches of Acheloos river (downstream the "Stratos" dam, being the last one) and at the river mouth will be equal to  $21.3 \text{ m}^3/\text{sec}$ , in parallel to regulation of continuous water flow, right after the reservoirs of Mesochora ( $15 \text{ m}^3/\text{sec}$ ) and Sykia ( $5 \text{ m}^3/\text{sec}$ ). As for Penios river a minimum continuous flow equal to  $10 \text{ m}^3/\text{sec}$  at a certain point.
- ii. For the conservation of ecosystems, along the Acheloos drainage network, measures such as:
  - establishment of game reserves, 100 m in width on both river banks;

- technical implementation studies, for the free movements of fish populations along the water reservoirs, in order to adverse the environmental impacts on fish population due to the interruption of the river's discharge, if it will be necessary, on the basis of a prior scientific study.

iii. For the freshwater supply to the lagoons of Missolonghi-Aetalikon and the wetlands at the Acheloos rivermouth area the following measures:

- to keep the present water irrigation consumption for the areas that are actually drained in the lagoons;
- controlled periodic flooding of the salty soil area, extending south at the end part of the river in contact with the lagoons Tholi and Gourounopoules and the Paleopotamos river. Such a flooding aims at the support of hydrophilic vegetation, the soil sanitation (by creating a buffer lower salinity zone), and the rehabilitation of existing wetlands;
- multipoint disposal scheme, for the drained in the lagoons water, provided a prior technical examination.

All measures of part iii. above are to be explicitly elaborated in the frame of a Specific Environmental, by 31 December 1997. This study will be carried out in conformity with the Joint Ministerial Decision 69269/5387/1990 and will be approved by the Competent Central Environmental Services of the Ministry of the Environment. The technical works, that will be proposed by this Study, as well as all those that have been or are being adopted, by the competent Central Environmental Services of the Ministry of the Environment, will be financed by this very Ministry.

iv. Measures for the full exploitation of the diverted water in Thessalia, such as the construction/operation of necessary technical works in the, at present, insufficiently irrigated area in Thessalia.

v. Measures for the integrated management of the reservoirs of Acheloos, considered as multi-purpose technical works, i.e. energy production, irrigation, domestic water supply and ecological functions.

- vi. Measures for the integrated management of water resources for both the greater drainage basins of Acheloos and Penios river, covering the river water, the reservoirs water and the underground water, in relation to necessary technical hydraulic works.
- vii. Technical implementation studies will be carried out during the construction and operation phases on the purpose of improvement or specification of the measures, or the improvement of the management scheme.
- viii. Compensatory measures in the area of Southern Pindos range.
- ix. Monitoring programmes for critical parameters (hydrological, hydrogeological, ecological), related to rational management of the whole technical works, as well as for the long term efficiency of the adopted measures.

The Greek delegate said that the environmental conditions will be valid until 31 December 2000 provided that are strictly applied. Further renewal of the relevant Joint Ministerial Decision is demanded, following the actual legal provisions. Any adopted environmental condition can be modified, if it is justified, during the construction and operation phases. New environmental conditions, can also be adopted, on the basis of updated scientific research. The Greek authorities will submit shortly an English version of the Joint Ministerial Decision 23271/15 December 1995 on the environmental conditions, as well as a Summary of the Environmental Impact Assessment Study whilst this study is available only in Greek and further to that any other appropriate information.

The Chairman expressed the wish that the main information documents should be provided in English.

The Swiss delegate welcomed the fact that compensatory measures had been possible.

The BirdLife delegate pointed out that the new proposal was for the diversion of about half of the previously proposed amount of water. There were two points of interest: firstly, members of the Committee would recall that the original proposal was widely criticised, and not just by NGOs, as having no economic justification: it seemed very likely, therefore; that if only half the water was now to be diverted, then the scheme was even less viable economically. Secondly, BirdLife understood that the size of the construction, for instance the diameter of the pipes, was proposed to stay the same. This suggested that the originally proposed, dangerously large, amounts of water would one day be taken, with consequent damage to the interests of the wildlife and the human communities in the Missolonghi area. The matter was still far from being resolved in Greece, with the possibility of a challenge in the Greek Supreme Court to the new environmental conditions. BirdLife suggested, particularly having regard to the need to see promised papers from the Greek government, that the file remains open, and that the Greek delegate update the Committee at its next meeting.

The SEH representative expressed his concern at the threat to areas of special importance for reptiles and amphibians, and sought assurances that these Appendix II species would be included in current revision of the Environmental Impact Assessment study. WWF-International was also worried at the discrepancy between the proposed measures for environmental protection on the one hand and the canal infrastructures which had remained unaltered compared with the initial projects.

The Greek delegate having accepted to continue providing information on this matter in a spirit of co-operation, the Standing Committee urged the Greek Government to submit a report for its next meeting describing the state of affairs after the ruling by the Supreme Court and providing special details on follow-up action to point 5 of Recommendation No. 38 (1992), on conservation of the Missolonghi wetlands in which it recommended the Government of Greece "to accelerate the process of delimitation of protected areas, including all areas of importance for species listed in Appendices I and II to the Convention".

- **Conservation of reptiles on Totes Moor, Lower Saxony (Germany)**

T-PVS (95) 61 Totes Moor: report from Secretariat

The Chairman reminded the Standing Committee that at its 13th meeting the German delegation offered to present a full report on this site, which contains two reptile species listed in Appendix II to the Convention (*Lacerta agilis* and *Coronella austriaca*). At the 14th meeting the German delegate presented a short report on the subject. The area is subject to peat extraction, but a small site of 100 ha is to be developed for the purpose of reptile conservation. The Standing Committee took note of the information and asked Germany to provide information on progress in the matter at its next meeting. At its meeting on 28 September 1995 the Bureau noted that the Government report would shortly be submitted to the Secretariat for the Standing Committee's 15th meeting.

The Secretariat had prepared a document (T-PVS (95) 61), inviting the Standing Committee to take note of the report to be submitted by the German delegation and, where appropriate, to take any measure considered necessary. As the Secretariat had not received any report, the German delegation was invited to furnish information. The SEH delegate welcomed the efforts made by Germany and hoped that in the longer term some positive habitat replacement would indeed be achieved.

The Committee took note of the fact that the preservation of the site was due to be granted next Spring. It accepted the German offer to keep the Bureau informed of developments and decided to examine the case at its next meeting.

#### **PART IV - WORK PROGRAMME AND OTHER ITEMS**

##### **7. Organisation matters. Role proposed to the Standing Committee by the Committee of Ministers of the Council of Europe**

The Director of Environment and Local Authorities, Mr ALBANESE, described the proposed reorganisation which had been mooted the previous year with regard to the Standing Committee of the Bern Convention and the CDPE. He also mentioned that the Sofia Conference had approved the Pan-European Biological and Landscape Diversity Strategy. The Conference had also welcomed the intention expressed by the Council of Europe and UNEP to set up a special team or some other appropriate mechanism to promote the co-ordination, implementation and further development of the Strategy. Negotiations with UNEP had already commenced and the organ responsible for applying the Strategy would normally be a Council of Europe body open to the 55 states participating in the Sofia process. Secretarial facilities would be furnished jointly by the Council of Europe and UNEP. On 5 and 6 March 1996 the said 55 states would meet in Geneva to discuss the question of structures. The Committee of Ministers of the Council of Europe would not be required to take a final decision on the organisation of the internal structures of the Council of Europe until that meeting had taken place.

Various delegations submitted questions or comments. The Norwegian delegate wished to know what were the priorities of the Committee of Ministers. The Swiss delegate requested information on the situation of the activities conducted under the aegis of the CDPE and insisted on the need for the Standing Committee to be consulted before any proposed extension of its terms of reference.

In reply to these observations, Mr Albanese declared that:

- one of the Council of Europe's priorities was the integration of the countries of central and eastern Europe within the Council of Europe, without sacrificing any of its principles or achievements, including environmental protection and the preservation of biological diversity;
- the activities of the former CDPE, which had been suppressed as steering committee for the intergovernmental Programme, would be continued in accordance with the previously decided work programme;
- the Standing Committee of the Bern Convention would undoubtedly be consulted if the Committee of Ministers decided to assign it new responsibilities.

Whatever the solution chosen, the role of the Bern Convention was in no way compromised, as the Strategy would in a sense provide an umbrella under which the activities of the Contracting States and the associated international organisations would be carried out.

The Standing Committee decided to await the decision of the Committee of Ministers before taking the matter any further, but nevertheless expressed:

- its willingness to contribute through its experience and activities towards ensuring the implementation of the Pan-European Biological and Landscape Diversity Strategy;
- its wish to be consulted before the Committee of Ministers took any decision likely to affect its structure or terms of reference. It decided that a new meeting of the Standing Committee would be held as soon as possible, if and when the need arose.

##### **8. Programme of activities for 1996. Financing of activities**

T-PVS (95) 38 Draft Programme of Activities for 1996

The Secretariat Presented a proposal of activities for 1996 and informed the Committee on the financial situation regarding the implementation of the Programme of activities for 1995.



The Secretariat explained that new voluntary contributions of some importance needed to be made to cover a draft budget that was substantially greater than that of previous year. The delegations Belgium, the Netherlands, Sweden, and Switzerland announced that they would send voluntary contributions.

The delegate of Germany wished that a draft programme for 1997 was already prepared so that the delegation could see whether it would be possible for Germany to make a financial contribution for 1997.

The delegate of Belgium wished that when asking for voluntary contributions, UN budgetary scales were added so that states might have a more precise idea of the amount requested from them.

Norway referred to the references to and discussions on the need for criteria when listing species to the Bern Convention and suggested that a small working group be established to formulate criteria. She thought this should be a priority issue to be performed before the next Standing Committee meeting, as several proposals for the Amendments of Appendix I and II had been planned for the near future. This was supported by several delegations (Portugal, Hungary, France, Iceland, Sweden).

The Committee adopted the budget as it appears in Appendix 8 and instructed the Bureau to discuss the points raised above.

#### **9. Election of Chairman and Vice-Chairman**

The Committee elected Mr HAAPANEN (Finland) Chair by 22 of 23 votes cast and Mr SPIRIDONOV (Bulgaria) Vice-Chair by 22 of 23 votes cast. In accordance with Article 18 of the Rules of Procedure, they shall execute their respective terms of office until the end of the 16th meeting of the Committee. The Bureau remains unchanged.

#### **10. Date and place of the 16th meeting, adoption of the report and other business**

The Committee decided to hold its next meeting from 2 to 6 December 1996.

##### Meetings to be attended by the Secretariat

The Committee authorised the Secretariat to attend meetings of special relevance for the work of the Convention: meetings of coordination with Secretariats of Conventions on wildlife and biodiversity, PLANTA EUROPA coordination meetings, technical meetings of MedWet, meetings of Barcelona, Biological Diversity, Bonn and Ramsar Conventions, "Habitats" Directive meetings, European Environment Agency meetings, meetings connected with the implementation of the Pan-European Biological and Landscape Diversity Strategy, the World Conservation Congress and the European Congress of Lepidopterology. Assistance to other meetings may be authorised by the Chairperson on request.

##### Adoption of the report

The Committee adopted this report on Friday 26 January 1996.

##### Other business

\* Signature of the Bern Convention by the Slovak Republic

The Slovak delegate recalled that the Slovak Republic signed the Convention on 28 April 1994. The National Council of the Slovak Republic (parliament) ratified it on the 8 November 1995. Now the Convention would be submitted for signature by the President. Since January 1995, the Act on Nature and Landscape Protection has been valid, based on principles of the Bern

Convention (protection of fauna and flora together with their habitats). The following regulations (such as lists of protected species of plants, animals, minerals and fossils) were currently being finalised. The Act also dealt with the Territorial System of Ecological Stability - a legal and planning instrument for maintenance and development of nature areas and landscape stability.

- \* Follow-up of the Recommendation No. 45, adopted on 24 March 1995 by the Standing Committee on controlling the proliferation of *Caulerpa taxifolia* in the Mediterranean

The delegate from France presented a report submitted to the Secretariat (T-PVS (96) 18) on the follow up to the Standing Committee's Recommendation No. 45, adopted on 24 March 1995 on controlling the proliferation of *Caulerpa taxifolia* in the Mediterranean. The report describes growth of the seaweed, its repercussions and methods which could be used to limit further proliferation.

**APPENDIX 1**

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**Secretariat of the Protocol concerning Mediterranean Specially Protected Areas (Geneva) / Secrétariat du Protocole relatif aux aires spécialement protégées de la Méditerranée (Genève)**

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Mme Maguelonne DEJEANT-PONS, Administrator, Environment Conservation and Management Division / Division de la Protection et de la Gestion de l'Environnement

**APPENDIX 2****AGENDA****PART I - DEVELOPMENT AND IMPLEMENTATION OF THE CONVENTION**

1. Opening of the meeting and adoption of the agenda
2. Chairman's report and communications from the Delegations and from the Secretariat. Reports from new Contracting Parties
3. Development of the Convention
  - 3.1 Strategic issues. Role of the Convention in the implementation of the Pan-European Biological and Landscape Diversity Strategy
  - 3.2 States to be invited as observers to the 16th meeting
4. Legal aspects
  - 4.1 Opening and closing of files and follow up of recommendations
  - 4.2 Group of experts on the legal aspects of the introduction and reintroduction of wild species
  - 4.3 Amendment of Appendices II and III for mammals (proposal from Germany)

**<sup>1</sup> \* Items for information:**

- Seminar on hunting law and management of Europe's hunting resources
- Report on compensation for damage caused by wild fauna to farming, forestry, fish farms and livestock raising
- Report on the legal obstacles to the application of nature conservation legislation
- Report on private or voluntary systems of habitat protection and management
- 1993-94 Biennial Reports and 4-year Reports

**PART II - THREATENED SPECIES AND HABITATS**

5. Threatened species and habitats
  - Fauna and Flora
    - 5.1 Group of experts on threatened marine and coastal species of the Mediterranean
    - 5.2 Seminar on the conservation of European desmans and water shrews
    - 5.3 Action plans for European globally threatened birds
    - 5.4 Follow up of urgent cases of Recommendations Nos. 26 and 27
    - 5.5 Group of experts on plant conservation
  - Habitats

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<sup>1</sup> \* Points for information. No decision required. Not to be discussed unless proposed by a Party at the adoption of the agenda

5.6 Development of recommendations Nos. 14, 15 and 16

\* Items for information

- Agreement on the Conservation of African-Eurasian Migratory Waterbirds
- Draft agreement on the Conservation of Small Cetaceans on the Mediterranean and the Black Seas
- Handbook of site management for amphibians and reptiles
- Report on saproxylic invertebrates of Eastern Europe
- Seminar on plant conservation in Europe PLANTA EUROPA
- Reports on threatened flora of Eastern Europe and on amendment of Appendix I
- Report on re-enforcement of the implementation of Recommendation No. 16
- Report on traditional management of species-rich grasslands

**PART III - SPECIFIC SITES**

6. Specific sites

6.1 *Caretta caretta* in Laganas Bay, Zakynthos (Greece)

6.2 Possible new files:

- Dam project in the province of Salamanca (Spain)
- *Caretta caretta* in Patara (Turkey)
- Wind powered generators in Cadiz Province (Spain)
- Dam of Itoiz (Navarre, Spain)
- Road construction in the Grünewald forest (Luxembourg)
- *Phoca vitulina* in the Somme Bay (France)
- Agricultural projects in Gallocanta marshes (Spain)

6.3 Information on the following issues:

- *Testudo hermanni* in Maures (France)
- *Ursus arctos* in the Pyrenees (France)
- Missolonghi wetlands (Greece)
- Reptiles on Totes Moor, Lower Saxony (Germany)

**PART IV - WORK PROGRAMME AND OTHER ITEMS**

7. Organisation matters. Role proposed to the Standing Committee by the Committee of Ministers of the Council of Europe
8. Programme of activities for 1996. Financing of activities
9. Election of Chairman and Vice-Chairman
10. Date and place of the 16th meeting, adoption of the report and other business

**APPENDIX 3**

**MAMMALS FOR INCLUSION IN APPENDIX II OF THE CONVENTION**

**INSECTIVORA**

*Talpidae*

Desmana moschata

**RODENTIA**

*Sciuridae*

Spermophilus suslicus (Citellus suslicus)

*Muridae*

Mesocricetus newtoni

Microtus cabreræ

Microtus tatricus

Spalax graecus

*Gliridae*

Myomimus roachi (Myomimus bulgaricus)

Dryomys laniger

**CARNIVORA**

*Mustelidae*

Vormela peregusna

Mustela eversmannii

*Canidae*

Cuon alpinus

*Felidae*

Caracal caracal

**ARTIODACTYLA**

*Bovidae*

Gazella subgutturosa

Gazella dorcas

**CETACEA**

*Monodontidae*

Monodon monoceros

*Delphinidae*

Globicephala macrorhynchus

Stenella frontalis

*Physeteridae*

Kogia breviceps

*Balaenopteridae*

Balaenoptera edeni

Balaenoptera physalus

**PINNIPEDIA**

*Phocidae*

Phoca hispida saimensis

Phoca hispida ladogensis

**MAMMALS FOR INCLUSION IN APPENDIX III OF THE CONVENTION**

**ARTIODACTYLA**

*Bovidae*

Bison bonasus

**APPENDIX 4**

of European Wildlife and Natural Habitats

Standing Committee

**Recommendation No. 47 of the Standing Committee, adopted on 26 January 1996  
concerning the conservation of European semi-aquatic insectivora**

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,

Recalling that the Pyrenean desman (*Galemys pyrenaicus*) is strictly protected in Appendix II of the Convention,

Recalling that all *Soricidae* are listed as protected species in Appendix III of the Convention,

Recalling that at its 14th meeting the Standing Committee of the Bern Convention gave a favourable opinion concerning a future list of the Russian desman (*Desmana moschata*) in Appendix II of the Convention,

Noting that although widespread *Neomys* species are naturally rare,

Noting that the Russian desman has severely declined in the last decades,

Noting that the Pyrenean desman inhabits fragile aquatic ecosystems in a restricted geographical range,

Recalling the European Water Charter, adopted by the Committee of Ministers of the Council of Europe as Resolution (1967) 10,

Recalling Resolution (1977) 8 of the Committee of Ministers of the Council of Europe on the protection of lake shores and river banks,

Recommend that Contracting Parties to the Bern Convention and invite other states, as appropriate:

**A. FOR ALL SEMI-AQUATIC INSECTIVORA**

1. Maintain, as far as possible, the natural character of watercourses, river banks, lake shores and flood plains, avoiding the modification of the natural regime of watercourses, so as to conserve a diverse ecosystem structure and a dynamic close to natural conditions;
2. Avoid, as far as possible, the artificialisation of watercourses, river banks and lake shores; restore, if appropriate, modified rivers and canals to improve their naturalness; take measures to reduce and control the pollution of freshwater ecosystems.

**B. FOR *NEOMYS* SPECIES**

3. Carry out national surveys and set up a monitoring programme, as appropriate;
4. Consider giving these species protection by the most appropriate means including habitat protection if required.

**C. FOR *DESMANA MOSCHATA***

5. Give full protection to this species in all its range;
6. Create protected areas targeting the survival of the main wild populations of the species;
7. Re-vegetate river banks in areas inhabited by the species;
8. Control musk rat trapping and capture of fish with nets in areas inhabited by the species;
9. Encourage research on the distribution, population trends and any other biological parameters which may permit a better conservation and management of the species;
10. Develop breeding in captivity techniques and programmes;
11. Consider the carrying out of re-introduction programmes.

**D. FOR *GALEMYS PYRENAICUS***

12. In areas inhabited by desmans, avoid as far as possible, the building of hydroelectric dams, the building of roads and canals, the establishment of water pumping stations, or significant changes in the use of land use of the river basins;
13. Make Environment Impact Assessment (EIA) compulsory on any work affecting significantly the natural character of watercourses in desman areas;
14. Maintain a minimal "ecological" flow in desman areas, particularly in those watercourses with a more Mediterranean character; ensure that dam managers respect ecological flows; avoid, as far as possible that water management operations in dams cause sudden variations in the level of water in the parts of the rivers downstream, as the artificial avenue created may kill desmans or disrupt the structure of the river bottom from which they take their prey;
15. Strictly control the use of nets in rivers in desman areas, as this is one of the main causes of their mortality; where the use of nets is not legal, reinforce measures to avoid their use, where the use of nets is legal, ensure that they are used in such a way that desmans are not caught, or, if caught, that they are not drowned; develop fishing nets with desman-avoiding devices; in desman areas reinforce the measures against illegal fishing methods which may also kill desmans (use of explosives, poisoning of rivers, etc);
16. Complete the national surveys on the distribution of the species concentrating efforts in the edges of its distribution area, in particular in the central system of Spain the south of the Iberian range, carry out monitoring programmes for the species;



17. Encourage research on the following aspects of the biology of the species:
  - population dynamics including evaluation of minimal viable population sizes,
  - dispersion patterns (including education of the effects of dams),
  - fragmentation of population,
  - man-induced mortality,
  - habitat requirements, including determination of levels of limiting factors and the resistance to pollution,
  - ethology;
  
18. Launch a public awareness campaign on the species aimed at decision-makers users of riverine areas (fishermen, farmers, tourists), and the general public.

**APPENDIX 5**

Convention on the Conservation  
of European Wildlife and Natural Habitats

Standing Committee

**Recommendation No. 48 of the Standing Committee, adopted on 22 January 1996  
concerning the conservation of European globally threatened birds**

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 fauna and its natural habitats;

Recalling that Article 1, paragraph 2 of the Convention requires Parties to give particular emphasis to the conservation of endangered and vulnerable species;

Noting that a considerable number of bird species of Europe have suffered a decreased in their numbers, a reduction in their geographical distribution or have critically endangered populations;

Desirous to avoid a further loss of biological diversity in Europe;

Aware that the design and implementation of Recovery Plans may be a useful tool to redress the situation of European globally threatened birds;

Aware of the obligations under the Africa-Eurasia Waterfowl Agreement concluded in the framework of the Convention on the Conservation of Migratory Species of Wild Animals (Bonn) and of the efforts to amend the Protocol concerning Mediterranean Specially Protected Areas (Geneva) (Protocol to the Barcelona Convention for the Protection of the Mediterranean Sea against Pollution) to include provisions on the protection of threatened birds;

Welcoming the intention of UNEP/CMS to increase coordination with the Bern Convention in the implementation of the African-Eurasian Migratory Waterbirds Agreement and other agreements under the Bonn Convention;

Recalling Resolutions (67) 24 and (73) 31, and the Recommendation (82) 10 of the Committee of Ministers of the Council of Europe, on birds in need of special protection in Europe;

Referring to the Action Plans on European globally threatened birds presented by BirdLife and Wetlands International;

Desirous to take prompt action for the conservation of Europe's most threatened birds;

Recommends that Contracting Parties to the Convention or States invited to accede thereto or to attend sessions of the Standing Committee as observers:

consider carrying out (or, if appropriate, reinforcing) National Action Plans for the species listed in Appendix A to the recommendation; take note, in that context, of the above-mentioned Action Plans on European globally threatened birds.

Appendix A to the Recommendation

Macaronesian and Iberian endemics

*Pyrrhula murina*

*Columba junoniae*

*Pterodroma madeira*  
*Pterodroma feae*  
*Columba trocaz*  
*Columba bolli*

*Fringilla teydea*  
*Chlamydotis undulata*  
*Aquila adalberti*

Waterbird species

*Numenius tenuirostris*  
*Pelecanus crispus*  
*Phalacrocorax pigmaeus*  
*Oxyura leucocephala*

*Marmaronetta angustirostris*  
*Branta ruficollis*  
*Anser erythropus*

Non-waterbird species

*Aquila heliaca*  
*Aegypius monachus*  
*Falco naumanni*  
*Otis tarda*

*Larus audouini*  
*Acrocephalus paludicola*  
*Crex crex*

## APPENDIX 6

Convention on the Conservation of European Wildlife  
and Natural Habitats

Standing Committee

**Recommendation No. 49 of the Standing Committee, adopted on 26 January 1996,  
concerning protection of some wild plant species which are subject to exploitation and  
commerce**

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 obligations laid down by the Convention, particularly in Articles 1, 2, 3 and 5;

Considering that some plant species are threatened by over collection of wild specimens or their parts for commercial purposes;

Concerned by the amount collected of certain species;

Conscious that this activity may represent a legitimate source of income for some people, provided that the level of exploitation does not threaten the species concerned;

Favouring the idea that such type of commerce should rely basically on specimens produced by artificial propagation;

Noting that the Convention provides for the protection of fauna species at two levels (strictly protected species listed in Appendix II and protected species listed in Appendix III), while for flora only strictly protected species are listed in Appendix I, without a corresponding appendix for species that are worth protecting but could be subject to exploitation;

Recognising the need to provide some protection, to wild species that are threatened by over collecting;

Taking into account the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);

Taking into account the provisions of Articles 11 and 14 of the Directive on the conservation of natural habitats and of wild fauna and flora, as well as its Annex V;

Recommends that Contracting Parties:

1. Undertake surveillance of the conservation status of species referred to in the Appendix to this recommendation and whether they are threatened by exploitation or commerce;
2. In the light of the surveillance under paragraph 1 above, if they deem it necessary, take measures to ensure that the taking in the wild of specimens of species of wild flora listed in the Appendix to this recommendation as well as their exploitation is compatible with their being maintained at a favourable conservation status;

Where such measures are deemed necessary, this shall include continuation of the surveillance provided for in paragraph 1 above. Such measures may also include in particular:

- regulations regarding access to certain property,

- temporary or local prohibition of the taking of specimens in the wild and exploitation of certain populations,
- regulation of the periods and/or methods of taking specimens,
- application, when specimens are taken, of taking rules which take account of the conservation of such populations,
- establishment of a system of licences for taking specimens or of quotas,
- regulation of the purchase, sale, offering for sale, keeping for sale or transport for sale of specimens,
- artificial propagation of plant species, under strictly controlled conditions, with a view to reducing the taking of specimens of the wild,
- assessment of the effect of the measures adopted.

## Appendix to the Recommendation

FAMILY / TAXON	CIT FFH
<b>CORALLINACEAE</b>	
Lithothamnium coralloides	5
Phymatholithon calcareum	5
<b>CLADONIACEAE</b>	
Cladonia subgenus Cladina spp.	5
<b>LEUCOBRYACEAE</b>	
Leucobryum spp	5
<b>SPHAGNACEAE</b>	
Sphagnum spp.	5
<b>ASPLENIACEAE</b>	
Asplenium petrarchae bivalens	
Diplazium caudatum	
Matteuccia struthipteris	
Polystichum setiferum	
<b>DAVALLIACEAE</b>	
Davallia canariensis	
<b>LYCOPODIACEAE</b>	
Diphasium spp.	
Huperzia spp.	
Lycopodium spp.	5
<b>OSMUNDACEAE</b>	
Osmunda regalis	
<b>POLYPODIACEAE</b>	
Polypodium cambricum	
<b>PSILOTACEAE</b>	
Psilotum nudum	
<b>AMARYLLIDACEAE</b>	
Galanthus nivalis	2 5
Leucojum aestivum	
Leucojum vernum	
Narcissus spp. (1)	
Sternbergia colchiciflora	2
<b>AQUIFOLIACEAE</b>	
Ilex aquifolium	
<b>ASCLEPIADACEAE</b>	
Ceropegia spp.	2
<b>BERBERIDACEAE</b>	

Gymnospermium odessanum

**CARYOPHYLLACEAE**

Dianthus plumarius  
Gypsophila paniculata  
Silene tomentosa

**COMPOSITAE**

Achillea nobilis  
Antennaria dioica  
Arnica montana 5  
Artemisia eriantha 5  
Artemisia genipi 5  
Artemisia glacialis  
Artemisia umbelliformis  
Carlina onopordifolia  
Doronicum plantagineum tournefortii 5  
Helichrysum arenarium  
Hieracium texedense  
Leontopodium alpinum  
Leuzea rhaponticoides 5  
Otanthus maritimus

**CRASSULACEAE**

Aeonium spp.  
Greenovia spp.

**CRUCIFERAE**

Alyssum pintodasilvae 5  
Crambe cordifolia  
Crambe litwinowii  
Malcomia lacera gracillima 5  
Murbeckiella pinnatifida herminii 5

**CYPERACEAE**

Scirpoides holoschoenus

**DROSERACEAE**

All species/toutes les espèces

**ERICACEAE**

Ledum palustre

**GENTIANACEAE**

Gentiana acaulis  
Gentiana lutea 5  
Gentiana pneunomanthe  
Gentiana punctata  
Gentiana verna

**GERANIACEAE**

Erodium cazorlanum  
Geranium cazorlense

**GRAMINEAE**

Stipa bromoides  
Stipa crassiculmis

*Stipa dasyphylla*  
*Stipa eriocalis*  
*Stipa pennata*  
*Stipa pulcherrima*  
*Stipa sabulosa*  
*Stipa stenophylla*

**GUTTIFERAE**

*Hypericum nummularium*

**IRIDACEAE**

*Crocus albiflorus*  
*Crocus angustifolius*  
*Crocus banaticus*  
*Crocus heuffelianus*  
*Crocus reticulatus*  
*Crocus sativus*  
*Crocus speciosus*  
*Crocus tommasinianus*  
*Gladiolus* spp.  
*Iris aphylla*  
*Iris boissieri*  
*Iris gramniea*  
*Iris humilis*  
*Iris lusitanica*  
*Iris pumila*  
*Iris sibirica*  
*Iris spuria*  
*Iris variegata*

5

**LABIATAE**

*Teucrium salviastrum salviastrum*  
*Thymus cimicinus*

5

**LEGUMINOSAE**

*Anthyllis lusitanica*  
*Dorycnium pentaphyllum transmontana*  
*Glycyrrhiza korshinskyanum*  
*Hedysarum grandiflorum*  
*Ulex densus*

5

5

5

**LENTIBULARIACEAE**

*Pinguicula vulgaris*



**LILIACEAE**

Allium rouyi	
Allium ursinum	
Bulbocodium versicolor	
Colchicum autumnale	
Colchicum spp.	
Eremurus spectabilis	
Eremurus thiodanthus	
Erythronium denscanis	
Fritillaria spp.	
Hyacinthoides non-scripta	
Lilium spp. (2)	(2)
Ornithogalum umbellatum	
Ruscus aculeatus	5
Ruscus hypoglossum	
Scilla autumnalis	
Scilla hyacinthoides	
Tulipa agenensis	
Tulipa biebersteiniana	
Tulipa cypria	
Tulipa schrenkii	

**MENYANTHACEAE**

Nymphoides peltata

**NYMPHAEACEAE**

Nuphar lutea  
Nuphar pumila  
Nymphaea alba  
Nymphaea candida

**ORCHIDACEAE**

All species/toutes les espèces 2

**PAEONIACEAE**

Paeonia spp.

**PAPAVERACEAE**

Papaver lapeyrosianum  
Papaver rupifragum

**PLUMBAGINACEAE**

Armeria sampaioi 5  
Armeria vulgaris  
Limonium malacitanum

**PRIMULACEAE**

Cyclamen spp. 2  
Primula ceris  
Primula vulgaris

**RANUNCULACEAE**

Aconitum flerovii  
 Aconitum jacquinii  
 Adonis vernalis  
 Hepatica nobilis  
 Pulsatilla spp.  
 Ranunculus lingua

**ROSACEAE**

Rubus genevieri herminii 5

**SAXIFRAGACEAE**

Saxifraga cotyledon 5

**SCROPHULARIACEAE**

Anarrhinum longipedicelatum 5  
 Euphrasia mendoncae 5  
 Scrophularia grandiflora grandiflora 5  
 Scrophularia herminii 5  
 Scrophularia sublyrata 5

**TAXACEAE**

Taxus baccata

**THYMELACEAE**

Daphne cneorum

**TYPHACEAE**

Typha angustifolia

**UMBELLIFERAE**

Eryngium maritimum  
 Meum athamanticum

**VALERIANACEAE**

Valeriana celtica

**VISCACEAE**

Viscum album

- 
- (1) Narcissus bulbocodium in Annex V FFH  
 Narcissus juncifolius in Annex V FFH
- (2) Lilium rubrum in Annex V FFH

## APPENDIX 7

Convention on the Conservation  
of European Wildlife and Natural Habitats

Standing Committee

### **Resolution No. 3 of the Standing Committee, adopted on 26 January 1996 concerning the setting up of a pan-European Ecological Network**

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,

Desirous to pursue the implementation of its Recommendation No. 16 (1989) on Areas of Special Conservation Interest,

Desirous also to contribute as a first step to the implementation of the Pan-European Biological and Landscape Diversity Strategy, in particular to Theme 1 of the Strategy "establishing the Pan-European Ecological Network", as endorsed at the Ministerial Conference "Environment for Europe" (Sofia, Bulgaria, October 1995),

RESOLVES to:

1. Set up a Network (EMERALD Network) which would include the Areas of Special Conservation Interest designated following its Recommendation No. 16;
2. Create a group of experts to carry out the necessary activities related to the building up of the Network;
3. Encourage Contracting Parties and observer States to designate Areas of Special Conservation Interest and to notify them to the Secretariat;
4. Invite European States which are observer states in the Standing Committee of the Bern Convention, to participate in the Network and designate Areas of Special Conservation Interest.

## APPENDIX 8

BERN CONVENTION PROGRAMME OF ACTIVITIES  
AND BUDGET FOR 1996

- |    |  |        |
|----|--|--------|
| 1. | <b>CHAIRMAN'S EXPENSES</b>   | FF     |
|    | Fixed appropriation to cover travel and/or subsistence expenses incurred by the Chairman or delegate of T-PVS after consultation with the Secretary General. Expenses of the Chairman to attend meetings of the Standing Committee .....   | 15,000 |
| 2. | <b>ON-THE-SPOT VISITS</b>  |        |
|    | On-the-spot visits, by independent experts designated by the Secretary General to examine threatened habitats and travel and subsistence expenses incurred by such experts to inform the Standing Committee or its groups of experts ..... | 30,000 |
| 3. | <b>DELEGATES OF AFRICAN STATES</b>   |        |
|    | Travel and subsistence expenses incurred by the delegates of African states to attend T-PVS meeting or other meetings organised under its responsibility.....  | 35,000 |
| 4. | <b>TRAVELS OF EXPERTS AND SECRETARIAT</b>  |        |
|    | Travel and subsistence expenses incurred by experts and the Secretariat to attend meetings of special relevance under instruction from the Committee or the Chairman.....  | 90,000 |
| 5. | <b>MEETINGS OF THE BUREAU</b>  |        |
|    | Travel and subsistence expenses incurred by the three members of the Bureau to attend the Bureau meetings .....  | 50,000 |
| 6. | <b>CONTRIBUTION TOWARDS THE ORGANISATION OF COLLOQUIA</b>  |        |

Element 6.1**Seminar on incentive measures to create and manage protected areas on a voluntary basis**Romania

4 days (dates 29 September - 2 October 1996)

The terms of reference of this seminar are to examine the different national systems of privately owned or privately managed protected areas; to review the initiatives that have been developed to promote voluntary reserves and to suggest ways and means of facilitating the creation and enlargement of privately owned or privately managed reserves. Legal and economics aspects will be dealt with.

Travel and subsistence expenses will be covered for 1 rapporteur from each of the following states:  
**Bulgaria, Estonia, France, Germany, Hungary, Iceland, Liechtenstein, Moldova, Poland, Switzerland, Turkey, United Kingdom**..... 113,000  
**and 1 consultant**..... 7,000

Participants: all Contracting Parties and observers active in this field

Element 6.2

**Seminar on conservation, management and restoration of habitats for invertebrates: enhancing biological diversity**

Killarney (Ireland)

4 days (dates 26-29 May 1996)

The seminar will be held in coordination with the meeting of the Group of experts on Conservation of Invertebrates.

The terms of reference of this seminar will be to suggest practical measures to manage natural habitats in a way that can improve their invertebrate biodiversity. Special sessions will be devoted to management of forests, agricultural land, grasslands and heathlands.

Participants: all Contracting Parties and observers active in this field

Element 6.3

**Seminar to present the results of the 1st Phase of the MedWet initiative (in collaboration with the Ramsar Convention)**

Venice (Italy)

5 days (dates 5-9 June 1996)

The 1st phase of the MedWet initiative will end in 1995. Its results will be presented at a seminar.

The Council of Europe participated as a collaborating institution in the MedWet initiative. The co-organisation of the seminar will permit better integration into the project of non European Community Mediterranean states which are Parties to the Convention and to which it is intended to extend the initiative.

Travel and subsistence expenses will be covered for 1 expert from each of the following states:  
**Cyprus, Malta, Turkey** ..... 20,000

Participants: those of MedWet

## 7. CONTRIBUTIONS TOWARDS THE COST OF EXPERT GROUPS

### Element 7.1

#### **Group of experts on conservation of amphibians and reptiles**

##### Strasbourg

3 days

The terms of reference of this group are to revise current problems on herpetile conservation in Europe and to suggest adequate action. Particular attention will be given in this meeting to site management.

Travel and subsistence expenses will be covered for 1 expert from each of the following states:

**Austria, Bulgaria, Greece, Hungary, Ireland, Italy, The Netherlands, Portugal, Romania, Spain, Sweden, Switzerland, Turkey, United Kingdom** ..... 120,000

Participants: all Contracting Parties

Observers: all observer states and qualified organisations active in this field

### Element 7.2

#### **Group of experts on conservation of invertebrates**

##### Killarney (Ireland)

4 days (dates 26-29 May 1996)

The terms of reference of this group are to revise current problems on invertebrate conservation in Europe and to suggest adequate action. The group shall propose measures that are adequate for the protection of invertebrates focusing on habitat types that are specially rich in invertebrates and/or specially important for threatened groups of invertebrates.

Travel and subsistence expenses will be covered for 1 expert from each of the following states:

**Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Luxembourg, Monaco, The Netherlands, Norway, Spain, Switzerland, United Kingdom**..... 120,000

Participants: all Contracting Parties

Observers: all observer states and qualified organisations active in this field

### Element 7.3

#### **Group of experts on implementation of Recommendation No. 16 (1989) on areas of special conservation interest**

##### Paris

3 days

The terms of reference of this group are to explore the ways to implement Recommendation No. 16 in the light of the Pan-European Biological and Landscape Biodiversity Strategy.

Travel and subsistence expenses will be covered for 1 expert from each of the following states:

**Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Iceland, Liechtenstein, Lithuania, Malta, Moldova, Monaco, Norway, Poland, Romania, Russia, Slovakia, Slovenia, Switzerland, Turkey** 155,000  
**and 1 consultant** ..... 5,000

Participants: all Contracting Parties

Observers: all observer states and qualified organisations active in this field

## 8. CONTRIBUTIONS TOWARDS THE COSTS OF CONSULTANTS

### Element 8.1

#### **Report on the status of hamsters (*Cricetus cricetus*, *Cricetulus migratorius* and *Mesocricetus newtoni*)**

Terms of reference:

The report will describe the biology, distribution and conservation status of hamsters in Europe (including the Asian part of Turkey), analysing the causes of decline of the common hamster and the Romanian hamster. The report will propose ways to deal with the conservation of these species, and in particular the common hamster, which would be compatible with the temporary control of their population whenever they cause important damage to crops.

Fixed appropriation for consultant..... 40,000

### Element 8.2

#### **Comparative analysis of the efficiency of legislations protecting plants**

Terms of reference:

To analyse the way in which the Bern Convention is being implemented through national and regional legislation in the field of plant protection, to evaluate the efficiency and implementation of the legal measures taken at the national (and regional) levels and to propose measures to improve the effectiveness of the Convention in this field.

Fixed appropriation for consultant..... 40,000

### Element 8.3

#### **European Red List of Threatened Vertebrates**

Terms of reference:

To compile a European Red List of Threatened Vertebrates, identifying which species or endangered populations require conservation measures. The report will also point out which species require action plans, what action plans have already been made by Contracting Parties and how they are being implemented.

Fixed appropriation for consultant..... 60,000

Element 8.4**Report on introductions of non-native plants into the natural environment**

Terms of reference:

To describe the problems caused to natural habitats by the spread invasive non-native plants introduced into Europe, to propose measures to limit the impact of introduced species, and to control the release of non native plants.

(Report financed by Belgium)

Fixed appropriation for consultant ..... 40,000

Element 8.5**Report on introduction of species for biological control purposes**

Terms of reference:

The report will analyse the impact on wildlife of non-native species introduced for biological control purposes, describing in particular the procedures used by different states to license their release in the natural environment. The report will make proposals aiming at reducing the risk to wildlife by such introduced species.

Fixed appropriation for consultant ..... 40,000

Element 8.6**Report on the implementation of the Convention, Part I: Nordic States**

Terms of reference:

To analyse, in coordination with the states concerned, the conservation policies of the Nordic countries, their systems of protected areas and protection and management of wild fauna and flora, and the extent to which they satisfy the obligations of the Bern Convention. The report will make suggestions which may improve the implementation of the Convention in those states.

Fixed appropriation for consultant ..... 60,000

Element 8.7**Report on micro-reserves as a tool for plant conservation**

Terms of reference:

To study the application of micro-reserves to protect very localised populations of threatened species. The report should analyse how the system of micro-reserves is working in the different states or regions where it has been applied and to make recommendations as to its improvement and extension.

Fixed appropriation for consultant ..... 40,000

Element 8.8**Report on marine invertebrates in the Mediterranean**

Terms of reference:

This report will deal with the conservation problems of threatened coastal marine invertebrates. It will include data sheets of endangered and vulnerable species and will propose adequate action within the framework of the Convention.

Fixed appropriation for consultant ..... 40,000

Element 8.9**Study on the potential implications of global change (including climatic change) in the conservation of threatened plants in Europe**



Terms of reference:

To prepare a report on the long term implications of global change (including climatic change) on the survival or reduction in area of European plant species, especially endemic species from island or mountain ecosystems and threatened species listed in Appendix I of the Convention. The report will propose new conservation strategies and solutions aimed at dealing with this problem and will include a list of Appendix I species that may be affected in the long term.

Fixed appropriation for consultant..... 40,000

Element 8.10

**Report on the status and conservation of the beaver (*Castor fiber*) in Europe**

Terms of reference:

The report will describe the distribution status and conservation problems of the beaver (*Castor fiber*) in Europe, analysing the causes of its decline in a part of the Continent, describing possible future threats and proposing guidelines for its conservation.

Fixed appropriation for consultant..... 40,000

Element 8.11

**Development of the Network of Areas of Special Conservation Interest in Central and Eastern Europe**

Terms of reference:

To prepare the necessary information on the Areas of Special Conservation Interest in Central and Eastern Europe to be included in a network under Recommendation No. 16.

Fixed appropriation for consultant..... 200,000

Element 8.12

**Legal analysis of the Zakynthos case**

Terms of reference:

To prepare a legal analysis of the situation on the protection of marine turtles and their habitat in Zakynthos, (Greece)

Fixed appropriation for consultant..... 20,000

**9. PUBLICATIONS**

Element 9.1

Funds for the conception, the photo composition and publication of poster, brochures, stickers, postcards, making of buttons, other documents ..... 90,000

**10. HABITAT CONSERVATION**

[Element 10.1 to be engaged with approval of Bureau]

This budget line will gather funds sent voluntarily by Contracting Parties to help conservation of habitats in other states. Decision on its expenditure will be agreed by the Bureau with approval of the Parties which have sent contributions and only on presentation of precise projects..... 40,000

**11. PART-TIME SECRETARY**

Element 11

Part-time secretary ..... 120,000

**12. PART-TIME OFFICER**

Element 12

This part-time officer will be hired as a consultant to manage the implementation of Recommendation No. 16 . Salary 230,000 and other expenses 40,000..... 270,000

Bern Convention Programme of Activities and Budget for 1996 (summary)

	FF
1. Chairman's expenses.....	15,000
2. On-the-spot visits.....	30,000
3. Delegates of African states .....	35,000
4. Travels of experts and Secretariat .....	90,000
5. Meetings of the Bureau.....	50,000
 6. Colloquia	
6.1 Seminar on incentives for private reserves .....	120,000
6.2 Seminar on management of habitats for invertebrates .....	- - -
6.3 MedWet.....	20,000
 7. Expert groups	
7.1 Group of experts on conservation of amphibians and reptiles .....	120,000
7.2 Group of experts on conservation of invertebrates .....	120,000
7.3 Group of experts on implementation of Recommendation No. 16 .....	160,000
 8. Consultants	
8.1 Report on the status of hamsters .....	40,000
8.2 Comparative analysis of legislation protecting plants .....	40,000
8.3 European Red List of Vertebrates .....	60,000
8.4 Introduction of non-native invasive plant species .....	40,000
8.5* Introduction of species for biological control purposes.....	40,000
8.6* Implementation of the Convention, Part I: Nordic States.....	60,000
8.7* Micro-reserves as a tool for plant conservation .....	40,000
8.8* Report on marine invertebrates in the Mediterranean .....	40,000
8.9* Implications of global change in conservation of threatened plants .....	40,000
8.10* Status and conservation of the beaver ( <i>Castor fiber</i> ).....	40,000
8.11** Areas of Special Conservation Interest in Central and Eastern Europe .....	200,000
8.12 Legal analysis of the Zakynthos case .....	20,000
 9. Publicity.....	90,000
10.* Habitat conservation projects.....	40,000
11. Part-time secretary .....	120,000
12.** Part-time consultant for habitats project.....	270,000
	1,940,000

The Bern Convention Special Account will be used to cover expenses that cannot be covered by the ordinary budget (Note II.10.1, Article 2218) of the Council of Europe.

\* The activities marked with an asterisk (\*) will only be engaged with the approval of the Bureau.

\*\* These elements will require a substantial additional contribution from Parties and will only be engaged if these funds are available.