

Strasbourg, 26 September 2013
[files24e_2013.doc]

T-PVS/Files (2013) 24

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

33rd meeting
Strasbourg, 3-6 December 2013

Specific Site - File open

**Wind farms in Balchik and Kaliakra –Via Pontica
(Bulgaria)**

OPINION

*Document
Prepared by
the Directorate of Democratic Governance*

OPINION

of the Bureau of the Standing Committee to the Bern Convention on complaint No. 2004/2 on Wind Farms in Balchik and Kaliakra, Bulgaria

After examining the most recent reports submitted by both the Bulgarian Government [document T-PVS/Files (2013)18] and the complainant NGO [document T-PVS/Files (2013)6], and taking into account the discussions held by the Group of Experts on the Conservation of Birds (meeting in Tunis, on 31st May 2013) the Bureau of the Standing Committee to the Bern Convention:

1. recognises that situation in the area of concern continues to be serious, particularly in respect of the threats to wild bird species and habitats including, inter alia, the globally endangered Red-breasted Goose ;
2. welcomes the recent actions taken by the Bulgarian authorities towards (1) reconsidering some wind farm projects both under development and already under construction through the adoption of Opinions of the Minister of Environment and Water and (2) initiating relevant changes in the Biological Diversity Act;
3. welcomes the implementation of projects aimed at identifying and minimising the risks for wild birds as well as elaborating a sensitivity map and guidance in relation to wind farms and birds;
4. regrets that the results of these studies are not yet fully and thoroughly considered at the level of national authorities, in particular in relation to approved but not yet constructed wind farms and the identification of alternative locations;
5. notes that, according to the NGOs, the final decision of the Supreme Administrative Court on the case SMIN Windfarm was taken on 09 May 2013 quashing the Minister's decision to rescind the approval of the SMIN windfarm, thus giving a green light to the continuation of the construction works;
6. recalls Recommendation No. 130 (2007) of the Standing Committee on the windfarms planned near Balchik and Kaliakra, and other wind farm developments on the Via Pontica route (Bulgaria), and its ten operational paragraphs;
7. recommends that the Standing Committee to the Bern Convention requests Bulgarian authorities to (1) consider acceptable the AEWA proposal of an IRP Mission to the region of Shabla and Durankulak, to which the Convention should also participate, and to communicate as soon as possible a date for such a mission; (2) urgently undertake concrete steps for the relocation of those windfarms which may have an impact on important conservation sites, including Natura 2000 sites, IBAs, or sites under other protection status; (3) inform the Standing Committee through its Bureau on further steps to be undertaken in order to reach the results expected by the authorities further to the Court's judgement which cancelled Decision № BA-7/2012.