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T-PVS (2003) 24

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

23rd meeting
Strasbourg, 1-4 December 2003

REPORT

*Document prepared by
the Directorate of Culture and Cultural and Natural Heritage*

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PRELIMINARY NOTE: SUMMARY OF DECISIONS TAKEN

1. The Standing Committee held its 23rd meeting from 1 to 4 December 2003 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 it elected Mrs Ilona Jepsen (Latvia), Chair, and Mrs Véronique Herrenschmidt (France), Vice-Chair. Mr Patrick Van Klaveren (Monaco) is still member of the Bureau.
3. The Committee decided unanimously to invite the following non-member states to attend its 24th meeting: Algeria, Belarus, Cape Verde, Holy See, Kazakhstan, Kyrgyzstan, Mauritania, Tajikistan, Turkmenistan and Uzbekistan.
4. The Committee adopted the following recommendations and declarations:
 - Recommendation No. 99 (2003) on the European Strategy on Invasive Alien Spe (appendix 3);
 - Recommendation No. 100 (2003) on conservation of large carnivores in the Carpathians (appendix 4);
 - Recommendation No. 101 (2003) on the implementation of the Pan-Alpine Conservation Strategy for the Lynx (PACS) (appendix 5);
 - Recommendation No. 102 (2003) on the Strategy on the European Bison (*Bison bonasus*) (appendix 6);
 - Recommendation No. 103 (2003) on five new Action Plans for most threatened birds in the Convention's area (appendix 7);
 - Recommendation No. 104 (2003) on the conservation of the Spur-thighed tortoise *Testudo graeca graeca* in Spain (appendix 8);
 - Recommendation No. 105 (2003) on the conservation of the Nile soft-shelled turtle *Trionyx triunguis* in Turkey (appendix 9);
 - Recommendation No. 106 (2003) on the conservation of the Aesculapian snake *Elaphe longissima* (appendix 10);
 - Recommendation No. 107 (2003) on the Odelouca Dam (Portugal) (appendix 11);
 - Recommendation No. 108 (2003) on the proposed construction of the 'Via Baltica' (Poland) (appendix 12).
5. The Committee requested the Secretariat to forward the recommendations above to the Committee of Ministers of the Council of Europe for communication to the governments of all Council of Europe member states and other Parties to the Bern Convention.
6. The Committee approved a work programme and budget for the year 2004, for a total amount of 344,900 € using around 120,000 € provided by the Council of Europe, and a reserve of some 10,000 € remaining from non-spent voluntary contributions. Parties are expected to provide with new voluntary contributions in 2004. (appendix 13).
7. The Committee decided to hold its 24th meeting from 29 November to 3 December 2004.
8. The Committee decided to celebrate the 25th anniversary of the opening for signature of the Convention on 30 November 2004.

PART I – OPENING

1. Opening of the meeting and adoption of the agenda

Relevant documents: T-PVS (2003) 1 Draft agenda
T-PVS (2003) 20 Annotated draft agenda

The Chair, Mrs Ilona Jepsen, opened the 23rd meeting of the Standing Committee and welcomed participants (list in appendix 1 to this report).

Several delegations requested that the points on the killing of birds in Cyprus and on the military antennae in Cyprus be subjects of discussion under “items for information”. It was so decided.

The agenda was adopted as it appears in appendix 2 to this report.

The Chair gave the floor to the Director General of Education, Culture and Heritage, Youth and Sport, Mr Bendik Rugaas, who delivered a welcoming address. He emphasised the strength of the Convention and the way in which it positively integrates its work with world biodiversity programmes, in particular those of the Convention on Biological Diversity. The Director of Culture and Cultural and Natural Heritage, Mrs Catherine Roth, stressed the synergy that existed between the work of the convention and other sectors of the Directorate. She thought that Nature and Culture were working in harmony in the service of sustainable development. She told the Committee that the European Landscape Convention, signed in Florence in 2000, would enter into force in April 2004.

2. Chairman's report and communications from the delegations and from the Secretariat

Relevant documents: T-PVS (2003) 4 and 21 Reports of the Bureau meetings of April 2003 and September 2003

The Chair informed the Committee that the Convention had successfully achieved its programme of activities for 2003, developing in particular innovative work in issues such as Invasive Alien Species and conservation of Large Carnivores. She informed the Committee that she had attended several meetings in her capacity as Chair, including a nature conservation congress held in Moscow, where the possible accession by Russia to the convention had been discussed. She thought that it would be useful to step up awareness-building efforts aimed at better explaining how the convention worked.

She thanked States that had made voluntary contributions to Convention activities.

The Delegate of Senegal reminded the participants that African States were interested in extending the convention to the countries south of the Sahara.

The representative of the Bonn Convention presented the activities of that convention [see document T-PVS/Inf (2003) 23].

The Delegate of Ukraine notified the Committee that Poland had signed the Convention on the protection and sustainable development of the Carpathians.

The Delegate of Hungary informed the Committee that a meeting on the hamster had been held recently in Budapest. The next meeting would be held in Strasbourg in 2004.

The Delegate of Burkina Faso reported on the progress made by the convention in his State.

The representative of the Secretariat outlined the work carried out in 2003 and thanked the countries which had supported the convention by hosting meetings or making voluntary contributions.

PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

3. Monitoring of the implementation of the legal aspects of the Convention

3.1. Swedish proposal of Amendment of Appendix I (33 species of Fungi)

Relevant documents: T-PVS (2001) 34 rev.2 Datasheets of threatened fungi candidates to Appendix I
T-PVS/Inf (2003) 3 Comments by states to proposal on fungi

The Secretariat informed the Committee that Sweden had withdrawn its proposal for amendment of Appendix I of the Convention concerning fungi.

The Delegate of Sweden regretted that the proposal had not received the backing of the majority of European Union States and expressed the hope that it would be possible for the Committee to consider revised proposals concerning fungi in the near future.

The delegation of Norway, backed by the delegations of Slovenia, Switzerland, Hungary, Estonia, "the former Yugoslav Republic of Macedonia" and the *Journées européennes du Cortinaire* (European Council of the Conservation of Fungi), regretted that the proposal had been withdrawn and emphasised the quality of the work carried out by the specialist bodies.

The Delegate of Switzerland thought it disappointing not to be able to amend the Appendices of the convention as had been the case in the past.

The Chair thanked Sweden and also expressed the hope that the convention might be permitted to evolve.

3.2. Biennial reports (1999-2000 and 2001-2002) concerning exceptions made to Articles 4, 5, 6, 7 or 8

Relevant documents: T-PVS/Inf (2002) 36 Biennial Reports 1999-2000
T-PVS/Inf (2003) 21 Biennial Reports 2001-2002
T-PVS/Inf (2003) 9 Form for Biennial Reports

The Secretariat presented biennial reports that had been received. Some of the reports had arrived too late to be distributed at the meeting.

The Committee took note of the reports presented.

* Items for information:

- T-PVS/Inf (2003) ... Report on the implementation of the Convention in the United Kingdom (Draft)

The Secretariat informed the Committee that the 1st draft of the above mentioned report had been completed by the consultant and the document was being examined by the UK government to check possible inaccuracies.

PART III –MONITORING OF SPECIES AND HABITATS

4. Monitoring of Species and Habitats and report to SBSTTA meetings

4.1. Invasive Alien Species. Reports from the Group of experts. European Strategy on IAS

Relevant documents: T-PVS (2003) 7 Draft European Strategy on Invasive Alien Species
 T-PVS (2003) 6 Report of the Group of Experts on IAS
 T-PVS (2003) 14 Draft Recommendation on the European Strategy for IAS
 T-PVS/Inf (2003) 4 Bern Convention Action on IAS
 T-PVS/Inf (2003) 6 Conclusion on Symposium on IAS on Portuguese and Spanish islands
 T-PVS/Inf (2003) 22 Conclusion on Conference on IAS in Moldova

The Group of Experts on Invasive Alien Species met on 19 and 20 June 2003 and examined the second draft of the European Strategy on IAS (T-PVS (2002) 8 rev.), proposing some further changes. The Secretariat informed the Committee that the draft presented reflected well the comments made by the group and that such version was a most useful guide for government action on this field. The Consultants, Mr Genovesi and Mrs Shine, presented the two points still undecided – left in brackets -:

- The objectives: the final formulation decided by the Committee was the following: *“The Strategy promotes... co-operative efforts throughout Europe to prevent or minimise adverse impacts of invasive alien species (IAS) on Europe’s biodiversity, as well as its consequences for the economy and human health and well-being”*;
- Chapter 6.2 – Aims: the final formulation decided by the Committee was: *“The time ... the development of contingency plans for eradicating newly detected alien species, except those recognised as low risk”*.

The Committee accepted also minor changes proposed by Germany and Norway, which will be incorporated in the final text of the Strategy.

A number of delegations (Iceland, Denmark, Hungary, Belgium, Portugal, Italy, Slovakia, France and Switzerland) expressed satisfaction with the final text of the Strategy and noted the importance to develop further work on this field.

Switzerland noted that a full implementation of the actions suggested requires very important resources.

The Slovak Republic supported the strategy though expressed need for cross-sectorial co-ordination and high financing measures.

France said that account had to be taken of the particular adaptations that would be required to make the strategy applicable to its overseas *départements*.

The Committee endorsed the European Strategy on Invasive Alien Species as amended and adopted a recommendation on the European Strategy on Invasive Alien Species (appendix 3 to this report).

The delegate of Moldova presented the Conclusions of the Regional Workshop on IAS held in Chisinau in October 2003.

4.2. Seminar on Large Carnivores in the Carpathians, follow-up of Iberian lynx conservation, lynx in the Alps and information from LCIE work

Relevant documents: T-PVS/Inf (2003) 1 Bern Convention Action on large carnivores 1998-2002

- Large Carnivores in the Carpathians

Relevant document: T-PVS (2003) 5 Report on Seminar on Large Carnivores in the Carpathians

A Seminar was held on Poiana Brasov (Romania) from 12-14 June 2003, in collaboration with LCIE and Romania conservation authorities.

At the Seminar the status of Carpathian populations of Large Carnivores was analysed and proposals made for the elaboration of a Carpathian Action Plan for Large Carnivores. At the Seminar a draft recommendation was prepared on the conservation of Large Carnivores in the Carpathians.

The representative of LCIE, Mr Christoph Promberger presented the main findings of the Seminar, noting in particular the need to manage large carnivores at a regional scale. A large carnivore conservation Programme in the Carpathians is being launched, which includes a number of model field projects to be financed. This programme will be a joint initiative of LCIE, the Bern Convention, the Carpathian Convention and WWF-Danube and Carpathian programme.

The Committee took note with interest of the report of the Seminar and invited Carpathian states to collaborate to promote conservation of large carnivores in the region.

The Committee adopted a recommendation on conservation of large carnivores in the Carpathians (appendix 4).

- Iberian lynx

Relevant documents: T-PVS/Inf (2003) 5 Iberian Lynx Report (March visit)
T-PVS/Inf (2003) 27 Iberian Lynx Report (October visit)

An International Committee for the follow-up of Iberian Lynx Conservation Action was created in 2002 in the framework of the Convention. It is formed by the World Conservation Union / Species Survival Commission (IUCN/SSC), the Large Carnivore Initiative for Europe (LCIE) and the Secretariat. The International Committee carried out two visits to Spain in March and October.

Ms Olszanska, from LCIE, presented the reports of the visits of the International Committee. Much progress has been accomplished in the last year, notably on habitat conservation, supplementary feeding and recovery of rabbit populations in key-sites. The situation of the species was still critical but the new agreement between the Ministry of Environment of Spain and the Junta of Andalusia had permitted to relaunch on more solid basis the captive breeding programme, so the situation was more hopeful.

The delegate of Spain detailed all the many conservation work developed by the central government, the regional government and private initiatives, both on monitoring, on management agreements, habitat improvement and rabbit recovery. His government was very decisively committed to the conservation of this species and had welcomed the visits and input of the International Committee created under the Convention.

Portugal noted that the species was in a very critical state in her country, where no breeding had been detected in the last 5 years. A national action plan was to be adopted soon. Collaboration with Spain needed to be continued.

The Secretariat stressed that this was an issue where Bern Convention involvement had been significant to improve co-ordination and collaboration among different stakeholders and thanked LCIE and IUCN - in particular Mr Breitenmoser – for their invaluable help.

The Committee took note of the information presented, congratulated the Spanish and Andalusian conservation authorities for the excellent work carried out, encouraged the authorities and other stakeholders to continue efforts in the same direction and wished success for the captive breeding programme and *in situ* action.

- Lynx in the Alps

Relevant documents: T-PVS (2003) 9 Draft Recommendation on Conservation of Lynx in the Alps
T-PVS/Inf (2003) 10 Proceedings of the Conference on Lynx in the Alps (SCALP)

The 2nd Conference on the status and conservation of the Alpine Lynx Population (SCALP) was held from 7 to 9 May 2003 in Amden (Switzerland), co-organised by the Swiss conservation authorities and KORA.

Mr Breitenmoser made a presentation on the states and trends of lynx in the Alps in the last 9 years, noting in particular its extension to South French Alps, and the disappearance of the species from the Italian Central Alps and the new introductions to the East of Switzerland. He stressed the need to advance towards a co-ordinated management of the whole Alpine population.

The delegates of Austria and Germany made comments regarding their states. Austrian population of lynx is not well-known. Germany has no lynx in the German Alps and is focussing lynx conservation action in Lower Saxony and Bavaria.

The Committee took note of the proceedings of the Seminar and adopted a recommendation on the implementation of the Pan-Alpine conservation strategy for lynx (PACS) as presented in appendix 5.

4.3. Strategy on the European bison

Relevant documents: T-PVS/Inf (2003) 20 Action Plan on the European Bison
T-PVS (2003) 16 Draft Recommendation on the Action Plan on the European bison.

The representative of Large Herbivore Initiative (LHI), Mr Baerselman, presented a draft Action Plan on the European Bison.

The delegates of Poland, Ukraine and Slovakia welcomed the document presented and noted that this species is in need of much conservation attention and requires some funding for specific projects. The delegates of Latvia and Lithuania proposed corrections in the document.

The delegate of Ukraine noted that the document could be improved by better identifying actions that need to be taken, in line with the guidelines adopted by the Standing Committee on its Recommendation No. 59 (1997) on the Drafting and Implementation of Action Plans of Wild Fauna.

The Committee decided to change the title of the document presented to “European bison (*Bison bonasus*) current state of the species and strategy for its conservation” and requested LHI to prepare, for its next meeting, an Appendix with suggested action.

The Committee took note with satisfaction of the Strategy on the European bison as amended.

The Committee adopted a recommendation on the conservation of the European bison (see appendix 6).

4.4. Birds. Impact of wind farms and electric lines. 5 new action plans

Relevant documents: T-PVS (2003) 11 Draft recommendation on minimising adverse effects of wind power generation on birds
T-PVS (2003) 13 Draft recommendation on protecting birds from powerlines
T-PVS/Inf (2003) 12 Impact on windfarms on birds and precautionary measures
T-PVS/Inf(2003) 15 Protecting birds on powerlines

The Consultant, Mrs Langton (BirdLife), presented an update of the report on the effects of windfarms on birds.

The Secretariat presented a draft recommendation on this issue.

Several delegations (Norway, Monaco, Slovenia, Switzerland, Iceland, Slovenia, Ukraine, Czech Republic, Croatia and Senegal) noted the importance of environmental-friendly energy productions, the great interest of the exercise and the urgency in having very soon clear guidelines on site location and on criteria on EIA for windfarms. Those states supported the draft recommendation and wished it adopted.

Norway expressed reservation about the need for a full year of ornithological investigations in all cases prior to construction of windfarms and powerlines.

Italy, in the name of the European Community, expressed the unanimous appreciations of EU Member States for the work done, but considered necessary to circulate more widely the draft recommendation to agencies with responsibilities in the field, so it proposed to delay the discussion of the draft recommendation to the next meeting of the Committee.

The delegate of Switzerland said that the internal political processes of the European Union – with which they were now well acquainted – should not be allowed to impede the dynamic process of conservation in Europe, which was developing in accordance with the Rio and Johannesburg principles and the requirements of relevant international agreements such as the biological diversity convention, Ramsar, the migratory species convention and other international and regional agreements.

The Committee decided to postpone until its next meeting the discussion of this draft recommendation and on the one concerning protection on birds from powerlines.

The Committee instructed the Secretariat to amend the recommendation concerning windfarms to include effects on bats and marine mammals and to circulate the technical documents and the draft recommendations for comments from the Parties.

The Consultant, Mr Nipkow (BirdLife), presented the report on protection of birds from powerlines.

The Committee encouraged Parties to use the technical information provided in both reports and to circulate those documents widely so that they may be effectively used as a source of inspiration for at the national level.

- 5 new Action Plans

Relevant documents: T-PVS/Inf (2003) 13, 14, 16, 17, 18, 19 Action Plans for *Circus macrourus*, *Glareola nordmanni*, *Chettusia gregaria*, *Gallinago media*, *Emberiza cineracea*
T-PVS (2003) 15 Draft Recommendation on 5 new Action Plans for globally threatened species

Five new Action Plans for *Circus macrourus*, *Glareola nordmanni*, *Chettusia gregaria*, *Gallinago media*, *Emberiza cineracea* were presented by Mr Gallo-Orsi, representing BirdLife International.

Parties were encouraged to send to BirdLife possible factual corrections by 20 January 2004.

The Committee took note of the Action Plans presented. The Committee adopted a recommendation on 5 new Action Plans for globally threatened species (appendix 7).

4.5. Group of Experts on Conservation of Amphibians and Reptiles

Relevant document: T-PVS (2003) 18 Report of Group of Experts on Amphibians and Reptiles

The Group of Experts met close to Ravlunda (Skåne, Sweden), from 26 to 27 September 2003. The Chair of the Group, Mr Richard Podlucky (Germany), presented the report of the Group of Experts, calling the attention of the Committee in particular on urgent cases requesting conservation measures by governments.

There were, in particular:

- *Coluber gyarosensis* in Gyaros (Greece)

The situation of this species is very uncertain, as it has a very small distribution area, i.e. the island of Gyaros, which is a military area, and is likely to be greatly vulnerable due to some other human impacts.

The delegate of Greece stated that only a month ago some written reference information on this species was given to her by the SEH representative. This information will be used for contacting, as appropriate, the pertinent authorities.

- Hopa region in Turkey

This is an area of extreme herpetile interest which lacks appropriate protection.

The delegate from Turkey recalled her report presented at the meeting of the Group of Experts and noted that a number of wildlife protection projects are being carried out in North-Eastern of Turkey

which has many protected areas. Three of them are National Parks which they were presented during the Herpeto-Fauna Experts meeting in Malmö (26-27 September 2003). There are a lot of protected areas as a called "Nature Protected Park" and "The area of Wildlife Conservation". There are a lot of projects which have been carried out. One of them is called "GEF-II Project". Results of this project will be adopted this mentioned area in Turkey.

- ***Rana lessonae* in Norway**

Only one breeding population remains, on just two relatively closed ponds.

The delegate of Norway assured the Committee that such species (in the Norwegian Red List) was being closely monitored, was reproducing successfully and their two populations to be out of danger (after removal of a trout that had decimated tadpoles in one of the ponds).

- ***Elaphe longissima***

The delegates of the Czech Republic and Germany gave detailed information of the status of *Elaphe longissima* and the actions already taken in their states.

The Committee took note of the report of the Group of Experts. The Committee took note of list of species that required European or national Action plans and thanked Sweden for organising the meeting of the Group. The Committee adopted three recommendations on *Testudo graeca graeca* in Spain (appendix 8), *Trionyx triunguis* in Turkey (appendix 9), and *Elaphe longissima* in Austria, Czech Republic, Germany and Ukraine (appendix 10).

4.6. Group of Experts on Conservation of Invertebrates

Relevant document: T-PVS (2003) 17 Report of Group of Experts on Invertebrates

The Group of Experts (co-organised with EIS and the UK Government) met in Cardiff on 6 September 2003. The Chair of the Group, Mr Yves Gonseth (Switzerland), presented the results of the meeting, noting in particular the need to draft and implement a mid-term strategy for conservation of Invertebrates in Europe.

This strategy will held guide conservation action by governments and will set up long-term goals for the work of the Group of Experts. A small group of people could be charged to prepare such document to be examined and adopted by the Standing Committee. Mr Gonseth noted the very important role of the Bern Convention in promoting conservation of invertebrates in Europe and wished that important role be maintained and re-inforced.

The Committee took note with satisfaction of the report of the Group of Experts and encouraged Parties to collaborate in the preparation of the Strategy.

4.7. Habitats: setting up of ecological networks, Emerald Network

Relevant documents: T-PVS (2003) 22 + 22 addendum Report of Emerald Network Group of Experts
T-PVS/Emeraude (2003) 12 Update of Map of Biogeographical Regions
T-PVS (2003) 8 Information Document on the Emerald Network

The Secretariat presented a progress report on the activities of the Emerald Network and its pilot projects programme, which had been extended in 2003 to an African Contracting Party, Senegal, taking the number of countries having implemented a pilot project to 23.

The Secretariat reported on the discussions held within the framework of the meeting of the Emerald Network Group of Experts in Dubrovnik on 14 and 15 October 2003, jointly with the meeting of the Committee of experts of the Pan-European Ecological Network.

These discussions concerned in particular:

- amendments to the map of biogeographical regions requested by the Czech Republic, Georgia, Lithuania and Slovakia and explained in detail in the addendum to T-PVS/Emerald (2003) 22;
- Croatia's request to add to the current map a specific region for the Mediterranean Sea and, possibly, the whole of Europe's marine area;
- the request for the possible preparation of an indicative map for African – particularly sub-Saharan – Contracting Parties.

The opening of lists of species and habitats [Resolutions no. 6 (1998) and no. 4 (1996)] to marine species and habitats was also raised at the meeting.

The Secretariat also mentioned the proposal, presented at the meeting of the Group of Experts, to hold a specific meeting, on a date to be agreed, on the development of the Emerald Network in Africa and the preparation of a map of biogeographical regions specific to Africa.

The representative of the European Commission pointed out that activities on marine species and habitats were already in progress within the specific working group of the Commission's Habitats committee and it might be advisable to await publication of that working group's report before drawing up specific proposals for the Emerald Network.

The Standing Committee took note of these different proposals, adopted the amendments presented by the Czech Republic, Georgia, Lithuania and the Slovak Republic to the existing Map of biogeographical regions and expressed satisfaction with the development of the Emerald Network.

4.8. Workshop on Marine and Coastal Biological Diversity and input into COP-7 of CBD

Relevant documents: Dubrovnik (2003) 02 Final Declaration – Symposium “Marine and Coastal Biodiversity and Protected Areas”
 T-PVS/Inf (2002) 3 Conservation of marine and coastal biodiversity in the Mediterranean and the Black Seas
 T-PVS/Inf (2002) 32 Conservation of marine and coastal biodiversity in the Atlantic and Baltic Seas

The Secretariat presented the Final Declaration of the 4th International Symposium of the Pan-European Ecological Network on "Marine and Coastal Biodiversity and Protected Areas" held in Dubrovnik (Croatia) on 16 and 17 October 2004 at the invitation of the Croatian authorities. The Symposium followed on from the World Summit held in Johannesburg (September 2002) and the Ministerial conference "An environment for Europe" in Kyiv (May 2003) in the sphere of networks of protected areas, particularly in the marine environment.

The Final Declaration presented a number of recommendations to governments and called for improved coordination and cooperation for the conservation of marine and coastal biodiversity. In particular the text recommended setting up an informal platform of dialogue, which could meet on a regular basis, every two to three years, and a liaison mechanism for exchange between all the interested parties.

The Final Declaration was to be presented for approval to the Pan-European Biological and Landscape Diversity Strategy Council in Madrid in January 2004, with a view to its possible forwarding to the 7th meeting of the Conference of the Parties to the CBD in Kuala Lumpur (Malaysia) in February 2004, as part of the Europe region's contribution to the proceedings of the Conference in the sphere of protected areas and as a significant example of cooperation between the different institutions in this domain.

The delegate of Monaco and the Executive Secretariat of ACCOBAMS confirmed their backing for the dialogue process launched by the Symposium and called on other countries to help set up the above-mentioned platform of dialogue.

The Standing Committee asked to be informed of progress on activities to protect marine species and habitats.

The Chair stressed the interest of this Symposium of Dubrovnik, particularly as a discussion forum for representatives of international initiatives and relevant conventions in the field of marine and coastal biodiversity. The Committee expressed satisfaction with this initiative.

* Items for information:

- T-PVS/Inf (2003) 8 Fifty datasheets of European flora in need of conservation measures

PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

5. Specific sites and populations

5.1. Files

- Akamas Peninsula (Cyprus)

Relevant documents: T-PVS/Files (2003) 21 Secretariat report
T-PVS /Files (2003) 17 Government report
T-PVS/Files (2003) 8 Report by the NGOs

This case concerns plans to develop for tourism the Peninsula of Akamas, with detrimental effect on an ecologically valuable area with many rare plant and animal species protected under the Convention.

This case was first discussed at the 16th meeting of the Standing Committee (1996). At its 17th meeting the Standing Committee adopted Recommendation No. 63 (1997) on the conservation of the Akamas peninsula. At subsequent meetings (18th, 19th and 20th), the Standing Committee urged the Government of Cyprus to implement all points in the recommendation, so as to secure the ecological balance of the area and to advance towards the declaration of a National Park for the Akamas peninsula, and expressed frustration on the lack of progress of this issue. Important beaches for marine turtle nesting remain unprotected and are threatened by development. At its 22nd meeting (2002) the Standing Committee requested once more Cyprus to comply with the terms of Recommendation No. 63 (1997).

The delegate of Cyprus reiterated its desire and firm commitment to take adequate decisions regarding the Akamas peninsula, one example being its preparation of a detailed management plan. It informed the Committee that the process of designating Akamas and Limni for Natura 2000 was under way. Consultation would be organised with the municipalities.

The representative of the Cyprus Conservation Foundation pointed out that the report presented by the government did not contain any real management plan as requested by the Committee's previous meeting, and stated that even that part of Akamas proposed for designation as a Natura 2000 site is very limited. Since protective measures have not yet been put in place, while previous illegalities on the Akamas coast continue, she called on the Committee to keep the file open and to request of the Cyprus government that it fully implements the Recommendation No. 63 (1997); that it adopts the recommendations of Mr Ellul's report within the government decision; that it implements existing legislation; and that it desists from further measures or permits until a Scientific Committee is duly appointed, with representation from the European Union, IUCN and Council of Europe. Regarding Limni, the mega-hotel development under consideration is not compatible with the conservation of the site, bearing in mind the EIA findings for the area's protection. Both Akamas and Limni should be designated appropriately to provide protection for these important sites.

The Standing Committee decided to keep the file open and reminded the Government of Cyprus of the terms of Recommendation no. 63 (1997). The Committee wished that the Natura 2000 areas proposed would be as great as practicable taking into account the ecological importance of the area and the obligations of Cyprus under the Convention.

- Green turtle (*Chelonia mydas*) in Kazanlı (Turkey)

Relevant documents: T-PVS/Files (2003) 22 Secretariat report
T-PVS/Files (2003) 14 Report by the NGO

Green turtles are extremely threatened in the Mediterranean, where a very small nesting population remains. Nesting beaches in Turkey are of paramount importance for the survival of the species in the Convention area. After opening a case file at its 20th meeting, so as to encourage conservation action, the Committee has focussed its attention on the situation of the Kazanlı beach, where the presence of a chrome factory and other developments may represent a risk to the long-term conservation of this nesting site.

An on-the-spot appraisal was carried out on 13 and 14 of May 2002 by Mr Kasparek who noted both the serious steps to rehabilitate the beach taken by the authorities and the need for strong conservation action. Recommendation No. 95 (2002) was adopted by the Committee at its 22nd meeting.

The delegate of Turkey informed the Committee of the measures taken to comply with the Standing Committee's recommendations (demolition of illegal buildings, cleaning of the beach, awareness programme, destruction of the jetty). Solutions had also been implemented for the problem caused by lights and were being considered for the question of solid waste.

The representative of the MEDASSET, backed by the representative of the SEH, acknowledged that major efforts had been made but pointed out that not all the necessary steps had been taken and asked that the file be kept open.

SEH applauded Turkey for making progress with the problem of lights, comparing this unfavourably with Zakynthos. However, other problems remained to be resolved and not least the toxic waste mountain. Closing the file could send the wrong message to company and government alike. The paper tabled by the Turkish delegation was confused concerning the other two Green turtle key sites. The main problem at Akyatan was not litter or sand dune restoration but was clearly the high nest predation by locally protected Jackals; nest caging was urgently needed followed by measures to reduce Jackals and/or their beach access. Beach restoration remained by far the main problem at Samandag and it was self-evident that illegal sand removal was in decline since little was actually left.

The following delegations opposed closure of the file: Sweden, Italy, Norway.

Following discussion, the Standing Committee acknowledged the progress achieved, but nevertheless decided to keep the file open and asked the Turkish Government to continue presenting reports.

5.2 Possible Files

- Odelouca dam (Portugal)

Relevant documents: T-PVS/Files (2003) 16 Report of the on-the-spot appraisal by Mr Lethier
T-PVS/Files (2003) 24 Secretariat Report
T-PVS/Files (2003) 20 Report by the NGO
T-PVS /Files (2003) 28 Government report
T-PVS /Files (2003) 10 Draft Recommendation on Odelouca dam

This concerns a project to build a dam in a Natura 2000 area which is of interest for the critically endangered Iberian lynx. The file was presented by the Portuguese "League for Nature Protection" LPN. The Committee discussed the issue at its 22nd meeting in 2002 and accepted the offer of Portugal to welcome an on-the-spot appraisal. The appraisal was carried out by Mr Hervé Lethier, accompanied by a member of the Secretariat on 7 and 8 April 2003.

The expert, Mr Lethier, reported on the findings of his visit. He pointed out that the site concerned by the project was an area of potential interest if not occasional presence for the Iberian Lynx. The dam, intended to meet the demand for water for domestic consumption, would have consequences not only for the habitat of the Iberian Lynx but also that of other species, particularly aquatic animals, which were protected under the convention. He made proposals concerning *inter alia* the actual demand for water, the characteristics of the dam, measures to reduce its impact and the launch of the national action plan for the conservation of the lynx.

The delegate of Portugal said that the project was justified on priority public interest and health grounds, and said that the estimates of future water needs presented by the NGOs did not take account of the fact that the population of the Algarve region was a fluctuating one. He assured the Standing Committee that all the necessary compensatory measures would be taken.

The delegate of Italy, on behalf of the European Union, given that a procedure was also under way at the European Commission, thought it preferable to avoid duplication of effort.

Statements were made by the representatives of Norway, the Bonn Convention and the LCIE. They thought that the area was crucial to the future of the Iberian Lynx, which was on the brink of extinction, and also that of other species, and that the Standing Committee should take action.

The Committee thanked the expert. The Committee decided not to open a file. The Committee adopted the Recommendation No. 107 (2003) (appendix 11) and requested the Bureau to follow closely developments.

- Wolf control and legal status of the species in Switzerland

Relevant documents: T-PVS/Files (2003) 23 Secretariat report

This case concerned the hunting permits issued by the Swiss authorities, in accordance with the derogation provisions of Article 9 of the convention, and in response to the number of wolves from the expanding Italian population entering Switzerland. The case had been presented by *Legambiente*. The Committee discussed this issue at its 22nd meeting in 2002, and at the time there was a decision pending at the Federal Council on the possible withdrawal of the protection status of wolf. The Federal Council finally decided not to withdraw protection. A swiss "Wolf Strategy" is being prepared but it is neither available in draft nor adopted. Since then, however, the Swiss Parliament had rejected the motion calling for withdrawal of the wolf's protected status. However it had asked for the "wolf concept" to be adapted to the social and economic requirements of mountain regions.

Mr Blankenhorn, from the Federal Office for Environment, Forests and Landscape, presented information on the following points:

- Reorganisation of the Wolf Concept to take the interests of traditional livestock farming into account; the concept should enter into force in April 2004;
- The wolf distribution area;
- Damage prevention mechanisms.

He informed the Committee that his government would be sending a formal application to have the wolf transferred from Appendix II to Appendix III on grounds of the improved conservation status of the wolf, whose population and distribution area in Europe had increased since the Bern Convention had been opened to signature. The delegate of Switzerland undertook to submit the Wolf Concept to the next meeting of the Bureau.

The delegate of Italy expressed the concern of Italy on the present Swiss policy on wolf management, and appreciated the efforts devoted to damage prevention. He also highlighted the need of increasing dialog among Italy, France and Switzerland with the aim of promoting harmonisation and co-ordination of the national policies on wolf conservation and management.

In the light of the information presented, the Standing Committee instructed the Bureau to examine the documents that would be presented by the Swiss Government and to decide on whether to keep this question as a possible file.

- Hydro-electric dams at Kárahnjúkar and Nordlingaalda (Iceland)

Relevant documents: T-PVS/Files (2003) 27 Secretariat report
T-PVS/Files (2003) 11 Government Report
T-PVS/Files (2003) 15 Report by the NGO

This case concerns the building of two hydropower stations in areas of interest for bird species in Iceland and the development of a national Master Plan for hydro- and geo-thermal energy resources. The case was brought by six Icelandic and international NGOs. The Secretariat has asked if a strategic environmental assessment of energy development plans had been done in Iceland to analyse whether plans were consistent with Bern Convention obligations.

The delegate of Iceland asked the Committee to bear in mind that the Icelandic economy was mainly based on two major resources: fish and energy. It should also be noted in this respect that Iceland has made concerted efforts in the last three decades to replace dependence on imported oil products with energy generations from domestic sources, mostly hydro- and geothermal power. Today around 70 % of all energy consumption in the country comes from renewable sources which do not emit detrimental gasses. The delegate informed the Committee that his government was well aware of the possible impacts on wildlife of hydro-electric dams, so a scientifically based assessment of roughly 40 potential energy projects (both hydro- and geothermal) had been carried out in what constitutes a very important part of a complete strategic environmental assessment of energy development plans in Iceland (this part known as Master Plan for Hydro- and Geo-thermal Energy Resources – first phase). This exercise is near completion and has led into the protection of some areas in the highlands. In the two cases of Kárahnjúkar and Nordlingaalda, no severe impact on Bern Convention species or habitats (Bern Convention Appendices and Resolutions) had been identified, NGO's reports being misleading and exaggerated. Both projects have been carried out in full accordance with the environmental legislation of Iceland and international obligations.

The representative of BirdLife disagreed with the figures assessed by the government and claimed that impacts will be strong for the pink-footed goose and for harbour seals, among other species. The Kárahnjúkar project and 15 of the hydropower projects in the first phase of the Energy Master Plan will have a significant negative impact on wildlife in the second largest wilderness area in Europe, affecting as much as 10 % of the pink-footed goose population.

The Committee took note of the information presented, estimated that it was difficult to have a precise idea on the different data presented and accepted an invitation of the Icelandic Government to carry out an on-the-spot appraisal in 2004.

5.3. On-the-spot appraisal

- Motorway construction project Via Baltica (Poland)

Relevant documents: T-PVS/Files (2003) 26 Report of the on-the-spot appraisal by Mr Kuijken
T-PVS/Files (2003) 5 Government Report
T-PVS/Files (2003) 2 rev. and 3 Reports by the NGOs
T-PVS (2003) 23 rev Draft Recommendation on Via Baltica in Poland

This issue concerns the building of the Motorway "Via Baltica" which is planned to cut through the Biebrzanski National Park, with substantial environment impact

At the invitation of Poland an on-the-spot appraisal has been carried out by Mr Eckhart Kuijken, accompanied by a member of the Secretariat.

Mr Kuijken presented his report. He emphasised the European ecological importance of the sites affected by the building of the Via Baltica motorway. He presented two alternative routes: one via Lomza, proposed by the NGOs, and the other via Bialystok, preferred by the government. He also stressed the impact of such an infrastructure, particularly on migration corridors for large animals. He thought that it was difficult to state an opinion at this stage on the choice proposed since the strategic environmental assessment (SEA) and the environmental impact assessment report were not complete. He reviewed his proposals, which were set out in the draft recommendation.

The Delegate of Poland said that the "Bialystok" option had been chosen before the SEA procedure had been initiated and that information meetings had been held in 2003 with the NGOs, resulting in a protocol.

The representative of BirdLife-Poland said that the decision to route the Via Baltica through Bialystok had been taken against the opinion of the NGOs and scientists.

Concerning the draft recommendation proposed, several delegations, including Italy (on behalf of the European Union) and Switzerland, asked that the text be less detailed.

The Standing Committee thanked the expert. It decided not to open a file and adopted a recommendation in more condensed form, set out in appendix 12 to the present report.

5.4. Follow-up of selected recommendations from previous meetings

Relevant documents: T-PVS/Files (2003) 10 Kresna Gorge: Government Report
T-PVS/Files (2003) 7 Kresna Gorge: NGO Report

- **Recommendation No. 84 (2000) on the conservation of Western Milos and in particular the Milos' viper *Macrovipera schweizeri***

The delegate of Greece recalled document T-PVS (2003) 18 on this issue and presented a full written distributed report, containing a map with the proposed "Natura 2000" areas, which covers most important viper areas. She informed the Committee on other protection measures being undertaken already.

The representative of SEH wished to see a confirmation of the Natura 2000 area from the European Commission. If that area was adequately protected, much of the habitat of the species would be safe. SEH was concerned at the continual lack of any requested information on the mineral permissions granted for Western Milos as Greece always stressed that national significance. Regarding the tabled paper and proposed map, no such map had been provided as requested to append the Herpetologists Expert Group Report, and the enquiries of Brussels and the Nature Conservation Centre in Paris had clearly shown that no such improved Natura 2000 proposal had reached the European Commission. If it had been sent more than 8 months ago then it must be presumed lost? SEH would greatly welcome such an enlarged Western Milos protected area which would satisfy much of this endangered species conservation need; hopefully next year's T-PVS would be able to confirm the enlarged area's submission and acceptance within the final Natura 2000 process – if not, a case file must then be opened.

The Committee took note with satisfaction of the progress on implementation of its Recommendation No. 84 (2000) and congratulated Greece for having taken the necessary step to assure long-term conservation of the habitat of the Milos viper.

- **Recommendation No. 97 (2002) on the conservation of the Bald ibis (*Geronticus eremita*) and the tourism development project in Tifnit (Souss Massa, Morocco);**

The Secretariat informed the Committee that the Moroccan Government had not transmitted any information concerning the implementation of Recommendation No. 97 (2002).

The delegate of France said that her delegation had had contacts with the management of Club Méditerranée, who said that the project had been suspended, pending the Moroccan authorities' statement of their position. Club Méditerranée in any case planned to reconsider its original proposals with a view to reducing its capacity and the area covered, which could bring it into line with the requirements of the recommendation adopted by the Committee.

The Standing Committee regretted that Morocco was not represented at the meeting and instructed the Secretariat to send a new request for information to the Moroccan authorities. It decided to remain very vigilant.

- **Recommendation No. 98 (2002) on the project to build a motorway through the Kresna Gorge (Bulgaria).**

The delegate of Bulgaria informed the Committee that the new environmental impact assessment report was being prepared; it would consider all the alternative routes proposed, including the alternative located outside the gorge. The procedure for enlarging the protected area around the gorge was under way. Furthermore, a new Law on the Environment had been passed. A Seminar on the development of the risk for biodiversity within the framework of an EIA would be organised in Bulgaria in 2004.

The representative of the Bulgarian NGOs thanked the Ministry of the Environment for its efforts to find a solution to the problems raised by this project, but pointed out that there had been no progress in implementing the recommendation. She asked that a file be opened. Other NGOs backed her request.

SEH fully supported the other expert NGO submissions against this proposed motorway routing which would be disastrous for its noted resident herpetofauna. As a candidate site, this also had direct relevance to a current joint project to identify Important Herpetofaunal Areas in Europe (funded by the Dutch Government).

Several delegations, including Italy and Norway, thought that a strong signal should be sent to the Bulgarian Government.

The Standing Committee instructed the Bureau to re-examine this question and asked the Secretariat to gather all the necessary documents and approach the European Commission with a view to clarifying the funding issues. In the light of the follow-up given, the opening of a file could be envisaged by the Bureau at its next meeting.

5.5. Items for information

Relevant documents: T-PVS/Files (2003) 9 Birds in Cyprus – NGO Report
T-PVS/Files (2003) 1 revised UK Government Report
T-PVS/Files (2003) 25 Cyprus Government Report
T-PVS/Files (2003) 19 NGO Report

- Catching, killing or trading of protected birds in Cyprus

The delegate of the Cyprus Government presented his report, noting a continuation of the wardening of critical areas, control of restaurants, prosecution of offenders and information campaigns. The recommendation had been a key factor in triggering in 2002 a much more enhanced action against those illegal actions and the adoption of new more stringent legislation. Cyprus took seriously its obligations under the Convention and enforcement had been improved.

The United Kingdom delegate reported comparable progress in the Sovereign base areas territory and assured that laws would be properly enforced, even if it is likely that it will take some years to eradicate completely illegal practices.

Neither of the two delegates agreed with figures in the NGO report showing increased poaching.

Despite the laudable efforts of the Cyprus government and the British Authorities on the Sovereign Base Areas (SBAs) to discourage illegal bird trapping in Cyprus, BirdLife observers noted that their scientific survey indicated a considerable increase in trapping during 2003. Amongst other points, it was suggested that the Convention should undertake an on-site assessment of the extent of the problem, including the methods being used by the authorities and the NGOs, respectively, to determine the facts relating to this issue.

The Committee took note of the information presented and of the willingness of the Cyprus and United Kingdom Governments to deliver reports in the future on progress in the implementation of Recommendation No. 90 (2001).

- Military antenna in the Sovereign Base Area in Cyprus

The Secretariat said that this case concerned the project to install a large communications antenna (Pluto II) at Akrotiri, a wetland of very great value located on the bases under British sovereignty. The project was regarded by the United Kingdom Government as a key component of its communication network and justified on security grounds.

The Delegate of Cyprus made reference to the undisputable environmental and scientific value of the Akrotiri wetlands and went through the report sent to the Secretariat and distributed to all participants [document T-PVS/Files (2003) 25]. Special reference was made, among other, on the inadequacy of the EIA prepared by the British Authorities on which the construction of the project was based and the effects on human health from its operation. As far as bird monitoring is concerned the study on avian mortality conducted by the Republic concluded that the antennae will cause significant

bird mortality of several thousands of birds per year, including species of conservation concern, and therefore their presence is incompatible with the overall functioning of the fragile web of habitats and species in the area. In concluding he expressed his Government and the House of Parliament disagreement on the construction and operation of the antennae and asked the Standing Committee to approve an on-the-spot appraisal for the subject in question.

The representative of the Cyprus Conservation Foundation shared the concerns of the Cypriot Delegate. She said that no tangible results were yet available as regards the effects on species and health and pointed out that the co-ordinator of the international panel auditing the translocation of species had publicly disagreed with the British assessment. Stating that the installation of the antenna was contrary to the Precautionary Principle and to Articles 4.2 and 4.3 of the Bern Convention, she asked that the issue be considered as a possible file and that an on-the-spot appraisal be organised, which – she suggested – could usefully include consideration of both this issue and the validation of data on bird trapping.

The Delegate of the United Kingdom said that the building of the antenna would be completed at the end of 2003. An independent international panel has maintained an overview of the project and the progress of on-going ornithological studies to assess the potential impact of the antenna on resident and migratory bird populations in the vicinity, and mitigation measures that will be introduced to minimise that impact. He thought that Pluto II would have a minimal impact on the birds and did not constitute a health hazard. He understood the interest taken by the Standing Committee and was confident that the British authorities would be open to the proposal of an appraisal.

The Standing Committee proposed to carry out an on-the-spot appraisal with the purpose of discussing the monitoring of the antenna's effects on wildlife as well as mitigation and ecological compensation measures.

Other items for information:

- Olympic rowing centre at Schinias-Marathon (Greece)
- *Caretta caretta* in Patara (Turkey)
Relevant document: T-PVS/Files (2003) 12 NGO Report
- *Caretta caretta* in Laganas Bay, Zakynthos (Greece)
Relevant documents: T-PVS/Files (2003) 6 and 13 NGO Reports

These items were presented to the Committee for information only and were not discussed.

PART V – STRATEGIC DEVELOPMENT OF THE CONVENTION

6. Strategic development of the Convention

6.1. Draft General Principles on Environment Protection for Sustainable development

Relevant document: CO-DBP (2003) 2 revised

The Secretariat presented the “Draft General Principles on Environment Protection for Sustainable Development”.

The Committee of Ministers of the Council of Europe had examined the text and had wished a shorter version. The Committee of Ministers should like the text to help implementation of existing obligations under different instruments.

6.2. 25th Anniversary of the signature of the Convention

The Convention was opened for signature in Bern on 19 September 1979. The Secretariat proposed that, to mark the 25th anniversary of this date some events be prepared at the 24th meeting of the Standing Committee in December 2004 including a special seminar with the participation of a few keynotes speakers, former Chairs, the Secretary General of the Council of Europe and other speakers, a possible reception at the Swiss Embassy in Strasbourg (to be confirmed) a photo exhibition, etc...

6.3. Draft Programme of Activities for 2004

Relevant document: T-PVS (2003) 3 Draft Programme of Activities for 2004

The Secretariat presented a draft programme of activities for year 2004, prepared following discussions at the Bureau.

Several States, as well as BirdLife and the Bonn Convention, were proposing a new activity on lead shot in terrestrial habitats, which was thought to be the cause of lead poisoning in birds of prey. It would supplement the work carried out in wetlands by Wetlands International and the Ramsar and Bonn conventions.. It will complement the work done in wetlands by Wetlands International and the Ramsar and Bonn Conventions.

On the request of the delegate of Ukraine, the Secretariat noted that most of the programmes of activities of 2003 and 2004 were contributions to implement, at European level, commitments taken by States at the world level (for instance at the 6th Conference of the Parties of CBD in 2002, the Millenium Declaration in 2000 and the Johannesburg Summit on Sustainable Development in 2002). Work of the Convention addressed those global challenges, for instance through the European Strategy on Invasive Alien Species (2003), the European Plant Conservation Strategy (2002), the Dubrovnik Declaration on Marine and Coastal Biodiversity (2003), the Setting-up of Protected areas and Ecological Networks, etc.

The Executive Secretary of ACCOBAMS had proposed the development of activities in collaboration with the Bern Convention.

The Chair noted that new voluntary contributions will be required to implement fully the programme of activities. The Bureau will monitor its implementation, taking appropriate decision if funds are insufficient.

The Committee adopted its programme of activities for 2004 (appendix 13).

6.4. States to be invited as observers to the 24th meeting

The Committee decided unanimously to invite the following States (not member States of the Council of Europe) to attend its 24th meeting as observers: Algeria, Belarus, Cape Verde, Holy See, Kazakhstan, Kyrgyzstan, Mauritania, Tajikistan, Turkmenistan, Uzbekistan.

PART VI- OTHER ITEMS

7. Election of Chair and Vice-Chair

The Committee elected Mrs Ilona Jepsen (Latvia) as Chair. The Committee elected Mrs Véronique Herrenschmidt (France) as Vice-Chair, Mr Patrick Van Klaveren (ex-Chair) will stay on as member of the Bureau.

8. Date and place of the 24th meeting, adoption of the report

The Committee decided to hold its 24th meeting from 29 November to 3 December 2004. On 30th November, a special session will be held to celebrate the 25th anniversary of the signature of the Convention.

The Committee adopted its report.

9. Other business (items for information only)

Having being informed of the retirement of Mr Keith Corbett, which for over 20 years, represented SEH at meetings of the Convention helping greatly to raise concerns on the conservation of European herpetiles and enlivening meetings of the Standing Committee, the Committee instructed the Secretariat to pass on its best wishes and its sincere thanks for its important contribution to the Convention.

The Committee also warmly thanked Mr Gabor Nechay (Hungary), who is retiring in 2004, for his great support to the Convention and for having contributed to work over the years with competence and good humour. Delegates and hamsters will surely miss him.

The delegate of the Netherlands paid attention on the Global Flyway Conference “Waterbirds around the world”, to be held on 3-8 April 2004 in Edinburgh. This Conference will be hosted by the United Kingdom and the Netherlands with support of many other countries. Wetlands International is the organiser in close co-operation with the hostcountries.

APPENDICES TO THE REPORT

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| Appendix 1 | List of participants |
| Appendix 2 | Agenda |
| Appendix 3 | Recommendation No. 99 (2003) of the Standing Committee, adopted on 4 December 2003, on the European Strategy on Invasive Alien Species; |
| Appendix 4 | Recommendation No. 100 (2003) of the Standing Committee, adopted on 4 December 2003, on conservation of large carnivores in the Carpathians ; |
| Appendix 5 | Recommendation No. 101 (2003) of the Standing Committee, adopted on 4 December 2003, on the implementation of the Pan-Alpine Conservation Strategy for the Lynx (PACS); |
| Appendix 6 | Recommendation No. 102 (2003) of the Standing Committee, adopted on 4 December 2003, on the Strategy on the European Bison (<i>Bison bonasus</i>); |
| Appendix 7 | Recommendation No. 103 (2003) of the Standing Committee, adopted on 4 December 2003, on five new Action Plans for most threatened birds in the Convention's area; |
| Appendix 8 | Recommendation No. 104 (2003) of the Standing Committee, adopted on 4 December 2003, on the conservation of the Spur-thighed tortoise <i>Testudo graeca graeca</i> in Spain; |
| Appendix 9 | Recommendation No. 105 (2003) of the Standing Committee, adopted on 4 December 2003, on the conservation of the Nile soft-shelled turtle <i>Trionyx triunguis</i> in Turkey |
| Appendix 10 | Recommendation No. 106 (2003) of the Standing Committee, adopted on 4 December 2003, on the conservation of the Aesculapian snake <i>Elaphe longissima</i> |
| Appendix 11 | Recommendation No. 107 (2003) of the Standing Committee, adopted on 4 December 2003, on the Odelouca Dam (Portugal) |
| Appendix 12 | Recommendation No. 108 (2003) of the Standing Committee, adopted on 4 December 2003, on the proposed construction of the 'Via Baltica' (Poland) |
| Appendix 13 | Programme of activities for 2004. |

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Appendix 2

Agenda

PART I – OPENING

1. Opening of the meeting and adoption of the agenda
2. Chairman's report and communications from the delegations and from the Secretariat.

PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

3. Monitoring of the implementation of the legal aspects of the Convention
 - 3.1 Swedish proposal of Amendment of Appendix I (33 species of Fungi)
 - 3.2 Biennial reports 2001-2002 and 1999-2000 concerning exceptions made to Articles 4, 5, 6, 7 or 8

*** Items for information:**

- T-PVS/Inf (2003) ... Report on the implementation of the Convention in the United Kingdom (draft)
- T-PVS (2003) 4 and . : Bureau Reports

PART III – MONITORING OF SPECIES AND HABITATS

4. Monitoring of Species and Habitats

- 4.1 Invasive Alien Species. Report from Group of experts. European Strategy on IAS
- 4.2 Seminar on Large Carnivores in the Carpathians, follow-up of Iberian lynx conservation, lynx in the Alps and information from LCIE work
- 4.3 Action Plan on the European bison
- 4.4 Birds. Impact of wind farms and electric lines. 5 new action plans.
- 4.5 Group of Experts on Conservation of Amphibians and Reptiles
- 4.6 Group of Experts on Conservation of Invertebrates
- 4.7 Habitats: setting up of ecological networks: Emerald Network progress
- 4.8 Workshop on Marine and Coastal Biological Diversity and input into COP-7 of CBD

*** Items for information:**

- T-PVS/Inf (2003) 8 Fifty datasheets of European flora in need of conservation measures
- T-PVS/Inf (2003) 15 Protecting Birds from Powerlines
- T-PVS/Inf (2003) 30 Impact of windfarms on birds and precautionary measures
- T-PVS/Inf (2003) .. Action Plans for Large Carnivores in the Carpathians
- T-PVS/Inf (2002) 3 Conservation of marine and coastal biodiversity in the Mediterr. and the Black Seas
- T-PVS/Inf (2002) 3 2 Conservation of marine and coastal biodiversity in the Atlantic and Baltic Seas

* *These items are presented only for information. They will not be subject to oral presentations or discussion unless on the request of a Party at the adoption of the agenda.*

PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

5. Specific sites and populations

5.1. Files

- Akamas Peninsula (Cyprus)
- Green turtle (*Chelonia mydas*) in Kazanlı (Turkey)

5.2 Possible Files

- Odelouca dam (Portugal)
- Wolf control in Switzerland and legal status of the species
- Hydro-electric dams at Kárahnjúkar and Nordlingaalda (Iceland)

5.3 On-the-spot appraisals

- Motorway construction project Via Baltica (Poland)

5.4 Follow-up of selected recommendations from previous meetings

- Recommendation No. 84 (2000) on the conservation of Western Milos and in particular the Milos' viper *Macrovipera schweizeri*
- Recommendation No. 97 (2002) on the conservation of the Bald ibis (*Geronticus eremita*) and the tourism development project in Tifnit (Souss Massa, Morocco)
- Recommendation No. 98 (2002) on the project to build a motorway through the Kresna Gorge (Bulgaria)

5.5. Items for information

- Catching, killing or trading of protected birds in Cyprus
- Military antenna in the Sovereign Base Areas in Cyprus

*** Other items for information:**

Olympic rowing centre at Schinias-Marathon (Greece)

Caretta caretta in Patara (Turkey)

Caretta caretta in Zakynthos (Greece)

PART V – STRATEGIC DEVELOPMENT OF THE CONVENTION

6. Strategic development of the Convention

- 6.1 Draft General Principles on Environment Protection for Sustainable development
- 6.2 25th Anniversary of the signature of the Convention
- 6.3 Draft Programme of Activities for 2004
- 6.4 States to be invited as observers to the 24th meeting

PART VI- OTHER ITEMS

7. Election of Chairman and Vice-Chairman

8. Date and place of the 24th meeting, adoption of the report

9. Other business (items for information only)

Appendix 3



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 99 (2003) of the Standing Committee, adopted on 4 December 2003, on the European Strategy on Invasive Alien Species

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, in accordance with Article 14 of the Convention,

Having regard to the aim of the Convention which is notably to ensure the conservation of wild flora and fauna, by giving particular attention to species, including migratory species, which are threatened with extinction and vulnerable;

Recalling that under Article 11, paragraph 2.b of the Convention, each Contracting Party undertakes to strictly control the introduction of non-native species;

Bearing in mind Recommendation No. R (84) 14 of the Committee of Ministers of the Council of Europe to Member states on the introduction of non-native species, adopted on 21 June 1984;

Recalling Recommendation No. 57 (1997) on the Introduction of Organisms belonging to Non-Native Species into the Environment, and the use it makes of terms such as “native species” and “introduction”, as well as to the species, subspecies or varieties to which Recommendation 57 refers to;

Recalling Recommendation No. 77 (1999) on the eradication of non-native terrestrial vertebrates;

Recalling that under Article 8.h of the Convention on Biological Diversity, each Party undertakes to prevent the introduction of, control or eradicate those alien species which threaten ecosystems, habitats or species;

Recalling Decision VI/23 of the 6th Conference of the Parties of the Convention on Biological Diversity, on Alien species that threaten ecosystems, habitats or species, and the definitions used in that text, as well as the conservation guidelines of the Africa-Eurasian Migratory Waterfowl Agreement;

Wishing to contribute to improve the control of the introduction of alien species, and the mitigation of the effects of invasive alien species on the native flora, fauna and natural habitats;

Noting that substantial progress on regulation, management and eradication of invasive alien species has been achieved in Europe in the last years;

Referring to the measures proposed in the “European Strategy on Invasive Alien Species”, [document T--PVS(2003) 7];

Recommends that Contracting Parties:

1. draw up and implement national strategies on invasive alien species taking into account the European Strategy on Invasive Alien Species mentioned above;
2. co-operate, as appropriate, with other Contracting Parties and Observer States in the prevention of introduction of invasive alien species, the mitigation of their impacts on native flora and fauna and natural habitats, and their eradication or containment where feasible and practical, *inter alia* by exchanging information, collaborating in European projects and paying particular attention to invasive alien species in trade and transboundary areas;
3. keep the Standing Committee informed of the measures taken to implement this recommendation;

Invites Observer States to take note of this recommendation and implement it as appropriate.

Appendix 4



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 100 (2003) of the Standing Committee, adopted on 4 December 2003, on conservation of large carnivores in the Carpathians

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

Having regard to the aims of the convention to conserve wild fauna and its natural habitats;

Recalling its Recommendation No. 59 (1997) on the drafting and implementation of action plans of wild fauna species;

Recalling its Recommendation No. 74 (1999) on the conservation of large carnivores;

Referring to the Action Plans on wolf, Eurasian lynx and brown bear, presented by the Large Carnivore Initiative for Europe [“Nature and Environment Series” Nos. 112, 113 and 114];

Welcoming the signature of the Framework Convention on the Protection and Sustainable Development of the Carpathians and noting the specific reference to large carnivores and their conservation;

Wishing to maintain and restore, in coexistence with people, viable populations of large carnivores as an integral part of ecosystem and landscapes in Europe;

Acknowledging the transboundary character of conservation measures for large carnivores in neighbouring countries and wishing to promote a harmonious management of these species in the Carpathians,

Recommends the Czech Republic, Hungary, Poland, Romania, the Slovak Republic and Ukraine, and invites Serbia and Montenegro, to:

1. co-operate to jointly prepare a Carpathian Strategy Plan for conservation and management of large carnivores, promoting involvement of the appropriate regional organisations and taking due note of the Action Plans for wolf, lynx and bear prepared by the Large Carnivore Initiative for Europe and referred to in Recommendation No. 74 of the Standing Committee;
2. in the context of the exercise above, draft and implement national action plans for large carnivores.

Appendix 5



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 101 (2003) of the Standing Committee, adopted on 4 December 2003, on the implementation of the Pan-Alpine Conservation Strategy for the Lynx (PACS)

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

Having regard to the aims of the convention to conserve wild fauna and its natural habitats;

Considering that the European lynx (*Lynx lynx*) is a fundamental part of the European natural heritage;

Noting that the population of lynx in the Alps is still fragmented and vulnerable;

Conscious that international co-operation by all Alpine States is necessary for the long-term preservation and management of the species in the region;

Recalling that one of the aims of the convention is to conserve wild fauna and its habitats, specially those species whose conservation requires the co-operation of several states, and to promote such co-operation;

Recalling its Recommendation No. 89 (2001) adopted on 30 November 2001 on the conservation of the European Lynx in the Alps and aware that the implementation of the Pan-Alpine Conservation Strategy for the lynx (PACS) may be a useful tool to redress the situation;

Recalling its Recommendation No. 58 (1997) on the reintroduction of organisms belonging to wild species and on restocking and reinforcing populations of such organisms in the environment;

Stressing the need to advance to a more coordinated management of the whole population of lynx in the Alps and welcoming in this context both the Action Plan for the conservation of the European lynx in Europe presented by the Large Carnivore Initiative for Europe sponsored by the World Wide Fund for Nature (WWF) (Nature and Environment Series, No. 112) and the Pan-Alpine Conservation Strategy for the lynx (PACS) (Nature and Environment Series, No. 130);

Considering the Pan-Alpine Conservation Strategy for the lynx (PACS) as a sound guideline for competent national authorities, which will be useful to implement;

Desirous of taking prompt action for the conservation and appropriate management of lynx in the Alps and setting as a long term objective the establishment and maintenance of a continuous population of lynx in the Alps, covering most of existing suitable habitats;

Desirous to avoid a further loss of biological diversity in Europe and wishing to promote co-existence of viable populations of lynx in the Alps with sustained development of its rural areas and noting that lynx conservation is compatible with other human activities such as livestock raising and hunting;

Convinced that illegal killing of lynx and other illegal activities affecting the species have no place in lynx management and should be actively eradicated;

Noting progress in the implementation of Recommendation No. 89 (2001) by some states, and congratulating in particular Switzerland for the success in the re-introduction of lynx in Eastern Switzerland;

Noting, however that the Pan-Alpine Lynx population can only be achieved if healthy lynx populations are built up in Austria and Italy;

Recommends that Contracting Parties to the convention from the Alpine Region:

1. urgently draw up and implement lynx management plans if not already operative;
2. improve communication and coordination with neighbouring states on management of transboundary lynx populations, in particular in the development and implementation of Action Plans; establish as appropriate coordinating mechanisms for lynx and other large carnivores in the Alpine arc;
3. provide technical support, as appropriate, for lynx re-introduction operations in other Alpine states;
4. strengthen measures against illegal killing of lynx;

Recommends that Austria:

5. establish a national body to promote, organise and coordinate efforts to conserve, support and study the Austrian lynx population; in that context urgently establish an efficient nationwide monitoring mechanism for lynx;
6. on the basis of the result of monitoring, consider carrying out at the appropriate moment re-introduction / translocation projects; in that context make appropriate feasibility studies;

Recommends that Germany:

7. monitor lynx presence in the German Alps;
8. evaluate the feasibility of re-introducing lynx in the Alps, including the assessment of habitat suitability and human dimension aspects;

Recommends that Italy:

9. support measures to improve a permanent monitoring system for lynx in Italy, with special attention to the Alps;

Recommends that Slovenia:

10. evaluate the habitat suitability and potential dispersal of lynx in the Slovenian Alps;
11. reinforce lynx conservation measures in the Slovenian Alps;

Recommends that Switzerland:

12. improve relationships and communication between different social groups with interests in lynx.

Appendix 6



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 102 (2003) of the Standing Committee, adopted on 4 December 2003, on the Strategy on the European Bison (*Bison bonasus*)

The Standing Committee to 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 the European Bison (*Bison bonasus*) is an endangered species;

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

Aware that the drafting and implementation of national Action Plans may be a useful tool to redress the situation of this species;

Recalling its Recommendation No. 59 (1997) on the Drafting and Implementation of Action Plans of Wild Fauna Species;

Recalling its Recommendation No. 43 (1995) on the conservation of threatened mammals in Europe, and its Resolution No. 3 (1996) on the setting up of the Emerald Network;

Referring to the Strategy on European bison presented by the Large Herbivore Initiative for Europe (LHI) sponsored by the World Wide Fund for Nature (WWF) document T-PVS/Inf (2003) 20 revised];

Desirous of taking prompt action for the conservation and appropriate management of this species;

Considering this strategy as a guideline for competent national authorities;

Wishing to see this strategy complemented with a more action-oriented appendix;

Recommends Contracting Parties to the convention and invites observer States to consider drafting and implementing (or, if appropriate, reinforcing) national Action Plans for the European bison; take note, in that context, of the above-mentioned Strategy presented by the Large Herbivore Initiative for Europe.

Appendix 7



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 103 (2003) of the Standing Committee, adopted on 4 December 2003, on five new Action Plans for most threatened birds in the Convention's area

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

Recalling its recommendations:

- No. 48 (1996) on the conservation of globally threatened birds in Europe,
- No. 61 (1997) on the conservation of the White-headed Duck (*Oxyura leucocephala*),
- No. 62 (1997) on the conservation of regionally threatened birds in the Macaronesian and the Mediterranean regions,
- No. 88 (2001) on the implementation of five new action plans for globally threatened birds in Europe;
- No. 92 (2002), on sixteen new Action Plans for most threatened birds in the Convention's area;
- No. 93 (2002), on the further implementation of Action Plans for Globally threatened birds and on other issues of interest for bird conservation in the Convention's range

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 globally threatened birds in the Convention's area;

Noting the value and usefulness of birds action plans already endorsed by the Committee in previous recommendations and carried out by numerous states,

Welcoming collaboration with the European Commission, with the Secretariat of the Africa-Eurasian Migratory Waterfowl Agreement (UNEP/AEWA), with the Protocol concerning Mediterranean Specially Protected Areas of the Barcelona Convention, with the Ramsar Convention and other appropriate biodiversity related treaties and programmes, in the implementation of the actions plans, and recognising equally the positive co-operation established with BirdLife International and its partners and Wetlands International;

Referring to the 5 new Action Plans on European globally threatened birds presented by to the Committee by BirdLife [documents T-PVS/Inf (2003)13, 14, 17, 18 and 19];

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:

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

Appendix to Recommendation No. 103 (2003)
List of 5 bird species concerned by the Recommendation

1. Pallid Harrier *Circus macrourus*
2. Black-winged Pratincole *Glareola nordmanni*
3. Sociable Lapwing *Chettusia gregaria*
4. Great Snipe *Gallinago media*
5. Cinereous Bunting *Emberiza cineracea*

Appendix 8



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 104 (2003) of the Standing Committee, adopted on 4 December 2003, on the conservation of the Spur-thighed tortoise *Testudo graeca graeca* in Spain

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

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

Having regard to Resolution (78) 22 of the Committee of Ministers of the Council of Europe on threatened amphibians and reptiles in Europe ;

Recalling its recommendation No. 59 (1997) on the Drafting and Implementation of Action Plans of Wild Fauna Species;

Recalling its 1993 Guidelines for Recovery Plans for species of amphibians and reptiles;

Recalling that Article 3 of the convention provides that each Contracting Party shall take the necessary steps to promote national policies for the conservation of wild flora, wild fauna and natural habitats, with particular attention to endangered and vulnerable species, especially endemic ones, and endangered habitats;

Recalling that Article 4, paragraph 1, of the convention provides that each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in its Appendices I and II, and the conservation of endangered natural habitats;

Recommends that the Government of Spain:

Draw up and implement a Species Recovery Programme for *Testudo graeca graeca* which includes measures to control further development of urbanisation, tourism and agriculture according to the conservation needs of this species and which takes into account the need to :

- a) avoid any further fragmentation, isolation or loss of core habitat by destruction, grading and exploitation of undeveloped land by urbanisation, tourist development, road-building and agriculture (e.g. vegetables and fruit trees); this holds in particular for the plan of a new highway from Aguilas to Cartagena, which will affect and cut in two one of the populations with the highest density (Morra del Pan); other alternatives should be considered.
- b) avoid grading and ploughing in the core habitats and breeding grounds to stop killing or injuring of tortoises or the destruction of their egg clutches;
- c) control the use of pesticides in and around all core habitats (buffer zones);
- d) forbid the burning of scrubland, open maquis and garigue in tortoise habitats and take appropriate steps to avoid such fires (education, prevention, immediate fire suppression);
- e) avoid any release of tortoises of foreign origin, for example other populations or pet animals, into indigenous populations.

Appendix 9



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 105 (2003) of the Standing Committee, adopted on 4 December 2003, on the conservation of the Nile soft-shelled turtle *Trionyx triunguis* in Turkey

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

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

Having regard to Resolution (78) 22 of the Committee of Ministers of the Council of Europe on threatened amphibians and reptiles in Europe ;

Recalling its Recommendation n° 26 (1991) on the conservation of some threatened reptiles in Europe that recommended Turkey to protect *Trionyx triunguis* populations;

Recalling its recommendation No. 59 (1997) on the Drafting and Implementation of Action Plans of Wild Fauna Species;

Recalling its 1993 Guidelines for Recovery Plans for species of amphibians and reptiles;

Recalling that Article 3 of the convention provides that each Contracting Party shall take the necessary steps to promote national policies for the conservation of wild flora, wild fauna and natural habitats, with particular attention to endangered and vulnerable species, especially endemic ones, and endangered habitats;

Recalling that Article 4, paragraph 1, of the convention provides that each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in the Appendices I and II, and the conservation of endangered natural habitats;

Taking into account that the Mediterranean population of *Trionyx* has been listed by IUCN in the “Red List of Threatened Species” as *critically endangered*, (that is as a species which faces an extremely high risk of extinction in the wild);

Recalling that detailed information on distribution, population and conservation needs have been presented to the Standing Committee of Bern Convention at various occasions, including in documents T-PVS (98) 59 and T-PVS (99) 73;

Noting that Turkey holds by far the largest population in the Mediterranean, apparently amounting to approximately 90% of the entire Mediterranean population;

Noting with satisfaction that Turkey has taken positive steps towards the protection of the species,;

Recommends that the Government of Turkey:

Give *Trionyx triunguis* nesting and feeding habitats both inland and at sea the necessary protection, for instance by

- setting aside certain areas for the species’ protection in the Dalyan area, where turtles can mate and lay eggs free from human disturbance.

- integrating nest protection measures in the Dalyan area into already existing nature protection programmes;
- further rehabilitating nesting habitats at Kukurtlu Göl (Dalaman area) with the aim of establishing suitable nesting sites which have been lost in the past;
- considering giving the Dalaman area an overall protection, which ensures that the ecological functions of the coastal wetland are not negatively influenced by recreational activities, tourist development, human disturbance, etc;
- taking further measures to prevent the unintentional capture of individuals by trawls off the coast of the Cukurova delta (Seyhan, Ceyhan, Berdan River deltas);
- taking further measures against direct kills by fishermen, when the animals destroy fishing nets or enter fish traps;
- assessing the population status of *Trionyx triunguis* at other potential sites along the Turkish Mediterranean and taking the necessary measures.

Appendix 10

Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 106 (2003) of the Standing Committee, adopted on 4 December 2003, on the conservation of the Aesculapian snake *Elaphe longissima*

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

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

Having regard to Resolution (78) 22 of the Committee of Ministers of the Council of Europe on threatened amphibians and reptiles in Europe ;

Recalling that Article 3 of the convention provides that each Contracting Party shall take the necessary steps to promote national policies for the conservation of wild flora, wild fauna and natural habitats, with particular attention to endangered and vulnerable species, especially endemic ones, and endangered habitats;

Recalling that Article 4, paragraph 1, of the convention provides that each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in the Appendices I and II, and the conservation of endangered natural habitats;

Noting that isolated populations of *Elaphe longissima* (particularly those in North Tyrol and West Salzburg for Austria, West Bohemia for the Czech Republic Rheingau for Germany, and the Carpathians and South Bug for Ukraine, are very vulnerable to habitat fragmentation and require special habitat conservation measures

Recommends that the Governments of Austria, the Czech Republic, Germany and Ukraine:

Take the following measures in favour of isolated populations of *Elaphe longissima* :

- a) ensure that their key hibernation, feeding and breeding sites are appropriately protected and managed;
- b) avoid any further fragmentation, and ensure that connectivity of populations or subpopulations is addressed and possibly reversed, for instance by the establishment of “wildlife corridors”;
- c) ensure regular monitoring to determine status and threats, so that decline factors may be addressed.

Appendix 11



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 107 (2003) of the Standing Committee, adopted on 4 December 2003, on the Odelouca Dam (Portugal)

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

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

Recalling that under Article 1, paragraph 2 the Parties agree to give particular emphasis to endangered and vulnerable species, including endangered and vulnerable migratory species;

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

Recalling its own recommendations on protection of the lynx in particular and its action plans;

Referring also to Committee of Ministers Resolution N° (77) 7 on the protection of threatened mammals in Europe;

Recalling that the Iberian lynx is one of the strictly protected species listed in Appendix II to the Convention;

Considering that this is one of the most threatened carnivore species in Europe, and the most endangered feline species in the world;

Having regard to the situation of the Iberian lynx, which is on the verge of extinction throughout Portuguese territory as a whole;

Acknowledging that, although no lynx have actually been detected in recent years in the areas affected by the project, this cannot in any case be considered as evidence of the species' absence from these areas, especially since a series of assumptions, still to be confirmed, tends to indicate that it has recently been present on an occasional basis;

Recalling that, in application of the Convention, it is appropriate in all cases to maintain this animal's habitat with a view to facilitating recolonisation or reintroducing the species;

Noting that the proposed dam on the Odeluca river is located inside a special conservation area identified by the Portuguese authorities in application of the "Habitats" Directive, specifically on account of the value of this area for the Iberian lynx;

Noting also that this project is motivated by a wish to satisfy a public interest, in this case the domestic water consumption needs in the Algarve region;

Aware that there will be direct consequences on the habitat of the Iberian lynx and on other species, especially aquatic species listed in Appendix II to the Convention which are present in the waterway;

Noting the lack of consensus between the local players with regard to predictions about how water needs will develop;

Noting the statutory difficulties that would arise from application of European Union law, and which would prevent the use of the alternative water resources which are available in the region, both above and under ground, since they are of insufficient quality for domestic consumption;

Noting that, at the date of the expert's visit, the construction project had reached an advanced stage, but that its impact on the natural environment was not however considered crippling;

Taking into consideration the latter's report, drawn up after his visit to the site [document T-PVS/Files (2003) 16];

Having taken cognisance of additional information supplied by the Portuguese authorities following receipt of the expert's report,

Regrets that it was not informed earlier about the project, given that the Convention imposes this obligation on the Contracting Parties, and taking into account the infringement procedure opened by the European Commission,

Recommends that the Government of Portugal:

1. ensure the sustainable management of water resources in the Algarve region;
2. take steps to ensure that the size of the dam is related to water needs for domestic consumption; re-examine, if necessary, the construction's design, size and features, in such a way that its impact on natural habitats, fauna and flora is reduced as much as possible and takes account of the presence in the water channel of aquatic species which are listed in Appendix II to the Convention; to this end, the maintenance of a sufficient reserve flow downstream from the dam should be insisted upon, and completion of the project should be made subject to the introduction of a pilot programme of integrated measures to maintain biological and landscape diversity;
3. pursue dialogue and an active partnership with all NGOs which have the necessary knowledge and skills;
4. compensate fully for the impact of the dam's construction, in particular the loss of the valley's corridor function, by carrying out landscaping work in accordance with the objectives of the national plan for conservation of the Iberian lynx; an ambitious impact-reduction programme should be launched;
5. implement, as a matter of urgency, this national action plan, in accordance with the Standing Committee's Recommendations N° 82 (2000) and N° 94 (2002)
6. co-operate with the Spanish authorities whose territory is home to a population of Iberian lynx, with a view to reintroduction of the species.

Appendix 12



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 108 (2003) of the Standing Committee, adopted on 4 December 2003, on the proposed construction of the 'Via Baltica' (Poland)

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

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

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

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

Referring to the report of Mr Eckhart Kuijken on the project to build the Via Baltica motorway in North-East of Poland, drawn up following his on-the-spot appraisal [document T-PVS/Files (2003) 26];

Bearing in mind the work carried out by the Council of Europe under the Pan-European Biological and Landscape Diversity Strategy, notably the code of practice for the introduction of biological and landscape diversity considerations into the transport sector, as well as the targets for the setting-up of the Pan-European Ecological Network decided at the 5th Ministerial Conference "an Environment for Europe (Kyiv, May 2003);

Considering that the Biebrza marshes and the Augustowska and Knyszynska primeval forests support globally threatened and other rare species and habitats of European importance that Poland has undertaken to protect under its national and international legislation;

Considering that the areas concerned, and especially the Biebrza Marshes, are a major component in the implementation of the Natura 2000 / Emerald Network;

Aware of the foreseeable ecological impact of the project on these natural sanctuaries;

Conscious of the need to reconcile the economic and ecological issues raised by this project and convinced of the necessity to identify a variant most compatible with the preservation of the natural and human environment,

Recommends Poland to:

1. Complete a full Strategic Environmental Assessment, followed by a detailed in-depth Environmental Impact Assessment Report, considering all possible alternatives and variants, in order to minimise as far as possible any deterioration of important areas, especially in view of the recognised nature values of international importance of the Augustow Forest, the Biebrza National Park and the Knyszynska Forest. The SEA/EIA should take into account potential effects on the Narev and Wigry National Parks as well. These report, in conformity with EU procedures, should include the

possible alternatives, assessing costs, including those of mitigation and compensation measures of all possible variants;

2. Take the results of the SEA as a basis to decide about routing of the Via Baltica;
3. Organise adequate long-term monitoring of the effects of the modernised express road and bypasses in view of both ecological and socio-economic consequences (also secondary effects) and support supplementary mitigation measures to be taken in the future when and where needed (such as speed limits);
4. Further develop the constructive dialogue between the official administrations, the provincial, regional and local authorities and population representatives, the NGOs and the scientific community and communicate openly about the progress of the decision-making process.

Appendix 13

Activities for 2004

in Euro

| 1. Monitoring of the legal application of the Convention | |
|--|------------------|
| 1.1. Reports on the implementation of the Convention in two Contracting Parties and legal assistance to new Contracting Parties Reports will make a legal analysis of the implementation of the Convention in two Contracting Parties, suggesting way to improve such implementation and adapt it to the provisions of the Convention (for new Parties). Fixed appropriation for consultant | 12,000 |
| 2. Conservation of natural habitats | |
| 2.1. Group of experts for the setting up of the Emerald Network of Areas of Special Conservation Interest Poland: 3 days <i>Terms of reference</i> To do the necessary work to implement Recommendation No. 16 (1989) on areas of special conservation interest. The group will review the technical documents prepared by the experts and make proposals to build up the Emerald Network. Travel and subsistence expenses for one expert from each 32 states: ALBANIA, ANDORRA, ARMENIA, AZERBAIJAN, BOSNIA AND HERZEGOVINA, BULGARIA, CROATIA, CYPRUS, CZECH REPUBLIC, ESTONIA, GEORGIA, HUNGARY, ICELAND, LATVIA, LIECHTENSTEIN, LITHUANIA, MALTA, MOLDOVA, MONACO, MOROCCO, NORWAY, POLAND, ROMANIA, RUSSIA, SERBIA AND MONTENEGRO, SLOVAKIA, SLOVENIA, SWITZERLAND, "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA", TUNISIA, TURKEY, UKRAINE Travel and subsistence expenses for 1 consultant | 31,100 1,000 |
| 2.2. Pilot projects for the setting-up of the Emerald Network at national level in some states Financial contribution for the setting-up of the Network in 4 States | 44,000 |
| 2.3. Consultants Consultants will be hired to manage the setting-up of the Emerald Network and to do the necessary technical work required, included software, lists, handling of data, etc. | 10,000 |
| 3. Monitoring of species and encouraging conservation action | |
| 3.1. Invasive Alien Species - Implementation of the European Strategy on Invasive Alien Species (IAS) Appropriation for consultants and technical meetings | 8,000 |
| 3.2. Invertebrate Conservation - This activity is carried out in co-ordination with EIS (European Invertebrate Survey) It has been proposed to draft a European Strategy for Invertebrate Conservation, aiming at identifying priority action by states. Consultants and meetings | 9,000 |
| 3.3. Large Carnivores and Large Herbivores These activities are carried out in co-operation with LCIE and LHIE. Within the Large Carnivores Initiative for Europe, a number of regional working groups have been established to monitor implementation of European action plans. Consultants and co-ordination meetings Support of LCIE meetings and activities (depending on voluntary contributions) | 10,000 15,000 |

in Euro

| | |
|--|--------|
| 3.4. Plant Conservation | |
| In co-operation with Planta Europa, implementation of a European Strategy on Plant Conservation. | 6,000 |
| Consultants and meeting | |
| - Planta Europa Conference / Group of Experts on conservation of plants | |
| Valencia (Spain): 4 days | |
| <i>Terms of reference</i> | |
| <p>The Bern Convention is part of the Steering Committee for the preparation of this seminar, which will be organised in collaboration with the Spanish conservation authorities. The seminar is intended to present current problems in plant conservation in Europe and to monitor the implementation of the European Plant Conservation Strategy [Recommendation No. 87 (2002)]. Several resolutions adopted at the two previous Planta Europa Conference and the European Plant Conservation Strategy have permitted the Bern Convention to better integrate plant conservation into a wider European perspective. Within the structure of the conference, main issues on plant conservation concerning the Convention will be integrated. The Conference integrates the Group of Experts on Conservation of Plants.</p> | |
| Travel and subsistence expenses will be covered for one expert from each of the following 12 states: | |
| ALBANIA, BULGARIA, CROATIA, CZECH REPUBLIC, ESTONIA, HUNGARY, LITHUANIA, MOLDOVA, POLAND, ROMANIA, SLOVAKIA, UKRAINE | 15,000 |
| Travel and subsistence expenses for 3 consultants | 3,500 |
| Participants | |
| All Contracting Parties | |
| Observers | |
| All observer states and qualified organisations active in this field | |
| 3.5. Conservation of amphibians and reptiles | |
| - In co-operation with Societas Europea Herpetologica (EIS) | |
| Drafting of action plans for threatened amphibians and reptiles | |
| Meetings and consultants | 15,000 |
| -Conference on marine turtles | |
| (Turkey): 3 days | |
| <i>Terms of reference</i> | |
| In co-operation with IUCN and the Bonn Convention and the Barcelona Convention, the Conference will review the implementation of present Action Plans for marine turtles in Europe and suggest appropriate conservation actions. | |
| Travel and subsistence expenses will be covered for one expert of each of the following 11 states: | |
| ALBANIA, CROATIA, CYPRUS, FRANCE, GREECE, ITALY, MOROCCO, SENEGAL, SLOVENIA, SPAIN, TUNISIA | 10,200 |
| Travel and subsistence expenses for 2 consultants | 2,500 |
| Participants | |
| All Contracting Parties | |
| Observers | |
| All observer states and qualified organisations active in this field | |

| | |
|---|--|
| <p>3.6. Bird Conservation</p> <p>Report on effects of lead shot on terrestrial habitats</p> <p><i>Terms of reference</i></p> <p>Based on experiences on the substitution on lead shot by non-toxic shot on wetlands, the report will analyse the ecological effects of lead shot on terrestrial habitats and the accumulation of lead in wildbirds other than water fowl. The report will make appropriate recommendations taking into account other interests involved.</p> <p>Appropriation for consultants and technical meetings</p> <p>Collaboration on Bald Ibis conservation seminar</p> <p>3.7. Marine mammals</p> <p>Co-operation with ACCOBAMS</p> | <p></p> <p>4,000</p> <p>2,000</p> <p>3,000</p> |
| <p>4. Forest Biological Diversity</p> | |
| <p>- At the 4th Ministerial Conference on the Protection of Forest in Europe (MCPFE), a resolution was adopted concerning and enhancing forest biological diversity in Europe. It requested states to analyse forest networks and the effectiveness of their management with regard to conservation goals.</p> <p>This activity will be carried out in co-operation with other appropriate international partners, in particular the liaison Unit of MCPFE.</p> <p>Meeting of rapporteurs</p> <p>- Workshop on Forest Biological Diversity</p> <p style="text-align: right;">Poland: 2 days</p> <p>The workshop will discuss appropriate input into MCPFE work regarding conservation of biological diversity.</p> <p>Travel and subsistence expenses for 1 expert from 15 states: ALBANIA, AUSTRIA, AZERBAIJAN, CROATIA, ESTONIA, LATVIA, LITHUANIA, MOROCCO, NORWAY, PORTUGAL, SPAIN, TURKEY, TUNISIA, UKRAINE, UNITED KINGDOM.</p> <p>Travel and subsistence expenses for 2 consultants</p> <p>Participants All Contracting Parties</p> <p>Observers All observer states and qualified organisations active in this field</p> | <p>4,000</p> <p>14,800</p> <p>2,500</p> |
| <p>5. Monitoring of sites and populations at risk and Emergencies</p> | |
| <p>5.1. On-the-spot visits</p> <p>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</p> <p>5.2. Sites at risk as a result of an emergency</p> <p>Fixed appropriation to cover expenses for reports, travelling of experts or Secretariat to areas under a particular environmental stress as a result of natural catastrophes or accidents caused by man. It includes assistance to areas under political or military conflict. It may cover training of specialists, aid to establish environmental monitoring. This chapter will be only used under instruction of the Bureau and will be paid both from Council of Europe or by voluntary contributions</p> <p>Fixed appropriation for consultant</p> | <p>4,500</p> <p>10,000</p> |

in Euro

| 6. Awareness and visibility | |
|--|----------------|
| Funds for the conception, the translation, the photocomposition and publication of technical documents, posters, brochures, stickers, postcards, making of buttons, other documents. It includes publication in Internet and conception and update of a Website. Publication of a report on the positive action of the Convention in solving biodiversity related conflicts | 25,000 |
| 7. Operational expenditure of the Standing Committee's Secretariat | |
| Fixed appropriation to cover travel expenses to attend the meetings of the Standing Committee and of the Bureau | |
| 7.1. Chairman's expenses | |
| Fixed appropriation to cover travel and/or subsistence expenses incurred by the Chairman or delegate T-PVS after consultation with the Secretary General. Expenses of the Chairman to attend the meetings of the Standing Committee | p.m. |
| 7.2. Delegates of African states and of some delegates of Central and Eastern Europe | |
| Travel and subsistence expenses incurred by the delegates of African states to attend the Standing Committee meeting or other meetings organised under its responsibility | 7,500 |
| Travel and subsistence expenses incurred by some delegates from Contracting Parties of Central and Eastern Europe (on a temporary basis and after decision of the Bureau) to attend the Standing Committee | 16,300 |
| 7.3. Travels of experts and Secretariat | |
| Travel and subsistence expenses incurred by experts to attend meetings of special relevance under instruction from the Committee or the Chairman and Secretariat official journeys. | 15,000 |
| 7.4. Meetings of the Bureau | |
| Travel and subsistence expenses incurred by the three members of the Bureau to attend the Bureau meetings | 5,000 |
| 7.5. Full-time secretary | 40,000 |
| TOTAL | 344,900 |

The Bern Convention Special Account will be used to cover expenses that cannot be covered by the ordinary budget of the Council of Europe.

The Council of Europe is expected to provide around 120,000 € for the implementation of the programme of activities. About 10,000 € will remain from the 2003 budget (from non-spent voluntary contributions). Parties are expected to provide with new voluntary contribution in 2004. A detailed report on 2003 expenditure will be presented to the Committee for information.

Bern Convention Programme of Activities and Budget for 2004 (Summary)

in Euro

| | |
|---|----------------|
| 1. Monitoring of the legal application of the Convention | |
| 1.1. Report on the implementation of the Convention in two Contracting Parties | 12,000 |
| 2. Conservation of natural habitats | |
| 2.1. Group of experts for the setting up of the Emerald Network of Areas of Special Conservation Interest | 32,100 |
| 2.2. Pilot projects for the setting-up of the Emerald Network at national level in some states | 44,000 |
| 2.3. Consultants | 10,000 |
| 3. Monitoring of species and encouraging conservation action | |
| 3.1. Invasive Alien Species | 8,000 |
| 3.2. Invertebrate Conservation | 9,000 |
| 3.3. Large Carnivores | 25,000 |
| 3.4. Plant Conservation | 24,500 |
| 3.5. Amphibians and Reptiles | 27,700 |
| 3.6. Bird conservation | 6,000 |
| 3.7. Marine mammals | 3,000 |
| 4. Forest Biological Diversity | |
| | 21,300 |
| 5. Monitoring of sites and populations at risk: Emergencies | |
| 5.1. On-the-spot visits | 4,500 |
| 5.2. Sites at risk as a result of an emergency | 10,000 |
| 6. Awareness and visibility | |
| | 25,000 |
| 7. Operational expenditure of the Standing Committee's Secretariat | |
| 7.1. Chairman's expenses | p.m. |
| 7.2. Delegates of African states and of some delegates of Central and Eastern Europe | 23,800 |
| 7.3. Travels of experts and Secretariat | 15,000 |
| 7.4. Meetings of the Bureau | 5,000 |
| 7.5. Full-time secretary | 40,000 |
| TOTAL | 344,900 |