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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

34th meeting
Strasbourg, 2-5 December 2014

Other complaints

**PRESUMED DELIBERATE KILLING OF BIRDS
IN SERBIA**

REPORT BY THE COMPLAINANT

*Document prepared by
the Bird Protection and Study Society of Serbia*

**Convention on the Conservation of European
Wildlife
and Natural Habitats**



COMPLAINT FORM

NB: Complaint forms must be submitted in electronic word format, and not exceed 3 pages, including the first administrative page. A maximum 5-page report can be attached. The Secretariat will request additional information on a case-by-case basis.

Please, fill in this form and send it to the attention of:

Ivana d'ALESSANDRO

Directorate of Democratic Governance, Culture and Diversity

Council of Europe

F-67075 Strasbourg Cedex

E-mail: Ivana.DALESSANDRO@coe.int

First name:

Jožef.....

Surname(s):

Gergelj.....

On behalf of (if applicable): Bird Protection and Study Society of Serbia

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.....
.....

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Date : 9 April 2014

Electronic Signature

1. Please state the reason of your complaint (refer also the Contracting Party/es involved and the Articles of the Convention which might be violated).

The reason of our complaint are reported cases of death of White-tailed Eagle (*Haliaeetus albicilla*), Common Buzzard (*Buteo buteo*), Rough-legged Buzzard (*Buteo lagopus*), Marsh Harrier (*Circus aeruginosus*), Barn Owl (*Tyto alba*), Short-eared Owl (*Asio otus*) and Griffon Vulture (*Gyps fulvus*) by poisoning in the Republic of Serbia in years 2007-2014 at various locations.

By this mean, articles 6, 7 and 8 of Bern Conventions are violated.

We, therefore, ask for the Secretariat of Bern Convention to take all foreseen administrative measures and ask authorities of the Republic of Serbia to undertake urgent steps leading to prevention of deliberate killing of bird species from the Appendix II of the Convention, locating and adequate legal prosecution of individuals or organization involved in described violations.

2. Which are the specific specie/s or habitat/s included in one of the Appendices of the Bern Convention potentially affected? (Please include here information about the geographical area and the population of the species concerned, if applicable)

Following species of birds are subject of our complaint, all of them listed on Appendix II of Bern Convention - Strictly Protected Species: White-tailed Eagle (*Haliaeetus albicilla*), Common Buzzard (*Buteo buteo*), Rough-legged Buzzard (*Buteo lagopus*), Marsh Harrier (*Circus aeruginosus*), Barn Owl (*Tyto alba*), Short-eared Owl (*Asio otus*) and Griffon Vulture (*Gyps fulvus*). All abovementioned species are regular breeding species in Serbia, with the exception of Rough-legged Buzzard. The White-tailed Eagle is most severely affected. Breeding population in Serbia, according to the most recent information, numbers 115 breeding pairs (2013; Ham, pers.obs).

Total number of poisoned birds which are subject of this complaint is 122: 26 White-tailed Eagles, 73 Common Buzzards, 3 Griffon Vultures, 15 Barn Owls, 3 Marsh Harriers, 1 Rough-legged Buzzard and 1 Short-eared Owl. List of individuals, location of founding and sources of information are listed in Table 1. In Annex I of this complaint.

All dead individuals of White-tailed Eagle, except the ones marked with asterisk, are found on intensively managed agricultural land, but close to floodplains of the rivers Danube, Sava, Tamiš and Begej or in the floodplains themselves. All individuals of Common Buzzard, Rough-legged Buzzard and Marsh Harrier were found on agricultural land.

There are strong indices that in this period much larger, but unknown number of these and many other raptor species were poisoned in Serbia, but no evidences were found due to non-systematic surveys.

3. What might be the negative effects for the specie/s or habitat/s involved?

Negative effects of direct or indirect poisoning of raptors are reflected in direct lowering of breeding/non-breeding populations, thus decrease of number of adults directly involved in breeding process. Secondary loss is loss of chicks in the nest belonging to adults being poisoned (if poisoning occurred in the breeding period). Moreover, in case of poisoning of immatures, decrease in number of non-breeding stock might reflect to future decrease of breeding population. Poisoning with very strong poisons (in almost all of these cases carbofuran is suspected or proved by laboratory analyses as cause of poisoning), can cause secondary poisoning of carcass-eating animals consuming already poisoned ones.

Poisoning of abovementioned birds, if not followed by strict administrative and legal procedure of arresting and charging of persons who are suspected users of poisons which caused death of these birds, can lead to negative promotion of poisoning as method of control of unwanted animals.

In many protected floodplain areas in Serbia, White-tailed Eagle is key and umbrella species, serving as promoter of conservation actions. Sudden death of such large number of birds in so short period sends very negative message on incompetent authorities who are unable to solve this issue. Therefore abovementioned cases are cause of concern also in terms of international obligation towards obeying of Bern Convention.

4. Do you know if potentially affected species or habitats also fall under the scope of other international Conventions, (for instance: RAMSAR, CMS, ACCOBAMS, Barcelona Convention, etc) or if the area has been identified as a NATURA 2000/Emerald network site?

Following individuals of White-tailed Eagle were found death in Ramsar Sites: 1 adult in 2009 at Stari Begej-Carska Bara Ramsar Site and 1 adult in Gornje Podunavlje Ramsar Site in 2009. Additional 11 individuals (cases in Gardinovci, Kupinovo, Svilojevo and Apatin) were found very close or on the edge of Ramsar sites as follows: Koviljsko-Petrovaradinski Rit, Obedska Bara and Gornje Podunavlje. It is very probable that these birds' ranges, feeding sites ofr nests are partly in these Ramsar sites.

White-tailed Eagle in included in Appendix I of Convention of Migratory Species.

Following individuals of White-tailed Eagle were found death in Emerald network sites: 1 adult in 2009 at Stari Begej-Carska Bara Emerald Network Site (national code: RS00000024) and 1 adult in Gornje Podunavlje Emerald Network Site (national code: 0000001).

5. Do you know if there are any pending procedures at the national or international level regarding the object of your complaint?

All abovementioned species are strictly protected species in the Republic of Serbia (Rulebook on Designation and Protection of Strictly Protected and Protected Species of Plants, Animals and Fungi; Official Gazette of the Republic of Serbia no. 5/2010). Their protection from killing and other threats is established according to the Art. 74 of the Nature Conservation Act (Official Gazette of the Republic of Serbia no. 36/2009, 88/2010, 91/2010). A maximal fee of 400.000 Serbian Dinars is established as a punishment for the act which is causing death or damage of one individuals of White-tailed Eagle (Rulebook in Compensatory Pricelist for Establishment of Rate of Imbursement of Damage Caused by Improper Act Related to Strictly Protected and Protected Wild Species, Official Gazette of the Republic of Serbia no 37/2010). For other three species of raptors maximal fee is 160.000 Serbian Dinars.

Pending procedure contains: submissions of criminal charge by the environmental inspection to public prosecutor's office, decision on character of criminal act, police investigation and, finally, penalty procedure.

No public information is available on the status of these procedures in particular cases.

6. Any other information (existence of an Environmental Impact Assessment (EIA), size of projects, maps of the area, etc)

Available photos:

First line, from left to right: case at Carska Bara, Martonoš, Silbaš and Vajska

Central line, from left to right: cases in Bačko Petrovo Selo and Gardinovci

Third line, from left to right; cases in Dobrodol and Svilojevo



Some media reports in English:

<http://wilderness-society.org/wildlife-poisoning-serbia/>

http://wwf.panda.org/what_we_do/where_we_work/black_sea_basin/danube_carpathian/?216912/Urgent-ban-of-a-pesticide-needed-after-poisoning-of-protected-white-tailed-eagles-in-Serbia

<http://tygerbeat.wordpress.com/2014/02/28/serbia-protected-eagles-found-poisoned/>

Some media reports in Serbian:

<http://www.naslovi.net/2014-02-21/kurir/tuzan-prizor-u-svilojevu-otrovana-4-orla-belorepana/9030889>

<http://www.blic.rs/Vesti/Hronika/324649/Otrovano-sest-orlova-belorepana-kod-Vajske>

http://www.rtv.rs/sr_lat/vojvodina/sombor/ponovo-otrovani-orlovi-belorepani_470050.html?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+RtvVojvodina+%28RTV+Vojvodina%29

<http://www.novosti.test.mainstream.rs/%D0%B2%D0%B5%D1%81%D1%82%D0%B8/%D1%81%D1%80%D0%B1%D0%B8%D1%98%D0%B0.489.html:467317-Otrovani-orlovi>

Annex I of Complaint to Bern Convention Secretariat by BPSSS on 9 April 2014

Table 1. List of reported cases of poisoning of birds from App. II of Bern Convention since November 2007 (assignment of the convention by the Republic of Serbia)

| Date | Location (settlement, site) | Number of poisoned individuals | Species | Source of information |
|--------------------|----------------------------------------------|--------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2008 | Carska Bara SNR | 1 | <i>Haliaeetus albicilla</i> | magazine Detlić, BPSSS |
| 22 April 2008 | Zasavica SNR, Valjevac | 1 | <i>Buteo buteo</i> | Mihajlo Stanković |
| 20 June 2008 | Trešnjica River Canyon SNR, Gornje Trešnjica | 3 | <i>Gyps fulvus</i> | http://www.pressonline.rs/info/hronika/42528/krivicne-prijave-protiv-trovaca-beloglavih-supova.html |
| 2009 | Srpski Itebej | 1 | <i>Haliaeetus albicilla</i> | INCVP - Institute for Nature Conservation of Vojvodina Province |
| February 2012 | Gornje Podunavlje SNR | 1 | <i>Haliaeetus albicilla</i> | INCVP - Institute for Nature Conservation of Vojvodina Province |
| 13 January 2009 | Sivac | 6 | <i>Tyto alba</i> | Journal Ciconia vol. 18 |
| 13 January 2009 | Sivac | 1 | <i>Asio otus</i> | Journal Ciconia vol. 18 |
| 13 January 2009 | Sivac | 1 | <i>Buteo buteo</i> | Journal Ciconia vol. 18 |
| 28 January 2009 | Sivac | 9 | <i>Tyto alba</i> | Journal Ciconia vol. 18 |
| January 2010 | Silbaš | 10 | <i>Buteo buteo</i> | http://www.pticesrbije.rs/detlic-br3/detlic_03.pdf |
| 24 February 2010 | Martonoš | 5 | <i>Buteo buteo</i> | http://www.pticesrbije.rs/detlic-br3/detlic_03.pdf |
| 24 February 2010 | Martonoš | 1 | <i>Buteo lagopus</i> | http://www.pticesrbije.rs/detlic-br3/detlic_03.pdf |
| March 2010 | Silbaš | 20 | <i>Buteo buteo</i> | http://www.rtv.rs/sr_lat/vojvodina/masovno-trovanje-ptica-grabljivica-u-backoj_180477.html |
| 14 September 2010 | Radenković | 1 | <i>Buteo buteo</i> | Mihajlo Stanković |
| 10 July 2011 | Zasavica SNR, Valjevac | 1 | <i>Buteo buteo</i> | Mihajlo Stanković |
| 17 May 2012 | Vajska | 6 | <i>Haliaeetus albicilla</i> | http://www.24sata.rs/novi-sad/vesti/vest/otrovano-sest-orlova-belorepana-u-opstini-bac/40990.phtml |
| 16 February 2013 | Kupinovo | 1 | <i>Haliaeetus albicilla</i> | PE Vojvodinašume |
| 20 February 2013 | Gardinovci | 1 | <i>Haliaeetus albicilla</i> | Goran Lekić |
| 22 February 2013 | Donja Gorevnica | 23 | <i>Buteo buteo</i> | http://www.ozonpress.net/hronika/3978-otrovane-zasticene-ptice |
| 3 March 2012 | Vranje surroundings | 1 | <i>Buteo buteo</i> | Vesna Mečanin |
| January 2013 | Apatin, Junaković Spa | 1 | <i>Haliaeetus albicilla</i> | Vojvodinašume PE |
| 4 March 2013 | Bačko Petrovo Selo | 1 | <i>Haliaeetus albicilla</i> | Magazine Detlić, BPSSS |
| April 2013 | Salaš Noćajski, Zasavica | 1 | <i>Haliaeetus albicilla</i> | Mihajlo Stanković |
| April 2013 | Salaš Noćajski, Zasavica | 1 | <i>Buteo buteo</i> | Mihajlo Stanković |
| early 2013 | Karađorđevo | 3 | <i>Circus aeruginosus</i> | http://www.pzzp.rs/vest.php?id=127 |
| 5 December 2013 | Dobrodol | 6 | <i>Buteo buteo</i> | http://www.pzzp.rs/vest.php?id=168 |
| January-March 2014 | Sviljojevo | 8 | <i>Haliaeetus albicilla</i> | http://www.rtv.co.rs/sr_lat/vojvodina/sombor/otrovani-orlovi-kod-apatina_463928.html |
| March 2014 | Čenta | 3 | <i>Haliaeetus albicilla</i> | Istvan Ham |
| 1 April 2014 | Apatin | 1 | <i>Haliaeetus albicilla</i> | Nenad Spremo |