



Strasbourg, 12 May 2015

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T-PVS/DE (2015) 5

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

GROUP OF SPECIALISTS ON THE EUROPEAN DIPLOMA FOR PROTECTED AREAS

13 March 2015

Strasbourg, Palais de l'Europe, Room 11

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**DRAFT RESOLUTIONS
ON THE AWARD AND THE RENEWAL
OF THE EUROPEAN DIPLOMA FOR PROTECTED AREAS,
OPINIONS
AND DRAFT RESOLUTIONS
IN 2015**

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Draft Resolution on the award of the European Diploma for Protected Areas to the Vashlovani Protected Areas (Georgia)

CM Documents

CM(2015)

...Meeting,2015
Sustainable Development

Standing Committee to the Bern Convention Group of Specialists on the European Diploma for Protected Areas (T-PVS/DE)

Draft Resolution CM/ResDip(2015) ... on the award of the European Diploma for Protected Areas to the Vashlovani Protected Areas (Georgia)

*(Adopted by the Committee of Ministers on ... 2015
at the ... meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.a of the Statute of the Council of Europe,

Having regard to Resolution (65) 6 instituting the European Diploma for certain protected landscapes, reserves and natural features, as amended by Resolution CM/ResDip(2008)1 on the revised regulations for the European Diploma for Protected Areas;

Taking into consideration the expert's report presented at the meeting of the Group of Specialists on the European Diploma for Protected Areas on 13 March 2015;

Having regard to the proposals of the Standing Committee to the Bern Convention,

Solemnly awards the European Diploma for Protected Areas to the Vashlovani Protected Areas (Georgia) which include five areas: the Vashlovani Strict Nature Reserve, the Vashlovani National Park, the Alazani Riparian Forest Natural Monument, the Takhti-Tepa Natural Monument and the Eagle Canyon Natural Monument; recognises the European significance of these areas which have remarkable landscapes; exceptional geological features; rich and diverse flora and fauna, including rare species; and ecosystems of particular importance for European biodiversity;

Places the aforesaid areas under the patronage of the Council of Europe until 2020;

Attaches the following two conditions to the award:

1. by the end of 2015, remove the shelters located on the immediate border of the Vashlovani Strict Nature Reserve, and rigorously enforce the existing regulation for grazing in the reserve;
2. accelerate the drafting process of a comprehensive sustainable grazing management plan, taking into account the socio-economic context and the effects of grazing, positive and negative, on the long-term conservation of the features of the Vashlovani Protected Areas; this plan will have clear objectives, a time frame for implementation and indicators of progress, and will address the matter of dismantlement and relocation of grazing equipment and activities outside the strict nature protection areas and the restoration of degraded zones of the Vashlovani National Park. A draft will be submitted to the Group of Specialists on the European Diploma by the end of 2016, with alternative

grazing areas located at a reasonable distance from the borders of the zones where these activities are forbidden; the State Party is also urged to enforce the existing regulation on grazing in the whole Diploma area, without delay, and to limit grazing activities to the carrying capacity for the Vashlovani Protected Areas (to be determined);

Attaches the following seven recommendations to the award:

1. develop and fund an operational and comprehensive monitoring programme of the Diploma area; this programme should be focused on the specific natural and landscape features of the Diploma area and the anthropogenic pressures on it;
2. prepare and implement a programme to maintain and renovate field equipment and the infrastructure for tourists and visitors;
3. pursue, update and complement inventories and mapping of species and habitats (distribution, abundance, state of conservation and tendencies), taking into account the Emerald Network's standards and requirements;
4. secure the Vashlovani Protected Areas core budget, from internal sources preferably, and provide funding to ensure that the 2013-19 management plan is fully implemented;
5. start the process of drafting the next management plan in a timely manner, so that the whole award period of the European Diploma for the Vashlovani Protected Areas is covered;
6. improve further the expertise and skills of the staff members, especially in the field of ecology and the knowledge and monitoring of species;
7. continue and develop cross-border co-operation for the protection of large carnivores.

Draft Resolution on the renewal of the European Diploma for Protected Areas awarded to the National Park Weerribben-Wieden (Netherlands)

CM Documents

CM(2015)

...Meeting,2015
Sustainable Development

Standing Committee to the Bern Convention Group of Specialists on the European Diploma for Protected Areas (T-PVS/DE)

Draft Resolution CM/ResDip(2015) ... on the renewal of the European Diploma for Protected Areas awarded to the National Park Weerribben-Wieden (Netherlands)

*(Adopted by the Committee of Ministers on ... 2015
at the ... meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.a of the Statute of the Council of Europe,

Having regard to Resolution (65) 6 instituting the European Diploma for certain protected landscapes, reserves and natural features, as amended by Resolution CM/ResDip(2008)1 on the revised regulations for the European Diploma for Protected Areas;

Having regard to Resolution (95) 20 on the award of the European Diploma to the De Weerribben Nature Reserve (Netherlands);

Having regard to Resolution CM/ResDip(2010)8 on the renewal of the European Diploma for Protected Areas awarded to the De Weerribben Nature Reserve (Netherlands) and to its extension to the De Wieden Nature Reserve (Netherlands);

Taking note of the Government of the Netherlands' wish for a joint European Diploma to the National Park Weerribben-Wieden when renewing the diploma in 2015;

Taking into consideration the expert's report presented at the meeting of the Group of Specialists on the European Diploma for Protected Areas on 13 March 2015;

Having regard to the proposals of the Standing Committee to the Bern Convention,

Renews the European Diploma for Protected Areas awarded to the De Weerribben Nature Reserve and to its extension to the De Wieden Nature Reserve, jointly presented under the name "National Park Weerribben-Wieden", until 2020;

Attaches the following condition to the renewal:

1. urge the responsible authorities to adopt the joint Natura 2000 management plan, by the end of 2016, as an official and binding document which will be considered as covering the requirements of the European Diploma;

Attaches the following eight recommendations to the renewal:

1. implement a monitoring programme to evaluate the effects of the new connection between De Weerribben and De Wieden, the construction of which was finished by the end of 2014, at least on important and/or endangered species, considering the exemplary role of the project;
2. monitor the further development of fish stocks, with an emphasis on eels, to strengthen the ecological function of the reserves and natural reproduction in line with Natura 2000 requirements;
3. limit the impact of fishing by defining a maximum number of licenses or limiting the catch; define methods to avoid secondary catches of otter or other species; and ensure the further development of a management plan for fish stocks covering all species, as requested in the previous resolution on the renewal of the European Diploma;
4. carefully observe the development of boating on the Kalenberger Gracht and set limits (for example a maximum number and/or size of boats) or provide for measures in case of increasing numbers of larger boats;
5. continue with the designation of adjoining areas as extensions of, or buffer zones to, the protected areas, especially to the north (Rottige Meente) and south-east (Staphorster Veld), and create a connection between the two separate parts of De Wieden Nature Reserve between the Zuideindiger Wiede and the Bovenwiede;
6. review contracts with business owners and landowners with regard to habitat management, and especially the duration of these contracts, to ensure that management can be directed by the responsible authorities and to prevent long-term and irredeemable contracts through which the reserve authorities have limited leverage;
7. observe possible threats which may occur due to the intensification of agriculture, changes in water management or construction of wind farms;
8. secure adequate funds to convert the Ossenzijl information centre, at least in part, into an educational centre geared towards young people.

Opinion following the exceptional on-the-spot appraisal to the Podyjí National Park (Czech Republic) and the Thayatal National Park (Austria) - with appended Draft Resolution

Opinion

of the Group of Specialists on the European Diploma for Protected Areas following the exceptional on-the-spot appraisal to the Podyjí National Park (Czech Republic) and the Thayatal National Park (Austria)

After examining the report drawn up by the independent expert following the exceptional appraisal, the objectives of which were to: (1) help identifying the possible negative impact on threatened species and habitats, due to the possible construction of large wind farm park(s) in Northern Austria, (2) assess the management of the hydropower plant Vranov with a view to ensure ecologically bearable flows under Vranov reservoir, Thaya river and Thaya tributaries, and (3) evaluate the harmonisation of the fishing regulations within the two parks, the Group of Specialists:

- (a) takes note of the conclusions of the report by the independent expert and the recommendations it provides;
- (b) notes the good cooperation between the two national parks;
- (c) submits to the Standing Committee to the Bern Convention, via the Bureau, the current opinion with the following eleven recommendations to the States Parties, and proposes that the Group of Specialists is charged to follow-up their implementation through the annual reporting:

Recommendations about wind farm development

1. in any wind farm development, planned in the vicinity (i.e. within 12 to 15km) of either the Thayatal National Park or the Podyjí National Park, ornithological data, collected over a period of at least one year, must be obtained. Other data, for example on bat activity and bird/mammal migration routes, should also be collected by appropriate stakeholders, co-ordinated by the national park authorities. All data should be made publically available for scrutiny in an Environmental Impact Assessment of the proposed development;
2. given the importance of landscape in the border country between Austria and the Czech Republic, when funds become available (from regional or local authorities) it would be beneficial to carry out a 'landscape character assessment', not just of the two national parks and their buffer zones but also of the land which surrounds the national parks;
3. all authorities should use the guidance in the Bern Convention's paper *Wind Farms and Birds: an updated analysis of the effects of wind farms on birds, and best practice guidance on integrated planning and impact assessment* (paper T-PVS/Inf (2013) 15);

Recommendations about the River Thaya/Dyje

4. efforts should continue to be made to bring the river into 'good ecological potential' according to the Water Framework Directive. In achieving this aim the fish population needs to be improved and the presence of dead wood (coarse woody debris) in the river should continue to be encouraged and monitored;
5. the minimum flow in the river should be set at as great a level as possible. The present minimum levels of 2.8 m³ sec⁻¹ (summer) and 3.3 m³ sec⁻¹ (winter) should be maintained and should become legally enforceable. The flow rate should never be permitted to drop below these minimum rates, except at times of absolute necessity (i.e. during a prolonged drought) which

should be on the basis of agreement between the Podyjí National Park, the E.ON Company and the relevant agencies of national, regional and local government;

6. strong surges of water should be avoided as far as is possible and consistent with the safe operation of the VHP. Instead of sharp peaks in the flow rate, every effort should be made by the operators of the Vranov Dam to flatten out the peaks by more gradual build up to larger flow rates. Except at times of flood, it is preferable not to have three turbines operating simultaneously at full capacity;

Recommendations about the fish and fishery

7. in the short term, the two National Park administrations should cooperate with each other, and with the fishermen's associations, to agree annual brown trout re-stocking rates, screening of stock prior to release for diseases, and the provenance of the young trout to be released. Agreement should also be reached about whether or not to introduce young grayling. However, in the longer term, it would be beneficial for the naturalness of the river to phase out the re-stocking of any fish species. No further releases of either rainbow trout or brook trout should be permitted between the Vranov Dam and the Znojmo Dam;
8. given the close cooperation which exists between the administrations of the two National Parks, there would be considerable benefits if both are consulted by the Czech Ministry of Agriculture when deciding on fishing management in the Podyjí National Park;
9. the sections of fishing zones Dyje 12, 13 and 14 should be reconsidered by the Czech authorities. There would be considerable benefits for the two National Parks if fishing could be progressively phased out in zone Dyje 13 (the zone along the border between Austria and the Czech Republic);
10. the fish stocks in the river need to be periodically monitored by the national park authorities in cooperation with appropriate stakeholders. Management of the fish stocks can then be agreed on the basis of evidence gathered during monitoring. The results of all monitoring and research, irrespective of who funded it, should be made publically available so that the data are used for the benefit of all stakeholders;
11. thought should be given to the environmental benefits of building a fish ladder along Znojmo dam linking the Vranov-Znojmo section of the river with its reaches downstream below Znojmo.

The Standing Committee may also instruct the Secretariat of the Bern Convention to prepare some guidance on Wind Farms and landscape, similar to the guidance *Wind Farms and Birds: an updated analysis of the effects of wind farms on birds, and best practice guidance on integrated planning and impact assessment* (paper T-PVS/Inf (2013) 15).

Draft Resolution following the exceptional on-the-spot appraisal to the Podyjí National Park (Czech Republic) and the Thayatal National Park (Austria) - to be possibly proposed by the Standing Committee to the Committee of Ministers

CM Documents

CM(2015)

...Meeting,2015
Sustainable Development

Standing Committee to the Bern Convention Group of Specialists on the European Diploma for Protected Areas (T-PVS/DE)

Draft Resolution CM/ResDip(2015) ... following the exceptional on-the-spot appraisal to the Podyjí National Park (Czech Republic) and the Thayatal National Park (Austria)

*(Adopted by the Committee of Ministers on ... 2015
at the ... meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.a of the Statute of the Council of Europe,

Having regard to Resolution (65) 6 instituting the European Diploma for certain protected landscapes, reserves and natural features, as amended by Resolution CM/ResDip(2008)1 on the revised regulations for the European Diploma for Protected Areas;

Taking into consideration the expert's report presented at the meeting of the Group of Specialists on the European Diploma for Protected Areas on 13 March 2015;

Having regard to the good cooperation between the two national parks;

Having regard to the proposals of the Standing Committee to the Bern Convention;

Request Czech and Austrian authorities to consider the following eleven recommendations:

Recommendations about wind farm development

1. in any wind farm development, planned in the vicinity (i.e. within 12 to 15km) of either the Thayatal National Park or the Podyjí National Park, ornithological data, collected over a period of at least one year, must be obtained. Other data, for example on bat activity and bird/mammal migration routes, should also be collected by appropriate stakeholders, co-ordinated by the national park authorities. All data should be made publically available for scrutiny in an Environmental Impact Assessment of the proposed development;
2. given the importance of landscape in the border country between Austria and the Czech Republic, when funds become available (from regional or local authorities) it would be beneficial to carry out a 'landscape character assessment', not just of the two national parks and their buffer zones but also of the land which surrounds the national parks;

3. all authorities should use the guidance in the Bern Convention's paper *Wind Farms and Birds: an updated analysis of the effects of wind farms on birds, and best practice guidance on integrated planning and impact assessment* (paper T-PVS/Inf (2013) 15);

Recommendations about the River Thaya/Dyje

4. efforts should continue to be made to bring the river into 'good ecological potential' according to the Water Framework Directive. In achieving this aim the fish population needs to be improved and the presence of dead wood (coarse woody debris) in the river should continue to be encouraged and monitored;
5. the minimum flow in the river should be set at as great a level as possible. The present minimum levels of $2.8 \text{ m}^3 \text{ sec}^{-1}$ (summer) and $3.3 \text{ m}^3 \text{ sec}^{-1}$ (winter) should be maintained and should become legally enforceable. The flow rate should never be permitted to drop below these minimum rates, except at times of absolute necessity (i.e. during a prolonged drought) which should be on the basis of agreement between the Podyjí National Park, the E.ON Company and the relevant agencies of national, regional and local government;
6. strong surges of water should be avoided as far as is possible and consistent with the safe operation of the VHP. Instead of sharp peaks in the flow rate, every effort should be made by the operators of the Vranov Dam to flatten out the peaks by more gradual build up to larger flow rates. Except at times of flood, it is preferable not to have three turbines operating simultaneously at full capacity;

Recommendations about the fish and fishery

7. in the short term, the two National Park administrations should cooperate with each other, and with the fishermen's associations, to agree annual brown trout re-stocking rates, screening of stock prior to release for diseases, and the provenance of the young trout to be released. Agreement should also be reached about whether or not to introduce young grayling. However, in the longer term, it would be beneficial for the naturalness of the river to phase out the re-stocking of any fish species. No further releases of either rainbow trout or brook trout should be permitted between the Vranov Dam and the Znojmo Dam;
8. given the close cooperation which exists between the administrations of the two National Parks, there would be considerable benefits if both are consulted by the Czech Ministry of Agriculture when deciding on fishing management in the Podyjí National Park;
9. the sections of fishing zones Dyje 12, 13 and 14 should be reconsidered by the Czech authorities. There would be considerable benefits for the two National Parks if fishing could be progressively phased out in zone Dyje 13 (the zone along the border between Austria and the Czech Republic);
10. the fish stocks in the river need to be periodically monitored by the national park authorities in cooperation with appropriate stakeholders. Management of the fish stocks can then be agreed on the basis of evidence gathered during monitoring. The results of all monitoring and research, irrespective of who funded it, should be made publically available so that the data are used for the benefit of all stakeholders;
11. thought should be given to the environmental benefits of building a fish ladder along Znojmo dam linking the Vranov-Znojmo section of the river with its reaches downstream below Znojmo.

Opinion following the exceptional on-the-spot appraisal to the Bayerischer Wald National Park (Germany) - with appended Draft Resolution

Opinion

of the Group of Specialists on the European Diploma for Protected Areas following the exceptional on-the-spot appraisal to the Bayerischer Wald National Park (Germany)

After examining the report drawn up by the independent expert following the exceptional appraisal, the objective of which was to assess the possible effects on the park biological diversity by a large wind farm planned to be constructed near the park, including possible cumulative impacts in case of further wind-energy developments in the area, the Group of Specialists:

- (a) takes note of the conclusions of the report by the independent expert and the recommendations it provides;
- (b) submits to the Standing Committee to the Bern Convention, via the Bureau, the current opinion with one condition and five recommendations to the State Party, and proposes that the Group of Specialists is charged to follow-up their implementation through the annual reporting:

Condition:

1. no wind park is authorised without a prior environmental assessment that guarantees that the natural values having led to the designation of the Bayerischer Wald National Park as European Diploma for Protected Areas will be not significantly affected.

Recommendations:

1. in the frame of the further development of the wind farm project, data on breeding birds potentially threatened by the impact of windmills on and around the areas where the implantation of windmills has been identified as feasible (notably Vorranggebiet 43, as well as 100/101/102 and 52) should be collected during at least one year. Existing data should be included;
2. similarly, existing data on bats in the same area should be analysed and presented and new complementary data should be collected during at least one year;
3. the existing data, including telemetry information, and other data on lynx showing breeding and resting sites of the animals in and around the national park should be analysed and presented in the frame of the further development of the wind farm project. As rock habitats are of outstanding importance for the rearing of the young, special attention should be given to the use of these habitats in the surroundings of the national park;
4. given the importance of the landscape aspect, a landscape character assessment should be provided for the vicinity of the park, in particular the area where the wind farm is planned;
5. guidance should be sought in the Bern Convention's document "*Wind Farms and Birds: an updated analysis of the effects of wind farms on birds, and best practice guidance on integrated planning and impact assessment*" (T-PVS/Inf (2013) 15).

The Standing Committee may also instruct the Secretariat of the Bern Convention to prepare some guidance on Wind Farms and landscape, similar to the guidance *Wind Farms and Birds: an updated analysis of the effects of wind farms on birds, and best practice guidance on integrated planning and impact assessment* (paper T-PVS/Inf (2013) 15).

Draft Resolution following the exceptional on-the-spot appraisal to the Bayerischer Wald National Park (Germany) - to be possibly proposed by the Standing Committee to the Committee of Ministers

CM Documents

CM(2015)

...Meeting,2015
Sustainable Development

Standing Committee to the Bern Convention Group of Specialists on the European Diploma for Protected Areas (T-PVS/DE)

Draft Resolution CM/ResDip(2015) ... following the exceptional on-the-spot appraisal to the Bayerischer Wald National Park (Germany)

(Adopted by the Committee of Ministers on ... 2015 at the ... meeting of the Ministers' Deputies)

The Committee of Ministers, under the terms of Article 15.a of the Statute of the Council of Europe,

Having regard to Resolution (65) 6 instituting the European Diploma for certain protected landscapes, reserves and natural features, as amended by Resolution CM/ResDip(2008)1 on the revised regulations for the European Diploma for Protected Areas;

Taking into consideration the expert's report presented at the meeting of the Group of Specialists on the European Diploma for Protected Areas on 13 March 2015;

Having regard to the proposals of the Standing Committee to the Bern Convention;

Request German authorities to take appropriate protective measures to guarantee that natural values having led to the designation of the Bayerischer Wald National Park as European Diploma for Protected Areas, are not significantly affected by the proposed wind farm development;

Request German authorities to carry out, prior to any authorisation for wind parks, an appropriate environmental assessment ensuring that significant damage to the park will not follow, as otherwise the European Diploma for Protected Areas might be withdrawn;

Request German authorities to consider the following five recommendations:

1. in the frame of the further development of the wind farm project, data on breeding birds potentially threatened by the impact of windmills on and around the areas where the implantation of windmills has been identified as feasible (notably Vorranggebiet 43, as well as 100/101/102 and 52) should be collected during at least one year. Existing data should be included;
2. similarly, existing data on bats in the same area should be analysed and presented and new complementary data should be collected during at least one year;
3. the existing data, including telemetry information, and other data on lynx showing breeding and resting sites of the animals in and around the national park should be analysed and presented in the frame of the further development of the wind farm project. As rock habitats are of

outstanding importance for the rearing of the young, special attention should be given to the use of these habitats in the surroundings of the national park;

4. given the importance of the landscape aspect, a landscape character assessment should be provided for the vicinity of the park, in particular the area where the wind farm is planned;
5. guidance should be sought in the Bern Convention's document "*Wind Farms and Birds: an updated analysis of the effects of wind farms on birds, and best practice guidance on integrated planning and impact assessment*" (T-PVS/Inf (2013) 15).

Draft Resolution on the withdrawal of the European Diploma for protected Areas awarded to Poloniny National Park (Slovak Republic) - to be possibly proposed by the Standing Committee to the Committee of Ministers

CM Documents

CM(2015)

...Meeting,2015
Sustainable Development

Standing Committee to the Bern Convention Group of Specialists on the European Diploma for Protected Areas (T-PVS/DE)

Draft Resolution CM/ResDip(2015) ... on the withdrawal of the European Diploma for Protected Areas awarded to the Poloniny National Park (Slovak Republic)

(Adopted by the Committee of Ministers on ... 2015 at the ... meeting of the Ministers' Deputies)

The Committee of Ministers, under the terms of Article 15.a of the Statute of the Council of Europe,

Having regard to Resolution (65) 6 instituting the European Diploma for certain protected landscapes, reserves and natural features, as amended by Resolution CM/ResDip(2008)1 on the revised regulations for the European Diploma for Protected Areas;

Having regard to Resolution CM/ResDip(2012)19 on the renewal of the European Diploma for Protected Areas awarded to the Poloniny National Park;

Taking into consideration the expert's report¹ presented at the annual meeting of the Group of Specialists on the European Diploma for Protected Areas in 2013 and the Opinion submitted the same year by the Group of Specialists to the Bureau and the Standing Committee to the Bern Convention;

Taking note of the report of the meeting of the Group of Specialists on the European Diploma for Protected Areas in 2015², concluding that there had not been significant progress in adopting the measures requested in its Opinion of 2013;

Having regard to Article 8 1.c of the Resolution CM/ResDip(2008)1 on the revised regulations for the European Diploma for Protected Areas;

Having regard to the proposals of the Standing Committee to the Bern Convention;

Decides to withdraw the European Diploma for Protected Areas awarded to the Poloniny National Park, before the end of the period of validity.

¹ This expert's report was presented on 26 March 2013 and is available under the reference T-PVS/DE (2013) 5

² This report is available under the reference T-PVS/DE (2015) 09

Opinion concerning the Poloniny National Park, adopted by the Group of Specialists at its meeting on 26 March 2013

Opinion

of the Group of Specialists on the European Diploma following the extraordinary appraisal report on the Poloniny National Park

After examining the report drawn up by the independent expert following the extraordinary appraisal, the aims of which were to visit the Diploma-holding area (1) in order to analyse the difficulties encountered in implementing the conditions attached to the last renewal in 2008 and (2) to discuss the issues encountered with the local stakeholders, the Group of Experts:

1. takes note of the conclusions of the report by the independent expert and the time-frame it provides for the adoption of protective measures by national authorities;
2. notes the work being done by the National Park's staff;
3. recognises that all Diploma-holding areas should demonstrate exemplary management practices;
4. gauges the seriousness of the situation, particularly in respect of the long-term absence of a management plan for the Poloniny National Park;
5. regrets that no official response was received from the national authorities, since the time that the extraordinary appraisal took place, regarding the endorsement of a pilot-project to be developed in cooperation between the relevant Ministries (Environment, Agriculture and Land Use);
6. considers that it is appropriate for the Standing Committee to the Bern Convention to recommend to the Committee of Ministers of the Council of Europe that it requests the Slovak authorities to take the appropriate measures to implement the conditions within a period of one year; and
7. strongly advises that, if the necessary measures are not taken within the period allocated, the Standing Committee recommends the withdrawal of the European Diploma before the end of its period of validity.