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T-PVS (2013) 2

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

Meeting of the Bureau

Strasbourg, 8 April 2013

MEETING REPORT

*Secretariat Memorandum
prepared by
the Directorate of Democratic Governance*

1. ADOPTION OF THE AGENDA

The meeting was opened on 8 April 2013 by Mr Jan Plesnik, Chair of the Standing Committee to the Convention, who welcomed the Bureau members as well as the representatives of the Secretariat. In his opening remarks, Mr. Plesnik emphasised on the renewed membership of the Bureau and presented his wishes of success to the new members.

The Chair introduced the draft Agenda of the meeting which was adopted without amendments (see appendix 1).

2. INSTITUTIONAL MATTERS

2.1 Accession of Belarus to the Bern Convention

The Secretariat recalled that Belarus will become the 51st Party to the Convention on 1st June 2013, further to the deposit of the instrument of ratification, on 19th February. The Secretariat further stressed the efficiency of the national authorities in speeding up all administrative steps, and informed about recent official contacts aimed at ensuring that a focal point with appropriate knowledge and qualification is designated soon. Finally, the Secretariat detailed the main reservations contained in the instrument of accession, which particularly concern on one hand the exclusion of the wolf (*Canis lupus*) and of the Eurasian otter (*Lutra lutra*) from the application of Article 6 (special protection of the wild fauna listed in Appendix II), and on the other hand a list of reservations to the provisions of Article 8 in respect of the some of the prohibited means and methods of killing, capture and other forms of exploitation listed in Appendix IV, mainly with regards to game species.

The Bureau expressed great appreciation for the accession of Belarus to the Convention, particularly noting that this new membership will certainly help bringing more coherence into nature conservation standards and practices at sub-regional level. In addition, the Chair stressed the outstanding value of Belarus natural heritage and thanked the Secretariat for the press release issued for marking the future accession. Yet, the Bureau regretted the reservations expressed with regards to both the otter and the means and methods of killing, capture and other forms of exploitation listed in Appendix IV, although it recognised their legitimacy. The Chair closed this agenda item by renewing the Committee's invitation to the Russian Federation to sign and ratify the Convention as soon as possible.

3. IMPLEMENTATION OF THE 2013 PROGRAMME OF ACTIVITIES

[T-PVS (2012) 12- Programme of Activities for 2013]
[T-PVS (2012) 22 – Report of the 32nd Standing Committee meeting]

The Secretariat briefly updated the Bureau on the state of implementation of the Programme of Activities for 2013, noting that this is running smoothly without major changes. The Standing Committee meeting's abridged report has been sent to Council of Europe's Committee of Ministers for communication in January, after which it was uploaded on the Convention's website. The Secretariat also informed that, further to the accession of Belarus to the Convention, the country has been requested to prepare a courtesy report to the Standing Committee's attention. On the follow-up to the most urgent Committee's decisions the Secretariat prepared and addressed, as requested, a note to Switzerland advising on how to deal with problems caused by the wolf in the framework of the Convention.

Regarding the reporting requests the Secretariat regretted to inform that the response from Parties is again low in 2013, particularly concerning the nominations and written contributions for the meeting of the Advisory Group on Budget. Nevertheless, nearly all the Parties replied to the reporting request sent for addressing the complaints, although the quality of the information submitted varies from a Party to another.

On coordination the Secretariat informed that the Convention joined CBD/IUCN initiative "Friends of Target 12", consisting of a platform, with a dedicated website, which aims at promoting and coordinating activities contributing to the achievement of Aichi target 12. Furthermore, the Secretariat summarised the main conclusions of the meeting of the EU Coordination Group on Biodiversity and Nature, to which the Council of Europe is Observer. Finally, the Secretariat mentioned the fruitful cooperation with the EEA/ETC-BD on the development of the Emerald Network, as well as with the CMS and the AEWA regarding the conservation of birds.

The Chair thanked the Secretariat for the presentation and particularly appreciated the efforts in place for giving more visibility to the Bern Convention through specific communication actions and coordination with other Organisations.

3.1 Setting-up of the Emerald Network: state of progress

[T-PVS/PA (2010) 08rev – Emerald Network Calendar 2011-2020]

The Secretariat recalled the timeframe and milestones set in the Emerald Calendar (2011-2020). At its 32nd meeting, the Standing Committee adopted the first ever 37 Emerald sites in Switzerland and officially nominated as candidate Emerald sites 957 sites from 7 countries in Central and Eastern Europe. These 957 candidate sites enriched the list of those already nominated in 2011, situated in the West-Balkans region.

Moreover, the implementation of the new Joint Programme on the setting-up of the Emerald Network in 7 Eastern and Central European countries started in January 2013. A regional kick-off meeting of the project will take place in Kiev on 24 - 26 April 2013 and will be followed by a series of national workshops. The work to be carried out in 2013 will still be concentrated on Phase I of the Network's constitution process, in view of initiating the assessment of the sufficiency of the candidate sites from these countries in 2014 (Phase II).

The Secretariat further informed that, following the successful first biogeographical Seminar for Switzerland in 2012, Norway will be the next country to see its nearly 650 proposed sites evaluated for their sufficiency during a biogeographical Seminar to take place on 18 - 20 June 2013 in Trondheim.

The Secretariat further presented the results of the coordination meeting on the implementation of the MoU between the EEA and the Council of Europe, which took place on 28 January. The meeting aimed at discussing cooperation and, more particularly, the support of the EEA and of its ETC/BD in the Emerald process in the years to come.

The Secretariat and the Chair highlighted that EEA Topic Centres are undergoing a big restructuring, to prepare for a new quadrennial cycle starting in 2014. The call of proposals issued by the EEA for the ETC/BD mentions the Emerald Network and the Bern Convention among the tasks to be implemented by the European Topic Centre on Biological Diversity. However, future cooperation with the new ETC/BD should be debated again as soon as the new consortium takes its duties.

In addition, the EEA and its own work programme and priorities for the years to come are still subject to the overall decision on the general EU budget for the period 2014 – 2018. This situation obviously puts a question mark on whether funds will be made available for biodiversity and ENPI countries for the period 2014-2018.

The Chair thanked the Secretariat for the comprehensive report and completed the information by informing that the winner of the competition for a new ETC/BD consortium will be announced in September. Most probably, this new consortium will have to cover three areas of work: the EU nature conservation legislation implementation, including the new EU biogeographic process under Natura 2000; ecosystem services and assessment and natural capital; and forest and agriculture land.

In response to a question raised by the delegate of Serbia, Ms Snežana Prokic, the Secretariat informed that unless significant progress in the Emerald database is achieved, there will be no new seminars for this group of countries. The Secretariat invited the countries from the region to inform on progress achieved at national level and to submit any new database available to the Council of Europe.

Over a proposal from the delegate of Norway, Mr Øystein Størkersen, supported by the delegate of Serbia, Mrs Snežana Prokic and the Chair, it was decided that the a letter from the Chair of the Standing Committee to the Bern Convention will be addressed to new Director of the EEA. The letter will emphasise on the strengthened cooperation between the two organisations in the last 3 years and underline the vital need to support biodiversity work in non-EEA states.

3.2 European Diploma of Protected Areas: Report from the meeting of the Group of Specialists and draft Resolutions for 2013

*[T-PVS/DE (2013) 08 – Draft Resolutions for 2013]
[Opinion of the Group of Specialists on Poloniny national Park]*

The Secretariat presented the main outcomes of the meeting of the Group of Specialists on the European Diploma of Protected Areas, held in Strasbourg on 26 March 2013.

Two new applications for the award of the Diploma were received, respectively from Ukraine and Portugal. The Group agreed that the two candidate areas, the Karadag Nature Reserve in Ukraine and the Desertas Islands in Madeira (Portugal), have an exceptional European importance and decided that appraisal visits should be organised. The reports by the independent consultants will be submitted to the attention of the Group of Specialists at its next meeting.

Moreover, the Group of Specialists analysed the renewal of the diploma for the Retezat National Park in Romania and, in agreement with the independent expert opinion, the Group expressed a positive recommendation. Furthermore, following the appraisal visits in 2012 to two new areas which have applied for the Diploma, the Khosrov State Forest Reserve in Armenia and the Burren region in Ireland, the Group agreed that the geographic situation, landscapes and rich biodiversity present in both areas, as well as highly appropriate management, will very much enrich the Diploma family. The Group decided to propose the award of the Diploma to both areas.

Finally, the Secretariat recalled the results of an exceptional visit organised in the Poloniny National Park in Slovakia, further to the long term difficulties encountered by the authorities in implementing the conditions and recommendations attached to the last renewal of the Diploma (dating back to 2008). The exceptional visit was organised in 2012, in the presence of an independent expert and a member of the Secretariat, followed by an inter-ministerial meeting. The aim was to facilitate the discussion between competent Ministries, help to find solutions and set milestones for the preparation of a management plan for the area, which was missing for the last 10 years. Unfortunately, up until the date of the meeting of the Group of Specialists, no formal agreement was received by the Secretariat on the activities and timeframe set for initiating the inter-ministerial work on a new management plan for the area.

The Group of Specialists issued an opinion, for the attention of the Bureau and the national authorities, giving a final one year deadline for starting the preparations and sending a draft (new) management plan for the Park. Failure to do so before its next meeting, the Group will advise the Standing Committee to recommend the withdrawal of the European Diploma before the end of its period of validity.

The delegate of the Slovak Republic, Ms Jana Durkošová, informed the Bureau that a letter has just been signed by the Minister of Environment of the Slovak Republic, confirming the interest in keeping the European Diploma of Protected Areas for the Poloniny National Park and stressing again the appreciation for the field mission carried out in October 2012 by the Council of Europe. The Secretariat will be kept informed on the next steps to be decided by the Ministers in charge of forestry and environment.

Decision: The Bureau endorsed the three draft Resolutions presented to its attention and decided to send these to the Committee of Ministers for their formal adoption. As requested by the delegate of the Slovak Republic, the Bureau agreed to append the opinion of the Group of Specialists on the Poloniny National Park to the minutes of the report of the meeting of the Bureau.

3.3 Invasive Alien Species

The Secretariat informed on the preparation of the 10th meeting of the Group of Experts on Invasive Alien Species, to be held in Alghero, Sardinia (Italy) on 20-22 June 2013.

The meeting will examine a number of new draft Codes of conduct on IAS, mainly dealing with hunting and IAS, recreational fishing and IAS, and protected areas and IAS. The group of experts will also review the implementation of the European Strategy on Invasive Alien Species. The meeting should contribute to the exchange of experience in successful/unsuccessful operations in the control of IAS in Europe as well as on the conservation gains and the restoration of ecosystem after IAS eradication.

3.4 Conservation of wild birds: state of progress

The Secretariat informed on the preparation of the 2nd Conference on the illegal killing, trapping and trade in wild birds, as well as of the 4th meeting of the Group of Experts on the conservation of birds. Both meetings are scheduled to take place in Tunis, Tunisia, respectively on 29-30 and 31 May 2013, and are organised with the assistance of the Ministries of Environment and of Agriculture. The meetings will follow the first meeting of the CMS working group on minimising poisoning of birds, which should allow for greater attendance at lower costs. In order to empower communication, the event has been labelled “Week on the conservation of birds” and will be a contribution to the Friends of Target 12 initiative. The conclusions of the Conference will be made public through a press conference.

The Secretariat further informed on the discussions undertaken with the stakeholders which had a key role for the organisation of the 1st Conference on the illegal killing of birds (Larnaca, Cyprus, 2011), noting that only BirdLife International has already expressed the will in contributing to its follow-up. News from the European Union and the FACE are expected to be communicated soon. The draft agenda and convocation letters have been sent out, although the venue is still to be confirmed.

Regarding the reporting requests, the Secretariat informed that the deadline has been postponed due to the low number of replies received so far (only 9).

The Bureau regretted the low response from Parties and encouraged all those who have not yet done so to send their report to the Secretariat as soon as possible.

3.5 Conservation of Fungi

The Secretariat informed on the progress towards the finalisation of the second draft of the Charter on Fungi-gathering and biodiversity. The first draft was discussed at the 32nd meeting of the Standing Committee, where some Parties highlighted a number of issues which were overlooked by the drafting group. As a consequence, the Committee decided to postpone the endorsement of the Charter to its next meeting and instructed the Secretariat to submit a revised draft prepared taking into account the concern expressed by the Parties.

In January 2013 the Chair of the IUCN Sustainable Use and Livelihoods Specialist Group, Ms Rosie Cooney, in cooperation with the Secretariat, took the lead of the drafting work and elaborated a revised draft taking into account the comments made by France, Germany and Switzerland. A second final draft should be ready by mid-May and circulated to all delegates for comments/amendments before being submitted to the Bureau at its September meeting.

The Chair warmly thanked Ms Cooney and IUCN for the technical and scientific assistance in this process.

3.6 Preparation of the meeting of the Ad hoc Advisory Group on Budget

[Draft Terms of Reference for the Advisory Group on Budgetary matters]

The Secretariat recalled that, at last Standing Committee meeting, the Parties held a discussion on the financing of the Bern Convention, rejecting “option 2”, consisting in the establishment of an independent financial agreement, and showing a certain preference for a combination of “option 1” (reductions/saving in the budget) and “option 3” (recommended amount for voluntary contributions).

The Committee finally decided to set-up an ad hoc Advisory Group that shall work with the Bureau and Chair, and whose terms of reference should be established by the Chair in consultation with the Bureau.

Furthermore, the Bureau is requested to carry-out a careful analysis of the opinions expressed by Parties at the last Standing Committee meeting, as well as to seek for the views of other States, taking into account the Council of Europe budgetary provisions for the 2014 and 2015, in order to prepare a draft decision on budgetary matters for the Standing Committee's attention. The Secretariat was instructed to consult Parties on their possible voluntary contribution and the form in which they prefer to receive financing requests.

The Secretariat reminded that the meeting of the ad Hoc Advisory Group is scheduled to take place on 16 September, one day before the Bureau meeting. By that date, the Council of Europe budgetary provisions for 2014-2015 should be consolidated. Convocation letters have been already sent to Parties, informing on the modalities of the meeting, on the possible tasks of the Group, as well as requesting the nomination of an expert with appropriate knowledge of the functioning of the Bern Convention and financial expertise. Opinions on ways and means to ensure appropriate funding to the Convention were also requested although so far, none of the Parties replied.

Regarding voluntary contributions' requests, the Secretariat already addressed four individual requests, and will continue contacting other Parties regarding the form in which they prefer to receive financing requests, on an individual basis, starting from those whom use to contribute to the budget of the Convention.

Moreover, the Secretariat informed about a draft resolution which the Committee of Minister should discuss soon, concerning the possibility of introducing new financial arrangements for the participation of non-members States in Council of Europe Conventions. In the case of the Bern Convention, the Parties concerned would be Belarus, Burkina Faso, Morocco, Senegal and Tunisia, which might be obliged, according to modalities to be still determined, to make a financial contribution to the Council of Europe Ordinary budget.

Finally, the Secretariat presented the draft terms of reference for the Advisory Group on Budgetary matters, which the Bureau discussed and approved without amendments, asking the Secretariat to forward them to Parties as soon as possible.

Before concluding this agenda item the Chair emphasised on the strong expectations towards the results of the meeting of the ad hoc Advisory Group on Budgetary matters, as well as on the need of providing the Standing Committee with concrete elements for the adoption of a decision. He recalled that the issue of ensuring adequate financing to the Convention has been on the Bureau agenda already last year and appealed to all Parties for ensuring that the Secretariat receives the opinions requested and that the attendance to the meeting is representative enough to ensure that the expected outcomes are reached.

4. IMPLEMENTATION OF THE CONVENTION: FILES

[T-PVS/Notes (2013) 1 – Summary of case files and complaints]

[T-PVS/Inf (2013) 3 – Register of Bern Convention's case-files]

(Note: a detailed summary of each case-file is available in document T-PVS/Notes (2013) 1 – Summary of Case files)

4.1 Specific Sites - Files open

- Ukraine: Proposed navigable waterway in the Bystroe Estuary (Danube delta)

[T-PVS/Files (2013) 12 – Report from the main stakeholders]

[T-PVS/Files (2013) 13 – EU report]

The Secretariat recalled the latest developments concerning this complaint, highlighting that the Standing Committee decided to keep the case-file open after proceeding to a ballot. Noting that the opinions of most of the stakeholders approached by the Secretariat on the EIA were still missing, the Committee decided to reiterate its requests for feedback and instructed the Secretariat to inform the Bureau at its next meeting.

In January 2013 the Secretariat addressed a reminder to the EU, UNESCO, the Espoo Convention, the UNEP-WCMC and the Ramsar Convention.

The Ramsar Convention confirmed that the file opened under Article 3.2 of the Convention (human-induced negative changes) had been recently closed, together with the file related to the Dniestr River Delta, after the submission of information and reports by Ukraine at the occasion of the 11th meeting of the Conference of the Parties to the Ramsar Convention. The decision was based both on the information submitted by the country, and on the consideration that the Ramsar Administrative Authority in Kyiv has taken the responsibility to declare publicly that no negative change will occur through the planned works. More particularly regarding the file opened for the Bystroe Channel in 2003, the Ramsar Convention reiterated its concern that the trilateral cooperation between Ukraine, Romania and the Republic of Moldova shall continue and that it need to be developed further in order to elaborate and coherently implement a sub-basin management plan for the Danube Delta. Regarding the request of comments on the EIA, the Ramsar Bureau suggested that a meaningful and thorough analysis of this document would need a specifically committed study for which apposite funds should be allocated.

The Secretariat further informed that UNESCO may send a reply at a later stage, while the European Commission is waiting for the possible adoption by the Parliament of Ukraine of draft law on Environmental Impact Assessment in Transboundary Context.

The Bureau held a long discussion on the possible follow-up to this complaint. The main possible outcomes were: to send the file to the Standing Committee as it stands; to set up a working group tasked to analyse the EIA, option which was already attempted in the past without success; to look for an independent expert who would accept to prepare an analysis on a voluntary basis; to close the file in order to ensure coherence with the position taken by the Ramsar Convention; to encourage the three concerned Parties to schedule, as soon as possible, a meeting of the Joint Commission established under the Agreement concluded between the authorities competent for environmental protection of Romania, the Republic of Moldova and Ukraine on cooperation in the zone of the Danube Delta and Lower Prut.

Decision: The Bureau decided to keep the file open, asking the Secretariat to contact the three concerned States with the request of convening as soon as possible a meeting of the Joint Commission in order to inform the Standing Committee on the state of transboundary cooperation. The Bureau will re-discuss this complaint at its next meeting in order to send a proposal of follow-up to the Standing Committee.

- **Cyprus: Akamas Peninsula**

[T-PVS/Files (2013) 13 – EU report]

The Secretariat reminded that this case has been on the Convention's agenda since 1996 and that, in 2010, the European Union received a formal complaint concerning both the insufficient designation of the area pursuant to the Birds and Habitats Directives, as well as the deterioration and lack of effective protection of the area pursuant to Article 6 of the Habitats Directive.

At its last meeting the Standing Committee took note of the information provided by the delegate of Cyprus, the representatives of non-governmental organizations, and the European Commission. It decided to keep the case file open, encouraging Cyprus to fully implement its recommendation N°63 (1997), and instructing the Secretariat to continue co-ordination with the European Union on this complaint.

The Secretariat stressed that a reporting request will be addressed to Cyprus for the September Bureau meeting. In the meantime, the Secretariat requested information to the European Union, which answered that the assessment of the scientific data forwarded by both the Cypriot authorities and NGOs is still ongoing.

Decision: The Bureau generally regretted that the information provided by the European Union on all the complaints is too often so succinct that it cannot be fully exploited for enlightening the situations at stake. The Bureau expressed the wish that the Commission will be more informative in future, particularly for those complaints where meaningful coordination between the Council of Europe and the European Union could have an added value.

The Bureau decided to keep the case-file open and instructed the Secretariat to approach again the European Union for a detailed report on the possible scenarios envisaged by the Commission for its follow-up to the complaint, as well as on the results of the Commission's assessment.

Finally, the Bureau agreed to instruct the Secretariat to request to Cyprus authorities a report on the implementation of Recommendation N°63 (1997), as well as any useful update since November 2012, to be assessed in September, prior to the Standing Committee meeting.

- **Bulgaria: Wind farms in Balchik and Kaliakra – Via Pontica**

[T-PVS/Files (2013) 18 – Government report]

[T-PVS/Files (2013) 6 – NGO report]

[T-PVS/Files (2013) 13 – EU report]

The Secretariat introduced this case reminding that it was first lodged to question the building of windfarms in Bulgaria, at Balchik and Kaliakra, on the Black Sea coast, although it has acquired a wider dimension, following the exponential rise in windfarms' developments in the country.

In fact, in 2011 the AEWA expressed concern for a new windfarm project near Durankulak Lake (Smin windfarm) which "has the potential to endanger the coherence of the area as a wintering ground for the Red-breasted Goose as the windfarm is foreseen to be built in the main feeding area of the geese". The AEWA asked the Standing Committee to join an Implementation Review Process (IRP) mission to the country, if this is accepted by the national authorities.

At the last Standing Committee meeting the Government of Bulgaria informed on major developments regarding, *inter alia*, the adoption of a National Action Plan on Renewable Energy Sources 2011-2020, and the requirements and restrictions deriving from the new EIA procedure. The Committee acknowledged these positive steps but noted that concrete progresses are delayed and windfarming has been still insufficiently regulated. It therefore decided to keep the case-file open and asked the Government of Bulgaria to submit, before the 33rd Standing Committee meeting, a structured, detailed and comprehensive report on the implementation of all provisions of Recommendation No. 130 (2007).

In January 2013, the Secretariat sent a reporting request to Bulgarian authorities, whom sent updated information particularly on the analysis of the decisions approving the development plans, and maintained a close contact with the AEWA Secretariat, whom informed that a complicated on-going judicial procedure is delaying the decision of the national authorities regarding the possible IRP mission.

Concerning the report sent by the complainant, the Secretariat informed that the latter included a summary of the current judicial situation, as well as information on the main developments concerning the Smin windfarm project. The complainant further addressed a series of requests to the Bureau, including: to request to Bulgarian authorities a full report providing detailed information on the Smin windfarm plan; to officially express its concerns about the possible threats posed to the Red-Breasted Goose; to request to the Government and concerned institutions to take appropriate measures to ensure the protection of all the sites concerned by the complaint; to ask the Group of Experts on the conservation of birds to discuss the complaint and prepare a position to the attention of the Bureau.

Finally, the Secretariat informed that the European Commission is still assessing the Reasoned Opinion and is therefore not ready to communicate more information on the issue.

Decision: The Bureau decided to keep the case-file open and instructed the Group of Experts on the conservation of birds to put the assessment of this complaint on its agenda, in order to prepare an opinion for next Bureau meeting. The Bureau further instructed the Secretariat to address to Bulgarian authorities a reporting request focussing more particularly on windfarm developments in Balchik, Kaliakra and Durankulak Lake, to be assessed by the Group of Experts.

Moreover, the Bureau invited the authorities of Bulgaria to ensure that a representative of their country attends the meeting of the Group of Experts. Finally, the Secretariat was requested to continue seeking for information on the state of progress of the infringement procedure under the EU legislation.

- **Italy: Eradication and trade of the American grey squirrel (*Sciurus carolinensis*)**

[T-PVS/Files (2013) 7 – Government report]

The Secretariat reminded that this case concerns the presence of the American grey squirrel in Italy, as a serious threat for the survival of the protected native red squirrel, and the related potential to turn the invasion of this species into a continental problem. Despite acknowledging some encouraging progress achieved thanks to the implementation of a LIFE Project, the Standing Committee stressed that the progression of the species has not been yet under control and that eradication efforts are at a beginning stage; moreover, the Committee again regretted the draft status of the decree aimed at banning the trade of the species in Italy. It therefore decided to keep the case-file open and invited the delegate of Italy to report to next Standing Committee meeting while instructing the Bureau to continue to follow it-up.

The Secretariat was pleased to inform the Bureau that, in a report sent in February 2013, Italian authorities informed that the ban decree “Dispositions for the control of detention and trade of alien squirrels of the species *Callosciurus erythraeus*, *Sciurus carolinensis* and *Sciurus niger*” was issued on 24th December 2012 by the Minister of the Environment Land and Sea, in concert with the Minister of Agricultural, Food and Forestry Policies and with the Minister of Economic Development, and published on 2nd February 2013 on Official Journal n° 28. The government report explained that, further to the adoption of the decree, the trade, breeding and detention of these species is forbidden in all the national territory, with a few exemptions only for zoos, circuses, research institutes, wildlife conservation bodies and scientific institutions. The Secretariat concluded by highlighting that the national report provides further information on the management actions foreseen within the LIFE project EC-SQUARE and suggested that the complaint be assessed again directly at next Standing Committee meeting.

Decision: The Bureau noted with satisfaction the legislative progress towards the eradication of the American grey squirrel in Italy. It further decided to keep the case-file open and asked Italian authorities to inform the Standing Committee, at its next meeting, on the results of the enforcement of the decree, as well as on the further implementation of the Life project.

- **[France: Habitats for the survival of the common hamster (*Cricetus cricetus*) in Alsace]**

The Secretariat recalled that this complaint has been put under brackets on the meeting Agenda since it will be assessed at the second Bureau meeting. For this purpose, reporting requests will be soon addressed to the French authorities and the European Union.

4.2 Possible files

- France: Conservation of the European green toad (*Bufo viridis*) in Alsace

[T-PVS/Files (2013) 16 – Government report]

The Secretariat recalled that this complaint was lodged in 2006 by the Association BUFO (*Association pour l'étude et la protection des amphibiens et reptiles d'Alsace*) focusing on threats to the few remaining habitats of the European green toad (*Bufo viridis*) in Alsace. Since 2008, both a national and a regional recovery plan were foreseen by the authorities, but remained in stand-by due to several delays in their finalisation.

Due to repeated problems, the contract with the consultancy tasked with drafting the national action plan was terminated at the beginning of 2012, and an agreement was subsequently signed with the National Museum of Natural History (MNHN) Paris for the same task. The Bureau took note of this new development and decided to forward the complaint to the Standing Committee as a possible file.

At the last meeting of the Standing Committee in December 2012, French authorities informed that, while the regional action plan for the European Green toad in Alsace and Lorraine entered its operational implementation, a revised version n° 6 of the National Action Plan was ready but needed to be reviewed by the national Steering Committee at its next meeting planned for December 2012. The last version of the Action Plan addresses some of the issues which were pending in previous versions and took into account the most recent developments in knowledge and research.

The representatives of the NGOs welcomed the involvement of the MNHN in the preparation of the Action Plan, but deplored the lengthiness of the drafting process and the lack of available information on the webpage of the Ministry. They stressed that, in the meantime, the three populations of green toad in the region were decreasing.

The Committee took note of the information presented kept the complaint as a possible file.

In a report submitted in March 2013, French authorities informed that the completion of the revised Action plan was foreseen for April this year, followed by its official submission to the National Council for Nature Protection in May. Moreover, the last available draft version of the action plan has been published on a dedicated webpage.

Decision: The Bureau noted with satisfaction the efforts of French authorities to improve the transparency of the process and it further welcomed the foreseen adoption of the Action Plan in the late spring of 2013. The Bureau decided to keep the case-file as a possible file and asked the French authorities to keep the Bureau informed on the formal adoption of the national action plan and the milestones set for its operational implementation.

- Greece: threats to marine turtles in Thines Kiparissias

[T-PVS/Files (2013) 15 – NGO report]

[T-PVS/Files (2013) 13 – EU report]

The Secretariat recalled that this complaint was submitted in August 2010 to denounce supposed uncontrolled development plans in a Natura 2000 site (THINES KYPARISSIAS - GR2550005) putting at threat a unique population of the loggerhead sea turtle (*Caretta caretta*).

After receiving some encouraging reports from the national authorities, the Secretariat noted very little progress in 2012, with almost no official communication from the concerned Ministry, and continued negative news from the NGO. The latter mainly denounced poor enforcement of specific protective measures, growing number of illegal activities, non execution of the demolition protocols already issued, and no progress towards the adoption of relevant Ministerial decisions and decrees.

At the last Standing Committee meeting, in the absence of delegates of Greece, the Committee considered the information presented by both the NGO and the delegate of the European Union. The

NGO illustrated with photos some few examples of degradation collected in 2011-2012, including the construction of four roads within the core NATURA 2000 area without either an Environmental Impact Assessment or authorisation from the Ministry of Environment, as well as other disturbing human activities. The delegate of the European Union informed that a field visit was carried out by the Commission services in July 2012 after which a Reasoned Opinion was issued (in September 2012) for insufficient protection of the area. The Secretariat stressed the absence of an official reply to the Bureau's proposal of organising an on-the-spot appraisal.

The Committee decided to keep the complaint as a possible file, emphasising on the need to be informed by the authorities on the state of the situation in the area.

In January 2013 the Secretariat sent Greek authorities the decision of the Standing Committee together with a specific request inviting the Party to report on the state of conservation and management of the area, enforcement of relevant legislation, assessment of possible negative impact of the tourism developments, and mitigation measures envisaged. After receiving a short official reply mainly summarising the content of a letter sent by the national authorities to the European Commission, the authorities sent a more detailed reply (received however on 5th April), informing on the state of conservation and management of the area and the mitigation measures envisaged. Regarding enforcement of relevant legislation, the reply only mentioned that the appropriate demolition protocols for all the illegal canteens and other light constructions were issued, but didn't clarify if these are going to be executed.

The Secretariat further summarised the information submitted by the complainant, which also acknowledged some positive progress, as for instance, the preparation of a detailed Action Plan for the protection of the area in question, elaborated with the aim to halt any current development works until the issuance of a Ministerial Decision. Moreover, MEDASSET informed that the Ministerial Decision should be drafted based on the Special Environmental Study (SES) carried out by ARCHELON and submitted to the Ministry in 2002. A Steering Committee consisting of members representing local and national Authorities, NGOs and experts was established in order to supervise the implementation of the afore mentioned Action Plan.

However, the complainant further informed about some recent unpleasant developments, occurred despite the assurances of the Ministry, including the building – since last November - of three houses in the sand dunes of the core nesting area near Vounaki hill, for which a permit was issued outside the city planning area.

Decision: The Bureau reiterated its request to Greek authorities for timely communication and sound information, and noted that enforcement is still a major issue. It decided to screen again the complaint at its next meeting and instructed the Secretariat to urge the Greek authorities to send an official progress report informing: on the state of conservation and management of the area; on enforcement of relevant legislation and administrative decisions (including more particularly the execution of the demolition protocols); on the adoption of the measures whose implementation is envisaged as of June 2013; and on the progress made over the Action Plan, particularly regarding the cessation of disturbing activities and infrastructures.

The Bureau further instructed the Secretariat to seek for updated information regarding the possible follow-up, scenarios and timeframe at the level of the European Union.

- **Turkey: Presumed degradation of nesting beaches in Fethiye and Patara SPAs**

[T-PVS/Files (2013) 9 – NGO report]

The Secretariat recalled that this complaint was registered as a possible file at the 32nd Standing Committee meeting, after the presentation by MEDASSET of a detailed report alerting the Committee on the possible severe threats which the presumed lack of adequate management of Fethiye and Patara SPAs could pose to the marine turtles' nesting activity. The delegate of Turkey acknowledged that the

images presenting the current situation in Fethiye were “uncomfortable” and stated that he expects matters to improve, as certain organisational issues related to the management of the beaches are expected to be resolved soon.

The Secretariat regretted to inform the Bureau that, despite an extension of the deadline, Turkish authorities were not able to send an official reply on time for the meeting of the Bureau. However, they committed to send an official report soon after the meeting.

Meanwhile, the NGO submitted updated information on the situation in Patara, Fethiye and Kazanlı, urging the Secretariat to consider the complaints lodged for Fethiye SPA and Patara SPA as distinct, and asking that the monitoring of Recommendation No. 95 (2002) on the conservation of marine turtles in Kazanlı is put on the agenda of the 33rd Standing Committee meeting. In fact, the complainant regretted that there has been no news or report on progress for the safe disposal of the 1.5 million tons of highly toxic solid waste located right next to Kazanlı’s most important green turtle nesting site.

The Secretariat acknowledged that MEDASSET submitted a separate complaint form for Patara SPA, initially registered as Compliant No. 2012/9. It further recalled that Kazanlı case was initially Complaint No. 2000/1, which the Bureau dismissed in 2009 in order to follow up it through the general monitoring of the implementation of Recommendation No. 66 (1998).

Decision: The Bureau took note of the concern and requests expressed by MEDASSET. It agreed to monitor the implementation of Recommendation No. 95 (2002) at next Standing Committee meeting. However, the Bureau still considered that the conservation and management issues related to Fethiye and Patara SPA are interlinked and that they should be addressed in conjunction. It therefore decided to re-assess this complaint as a unique possible file at its next meeting.

- **[France / Switzerland: threats to the Rhone streber (*Zingel asper*) in the Doubs (France) and in the cantons of Jura and Neuchâtel (Switzerland)]**

[T-PVS/Files (2013) 19 – NGO report]

- **[Sport and recreation facilities in Cirali key turtle nesting beach (Turkey)]**

- **[Turkey: threats to the Mediterranean monk seal (*Monachus monachus*)]**

The Secretariat briefly recalled that the three complaints above have been put in square brackets since they will be assessed at the Bureau meeting in September.

In fact, regarding the transboundary complaint on the conservation of the Rhone streber in the Doubs (France) and in the cantons of Jura and Neuchâtel (Switzerland), the Secretariat is assessing the CVs of four possible experts and checking their availability for a visit to be organised preferably in June 2013. However, the Secretariat further informed that on 3rd April Pro Natura sent a communication asking the Bureau to support their request of participation in the two bi-national working groups, set-up in 2011 to deal with the future management of Doubs River.

Concerning the two complaints pending against Turkey, the Secretariat reminded that two judicial procedures are ongoing and that both the national authorities and the complainants agreed in reviewing the situation after the final decisions of the competent Courts are known.

The Bureau thanked the Secretariat for the quick summary. Regarding the transboundary complaint, it further stressed that the membership of national working groups should be decided upon by the concerned authorities and considered inappropriate any interference on this matter.

4.3 Complaints in stand-by

- Morocco: Tourism development project in Saïdia affecting the Moulouya wetland site

[T-PVS/Files (2013) 20 – Government report]
[T-PVS/Files (2013) 8 – NGO report]

The Secretariat recalled that a complaint was lodged in 2009 by the *Espace de Solidarité et de Coopération de l'Oriental* (ESCO), based in Oujda, Morocco, related to a huge project for a new tourist resort in Saïdia which would put at threat the Ramsar site of Moulouya, and many important migratory bird species.

A Ramsar Advisory Mission was conducted on the site from 12 to 16 October 2010 after which a series of recommendations were addressed to Moroccan authorities covering all aspects of wild plant and animal conservation. According to the information provided by the Ramsar Convention and the Moroccan authorities in 2012 the situation was promising and that a number of actions had already been implemented.

On 2 April 2013 the Secretariat received a message from Moroccan authorities stressing the fact that most of the recommendations of the Ramsar Consultative Mission have been already implemented, implementation of other measures is being under the preparation, specifically the attribution of the protection status to the Saïdia site following the publication of legislative texts relative to the protected areas. It was also stressed that the Secretariat of the Bureau of the Ramsar Convention follows the progress of implementation of recommendations and considers the situation as promising.

The Secretariat summarised information provided by the complainant who continued to express concerns regarding the situation in Saïdia. Moroccan authorities reiterated the lack of reliability of the information submitted by ESCO, stressing that fact that they do not consider the need for associating all civil society partners to the process of implementation of the Ramsar recommendations.

Decision: Taking note of the last reply provided by the Moroccan authorities and further noting that no new and/or warning information is provided under the Ramsar Convention, the Bureau instructed the Secretariat to consult with the Ramsar Secretariat on the need to keep the complaint under scrutiny.

- Possible spread of the American mink (*Neovison vison*) in Poland

[T-PVS/Files (2012) 35 – NGO report]

The Secretariat recalled that this complaint was submitted in May 2012 to denounce the non-inclusion of the American mink (*Mustela vison*) in the list of non-native plants and animals that might endanger native species and habitats. The American vision is farmed in Poland and is also present in the wild.

The Secretariat recalled the information provided last year by the Polish authorities, whom reported that the risk of spreading the American mink in nature was relatively low according to the opinion expressed by the Ministry of Agriculture. Polish authorities stressed that there were no incidents reported so far. The Secretariat also recalled that the file was kept in stand-by following the concerns previously expressed by the Bureau regarding the high risk of escape of the species into the wild.

The Secretariat informed that a detailed reporting request was sent to Poland in January 2013 asking for better detailing the reasons why the species has not been listed as invasive alien, and informing on the occurrence of the species in the wild and on the measures in place to limit the risk of escape or eventually foreseen for its eradication. A reminder was sent in March; however a reply from Polish authorities did not reach the Secretariat. The Bureau reiterated its warning about the high risk of escape of the American Mink into the wild and stressed that the species is well known to be invasive

since several European countries have already been confronted to this situation

Decision: The Bureau regretted the lack of reply from Polish authorities and instructed the Secretariat to reiterate its request. It further expressed serious doubts regarding the low risk of escape of the species and decided to reassess this complaint at its next meeting as a complaint in stand-by, stressing that if no new information will be available by then, the complaint could be forwarded to the Standing Committee as a possible file.

- **[Ukraine: threat to natural habitats and species in the Dniester River Delta]**

The Secretariat recalled that this complaint has been put in square brackets since it will be assessed at the Bureau meeting in September. In fact, at the last Bureau meeting in September 2012, Ukrainian authorities informed that almost all of the issues addressed by the complainant were dealt with, and that additional funds were allocated to the developments of management plans for the wetlands of international importance “Northern part of Dniester Liman” and “Dniester-Turunchak Crossriver area”. The government ensured that the Secretariat would receive a notification as soon as these documents will be ready. The Bureau welcomed the steps undertaken and instructed the Secretariat to continue co-ordinating with the Ramsar Convention.

The Secretariat concluded by informing that, in February 2013, the Ramsar Convention notified the closing of file N°765 (under Ramsar Convention’s mechanism) concerning Northern Part of the Dniester Liman, on the basis of a government report sent in July 2012 stating that the Ramsar site is now included in the newly established Lower Dniester Nature Park and that it now profits from a special legal entity, administration, and government funding.

Decision: The Bureau took due note of the information submitted by the Bureau of the Ramsar Convention, and decided to assess this complaint at its next meeting, keeping it as a complaint in stand-by. It instructed the Secretariat to contact Ukrainian authorities for information on the state of progress of the management plan concerning the area.

4.4 Other complaints

- **Presumed illegal killing of birds in Malta**

*[T-PVS/Files (2013) 3 – Government report]
[T-PVS/Files (2013) 11 – Complainant report]*

The Secretariat informed that this complaint concerns the bird-killing (both legal and illegal) by Maltese nationals during the spring season, in presumed violation of Articles 6-9 of the Bern Convention. The complaint was lodged by a private citizen and registered by the Secretariat in July 2012.

The Secretariat summarised the arguments presented in the complainant’s report, as well as the detailed legal reply forwarded by Maltese authorities. The Secretariat further stressed that Maltese authorities have not reported on exceptions made according to the provisions of Article 9 of the Convention since, according to the Updated Biennial report form, the European Community covers the reporting obligations on birds for all its member States. Nevertheless, the Secretariat stressed that, according to the last report submitted by the European Union for the reporting cycle 2009/2010, it appears that Malta has failed to report on derogations to Article 9 of the Birds Directive.

Decision: The Bureau thanked the Secretariat for the summary and asked the Group of Experts on the conservation of birds to examine this complaint at its forthcoming meeting. It further invited the authorities of Malta to attend the 2nd Conference on Illegal killing, trapping and trade of wild birds, as well as the 4th Meeting of the Group of Experts on the conservation of birds, and to report to the Group. Finally, the Bureau instructed the Secretariat to seek for the EU opinion on a possible joint

follow-up.

- **Ecological impact of the town planning in Lunay (France)**

[T-PVS/Files (2013) 1 – Government report]
[T-PVS/Files (2013) 2 – NGO report + addendum]

This complaint was lodged in July 2012 by a French citizen. It concerns the impact of the Local Planning Project on agricultural and natural areas situated outside of existing urban areas in the city of Lunay (Loir-et-Cher, France). The complainant is particularly concerned by the negative impact on the species which live in these areas, some of which are protected under the Bern Convention (appendices II and III).

The Secretariat informed that the report by French government received in January 2013, provides a detailed analysis of the conservation status of the species referred to by the complainant. According to the report, only 3 species are listed as “vulnerable” on the red national lists, while 60 others are not subject of great conservation concern. These species include mostly common species of birds, mammal and soil dwelling species and are not considered as endangered thanks to preservation of important natural areas in close vicinity to the areas of concern.

Decision: The Bureau took note of the information provided and considered the information delivered by government as satisfactory. It therefore decided not to keep this item on the agenda of its future meetings. The Bureau instructed the Secretariat to communicate the Bureau decision to the complainant stressing that the file does not fall under the responsibility of the Bern Convention and rather concerns the management of urban and local green spaces.

- ***Marsupella profunda* threatened by a waste burn incinerator at Rostowrack Farm St Dennis, UK**

[T-PVS/Files (2013) 5 – NGO report]

The Secretariat informed the Bureau that this complaint was submitted in October 2012 and concerns a project of incinerator plant, which is likely to affect the Special Area of Conservation (SAC) in close vicinity (2 km) to the project location. The Secretariat stressed that the site is listed as a Natura 2000 site and provides the habitat for bryophyte *Marsupella profunda*, a species listed in the Appendix I to the Bern Convention. According to information provided by the complainant, the species occurs at only three sites in the UK, where it is thought to represent 50% of the known world population.

An impact assessment was carried out by a private Environment Agency (Cornwall Environmental Consultants Ltd) commissioned by the waste company in charge of the project plant, but it is claimed to be inadequate by the complainant as it underestimates the local impacts on bryophytes.

The complainant also informed the Secretariat that a complaint to the EU Commission is being also prepared.

The Secretariat informed the Bureau that it sent a reporting request to UK authorities which requested an extension of the deadline.

Decision: The Bureau took note of the information provided and noted that the file could be of interest for the EU taking into account that the area of concern is situated in close vicinity of a Natura 2000 site. The Bureau decided however to postpone its decision concerning the case to the next Bureau meeting pending the report from UK authorities.

- **Impact of a project for the regulation of the Danube River on the river's biodiversity**

*[T-PVS/Files (2013) 14 – Government report]
[T-PVS/Files (2013) 4 – Complainant report]*

The Secretariat informed the Bureau that this complaint was submitted in December 2012 by the WWF to denounce the planning of an “over dimensioned” project for the regulation of the Danube river in Croatia, for navigation purposes, which could affect a relatively important number of species and habitats listed in Appendices I-II-III to the Convention.

The Secretariat summarised the complainant's report, which mainly questions the quality of the project (based on old data and conception, overlooking the outstanding natural value of the area) and of the lack of appropriate EIA or analysis of the transboundary impact on the neighbouring countries (for instance Serbia, but also Hungary, whom requested Croatian authorities the possibility of commenting the Environmental Impact Study).

Regarding the information submitted by Croatian authorities, the Secretariat stressed that the decision on the further implementation of the project is apparently pending the conclusions of the independent assessment of the EIA, carried out in compliance with the Regulation on Environmental Impact Assessment and the European Union acquis.

Finally, the Secretariat stressed that the Ramsar Convention was already aware of river channelisation measures in the area, and has been liaising with the European Union since 2011 in the framework of the analysis of a number of specific programmes of investments for river bank stabilisations, dredging and others along the Danube and Drava rivers. Already a year ago, the Ramsar Convention offered to the Minister of Environment an on-site Advisory Mission, which the EU should join, and which has been several times postponed since.

Decision: The Bureau thanked the WWF for the active role in raising attention on possible problems, as well as the Croatian authorities for the constructive reply and useful information. It also recognised the interest of this complaint and agreed that it could deserve international attention. Nevertheless, the Bureau further noted that the situation is already monitored by the Ramsar Convention and the European Union and expressed the wish that in future a better coordination among all international stakeholders would favour a more timely exchange of information.

Finally the Bureau decided to re-assess this complaint at its next meeting, as a complaint in stand-by, and asked the Secretariat to approach the Ramsar Convention, the European Union, the authorities of Croatia and the other concerned Parties for updated reports.

- **Cutting of trees for the expansion of the railway network in Kent (UK)**

[T-PVS/Files (2013) 10 – NGO report + addendum]

The Secretariat informed that this complaint was submitted in October 2012 and concerns the Network Rail tree clearance programme along the railway embankment in Whitstable, Kent (UK). Motivated by safety concerns (excessive soil moisture impacting on track quality), the development project is being actively challenged by complainant (Whitstable residents) who claims the need for public consultation and proper environmental assessment. According to the file presented, the government did, however, carry out a pre-site survey and an ecological risk assessment for the work in the area concerned.

The Secretariat stressed however, that it seems that the assessment report prepared by private Capel Group Ltd confirms that the area has no specific environmental status and has no evidence of species of great conservation concern.

The Secretariat informed that it sent a reporting request to UK authorities which requested an extension of the deadline.

Decision: The Bureau took note of the information provided and considered that more detailed information on the species possibly affected by the expansion of the railway network is needed. Taking this into account, the Bureau decided to keep the file under scrutiny as a complaint in stand-by and to re-assess it at its next meeting, in light of the information expected from the UK authorities.

5. FOLLOW-UP OF PREVIOUS RECOMMENDATIONS

The Secretariat suggested a list of Recommendations which will not be monitored by any of the Groups of Experts in 2013, and which could be put on the agenda of next Standing Committee meeting.

Decision: The Bureau decided to carry out, in 2013, the monitoring of the following recommendations:

- Recommendation No. 162 (2012) on the conservation of large carnivores populations in Europe requesting special conservation action;
- Recommendation No. 154 (2011) on the European Code of Conduct on Pets and Invasive Alien Species;
- Recommendation No. 95 (2002) on the conservation of marine turtles in Kazanli beach (Turkey).

6. STRATEGIC DEVELOPMENT OF THE CONVENTION

6.1 Update on the reorganisation of DGII

The Secretariat informed that the internal reorganisation of DGII has now been completed. According to the new mandate, the Directorate General of Democracy is tasked to support the implementation of the Council of Europe action promoting democratic governance, and to implement its programme of activities strengthening sustainable democratic societies and democratic responses to crisis situations, promoting social cohesion and the societal defences against discrimination, cultural diversity, intercultural dialogue, democratic citizenship and participation of all. Thanks to this new mandate, the political relevance of DGII has been raised, which may have an impact on the Programme and Budget for 2014-2015, with a horizontal application of the possible cuts to the Ordinary Budget. The Secretariat will be able to communicate more information on this last point at next Bureau meeting.

6.2 Setting priorities for the Bern Convention: follow-up

The Secretariat recalled the main outcomes of the expert's report on the priorities for the Bern Convention, and informed that these will be taken into account more particularly for the preparation of next biennial Programme of Activities (2014-2015) to be presented at next Bureau meeting.

Decision: The Chair expressed again appreciation for the efforts deployed in order to increase the visibility of the work carried out under the Convention, including the improved cooperation with other related biodiversity conventions and agreements. More particularly, the Bureau praised the good contacts with the CBD and the contribution to the Friends of Target 12 Initiative. The Bureau further considered that a more active involvement of the National Focal Points (NFPs) in the development of the Convention could be desirable and decided to discuss about the possible role of NFPs in the implementation of the Convention at its next meeting.

7. ANY OTHER BUSINESS

- **Sea turtle mortality in Episkopi/Akrotiri SBA: communication from MEDASSET**
- **Presumed imminent destruction of the Karpas Peninsula, Northern Cyprus**
- **Information from the Secretary of the Convention**

The Secretariat informed that MEDASSET addressed a request of support concerning the follow-up to the complaint regarding sea turtle mortality in Episkopi/Akrotiri SBA (dismissed by the Bureau in 2012). MEDASSET recalled that the organisation of a joint trilateral meeting (SBA, MEDASSET and the Republic of Cyprus) was several times reported due to other institutional commitments. However, at the last Standing Committee meeting, the UK delegate encouraged such an initiative and declared her availability to facilitate collaboration if needed. Noting that the situation remains unchanged, MEDASSET requests that the Bureau ensures that either DEFRA or the Secretariat mediate with the SBA to secure such a trilateral meeting takes place.

The Secretariat informed of a letter sent by the assistant of a MEP, denouncing the possible imminent destruction of the Karpas Peninsula, in Northern Cyprus, due to the construction of infrastructures foreseen in the framework of a three-day festival which is expected to attract around 80,000 visitors next September on the Golden Beach. The area is a key nesting site, and has been designated as a potential Natura 2000 site. The Secretariat stressed that the infrastructure development works are ongoing and that there could be little room for action.

The Secretary of the Convention thanked the Bureau members for their work, and wished to extend her gratitude to all T-PVS Delegates and Observers for their support, friendship, commitment, cooperation and warm welcome in the Convention's "family". However, she regretted to inform the Bureau that, due to the current administrative rules, she is obliged to leave the Convention this summer. She therefore apologised for not being able to attend next Bureau meeting, and thanked her colleagues for the excellent work done so far while wishing them and all Parties a successful continuation.

The Bureau very much acknowledged the outstanding involvement of the Secretary of the Convention into the further development of the Convention, highlighting her high-quality work as well as huge personal efforts which have been a substantial contribution to the Bern Convention's outputs. Therefore, the Bureau mandated the Chair to discuss with the appropriate persons at the Council of Europe's Secretariat a possibility that the Secretary will be continuing in her work.

Decision:

- **On item 7.1:** the Bureau instructed the Secretariat to request DEFRA's cooperation for facilitating the organisation of a trilateral meeting on the situation of marine turtles in Episkopi/Akrotiri SBA. The Bureau further thanked MEDASSET for the updated information submitted on the issue.
- **On item 7.2:** the Bureau recognised that the possible threats posed by development works in an area of high ecological value are worrying, and instructed the Secretariat to prepare a letter to the relevant authorities in order to convey them the Bureau's concern.
- **On item 7.3:** the Bureau appreciated the extraordinary contribution of the Secretary of the Convention to development of the Bern Convention and mandated the Chair to discuss with the appropriate persons at the Council of Europe Secretariat a possibility that the Secretary will be continuing in her work.

Appendix 1



Bureau meeting

Strasbourg, 8 April 2013
(Room 17, opening: 9:30 am)

DRAFT AGENDA

1. ADOPTION OF THE AGENDA

[Draft agenda]

2. INSTITUTIONAL MATTERS

2.1 Accession of Belarus to the Bern Convention

[Press release]

3. IMPLEMENTATION OF THE 2013 PROGRAMME OF ACTIVITIES

[T-PVS (2012) 12- Programme of Activities for 2013]

[T-PVS (2012) 22 – Report of the 32nd Standing Committee meeting]

3.1 Setting-up of the Emerald Network: state of progress

[T-PVS/PA (2010) 08rev – Emerald Network Calendar 2011-2020]

3.2 European Diploma of Protected Areas: Report from the meeting of the Group of Specialists and draft Resolutions 2013 (to be presented to the Committee of Ministers)

[T-PVS/DE (2013) 08 – Draft Resolutions for 2013]

[Opinion of the Group of Specialists on Poloniny national Park]

3.3 Invasive Alien Species

3.4 Conservation of wild birds: state of progress

3.5 Conservation of Fungi

3.6 Preparation of the meeting of the Ad hoc Advisory Group on Budget

[Draft Terms of Reference for the Advisory Group on Budgetary matters]

4. IMPLEMENTATION OF THE CONVENTION: FILES

[T-PVS/Notes (2013) 1 – Summary of case files and complaints]

[T-PVS/Inf (2013) 3 – Register of Bern Convention's case-files]

4.1 Specific Sites - Files open

- Ukraine: Proposed navigable waterway in the Bystroe Estuary (Danube delta)

[T-PVS/Files (2013) 12 – Report from the main stakeholders]

[T-PVS/Files (2013) 13 – EU report]

- Cyprus: Akamas peninsula

[T-PVS/Files (2013) 13 – EU report]

- Bulgaria: Wind farms in Balchik and Kaliakra –Via Pontica
[T-PVS/Files (2013) 18 – Government report]
[T-PVS/Files (2013) 6 – NGO report]
[T-PVS/Files (2013) 13 – EU report]

- Italy: Eradication and trade of the American Grey squirrel (*Sciurus carolinensis*)
[T-PVS/Files (2013) 7 – Government report]
- [France: Habitats for the survival of the common hamster (*Cricetus cricetus*) in Alsace]

4.2 Possible file

- France: Protection of the European Green Toad (*Bufo viridis*) in Alsace
[T-PVS/Files (2013) 16 – Government report]
- Greece: threats to marine turtles in Thines Kiparissias
[T-PVS/Files (2013) 15 – NGO report]
[T-PVS/Files (2013) 13 – EU report]
- Presumed degradation of nesting beaches in Fethiye and Patara SPAs (Turkey)
[T-PVS/Files (2013) 9 – NGO report]
- [France / Switzerland: threats to the Rhone streber (*Zingel asper*) in the Doubs (France) and in the cantons of Jura et de Neuchâtel (Switzerland)]
[T-PVS/Files (2013) 19 – NGO report]
- [Sport and recreation facilities in Çıralı key turtle nesting beach (Turkey)]
- [Turkey: threat to the Mediterranean Monk Seal (*Monachus monachus*)]

4.3 Complaints in stand-by

- Morocco: Ecological impacts of a tourism centre in Saïdia
[T-PVS/Files (2013) 20 – Government report]
[T-PVS/Files (2013) 8 – NGO report]
- Poland: Possible spread of the American Mink
[T-PVS/Files (2012) 35 – NGO report]
- [Ukraine: threats to natural habitats and species in Dniester River Delta]

4.4 Other complaints

- Presumed illegal killing of birds in Malta
[T-PVS/Files (2013) 3 – Government report]
[T-PVS/Files (2013) 11 – Complainant report]
- Ecological impact of the town Planning in Lunay (France)
[T-PVS/Files (2013) 1 – Government report]
[T-PVS/Files (2013) 2 – NGO report + addendum]
- *Marsupella profunda* threatened by a waste burn incinerator at Rostowrack Farm St Dennis, UK
[T-PVS/Files (2013) 5 – NGO report]
- Impact of a project for the regulation of the Danube River on the river's biodiversity
[T-PVS/Files (2013) 14 – Government report]
[T-PVS/Files (2013) 4 – Complainant report]
- Cutting of trees for the expansion of the railway network in Kent (UK)
[T-PVS/Files (2013) 10 – NGO report + addendum]

5. FOLLOW-UP OF PREVIOUS RECOMMENDATIONS: PROPOSAL BY THE SECRETARIAT

6. STRATEGIC DEVELOPMENT OF THE CONVENTION

6.1 Update on the reorganisation of DGII

6.2 Setting priorities for the Bern Convention: follow-up

7. ANY OTHER BUSINESS

- Sea turtle mortality in Episkopi/Akrotiri SBA: communication from MEDASSET
- Presumed imminent destruction of the Karpas Peninsula, Northern Cyprus

Appendix 2**LIST OF PARTICIPANTS****CZECH REPUBLIC / RÉPUBLIQUE TCHÈQUE**

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Appendix 3

OPINION

OF THE GROUP OF EXPERTS FOR 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.