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**T-PVS (2004) 16**

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

24<sup>th</sup> meeting  
Strasbourg, 29 November-3 December 2004

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**REPORT**

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

**PRELIMINARY NOTE: SUMMARY OF DECISIONS TAKEN**

1. The Standing Committee held its 24<sup>th</sup> meeting from 29 November to 3 December 2004 in Strasbourg. The list of participants and the agenda appear in appendices 1 and 2 to this document.
2. In accordance with Article 14, paragraph 1, the Standing Committee followed the application of the Convention and it elected Mrs Véronique Herrenscheidt (France), Chair, and Mr Jón Gunnar Ottósson (Iceland), Vice-Chair. Mrs Ilona Jepsena (Latvia) is still member of the Bureau.
3. The Committee decided unanimously to invite the following non-member states to attend its 25<sup>th</sup> meeting: Algeria, Belarus, Cape Verde, Holy See, Kazakhstan, Kyrgyzstan, Mauritania, Tajikistan, Turkmenistan and Uzbekistan.
4. The Committee adopted the following recommendations and declarations:
  - Recommendation No. 109 (2004) on minimising adverse effects of wind power generation on wildlife (appendix 3);
  - Recommendation No. 110 (2004) on minimising adverse effects of above-ground electricity transmission facilities (power lines) on birds (appendix 4);
  - Recommendation No. 111 (2004) on the proposed waterway through the Bystroe estuary (Danube Delta, Ukraine) (appendix 5);
  - Recommendation No. 112 (2004) on hydroelectric dams at Kárahnjúkar and Nordlingaalda (Iceland) (appendix 6);
  - Recommendation No. 113 (2004) on the installation of a new antenna (Pluto II) in the Sovereign Base Areas (Akrotiri, Cyprus) (appendix 7);
  - Declaration on the role of the Bern Convention in the preservation of biodiversity (appendix 8).
5. The Committee requested the Secretariat to forward the recommendations and the declaration above to the Committee of Ministers of the Council of Europe for communication to the governments of all Council of Europe member states and other Parties to the Bern Convention.
6. The Committee approved a work programme and budget for the year 2005, for a total amount of 247.500 € using around 115.000 € provided by the Council of Europe, and a reserve of some 10.000 € remaining from non-spent voluntary contributions. Parties are expected to provide with new voluntary contributions in 2005. (appendix 9).
7. The Committee decided to hold its 25<sup>th</sup> meeting from 28 November to 2 December 2005.

## **PART I – OPENING**

### **1. Opening of the meeting and adoption of the agenda**

Relevant documents: T-PVS (2004) 1 Draft agenda  
T-PVS (2004) 12 Annotated draft agenda

The Standing Committee's 24<sup>th</sup> meeting was opened by Ms Ilona Jepsena, Chair of the Standing Committee, who gave the floor to Ms Gabriella Battaini-Dragoni, Director General of Education, Culture, Heritage, Youth and Sport. Ms Gabriella Battaini-Dragoni welcomed the participants (see Appendix I to the report), highlighting the quality of the work done under the Bern Convention, which was in keeping with the Organisation's objectives. She stressed that biodiversity was one of the Committee of Ministers' priorities for the coming years. The series of events organised to celebrate the Bern Convention's 25 years of existence bore witness to the Council of Europe's interest in the convention. She intended to give greater weight to the concept of sustainable development at the Council of Europe by seeking to work together with other sectors. She thanked the governments and the European Commission for their support in the form of voluntary contributions and offers to host meetings and seminars. She was grateful to the experts and non-governmental organisation's (NGOs) for their expertise and dedication, and hoped that those states that had not already done so would join the Bern Convention "family".

Several delegations requested that items be added to the agenda.

It was decided, in accordance with the committee's Rules of Procedure, that a discussion would be held on the trapping and killing of birds in Cyprus.

The other items, which concerned:

- wind farms in Balchik, Bulgaria,
- the Action Plan for sturgeon,
- the transfer of elephants from Burkina Faso to Senegal, would be dealt with under item 9 (Other business).

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

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

Relevant document: T-PVS (2004) 3 and 10 Reports of the Bureau meetings of April 2004 and September 2004

The Chair took the opportunity of the fact that 2004 was the 25<sup>th</sup> anniversary of the Bern Convention to thank Switzerland for its constant support. She pointed out that the European Union bore special responsibility, now that it had the majority of votes as a result of its enlargement.

The Secretariat representative informed the Committee that the 2004 work programme had been completed with one exception: the conference on turtles scheduled to be held in Turkey. Because of the fall in voluntary contributions, there was not such a full work programme for 2005.

The delegate of Burkina Faso thanked the Council of Europe for its efforts to set up the Emerald Network in his country and informed the Committee that the activities carried out at present entailed gathering data on the species and habitats of 10 sites, of which 5 had been selected for proposal as potential ASCIs and the other 5 identified; the prospecting of other sites was envisaged. However, the pilot project faced difficulties of a material, logistical and financial nature making it difficult to implement in the time allocated. A technical datasheet had been devised for fundraising.

The French delegate announced that an international conference on the theme "Biodiversity - Science and governance" would be held in Paris from 24 to 28 January 2005.

The representative of the Bonn Convention passed on the Executive Secretary's best wishes for the success of the meeting.

The Committee took note of the information provided.

## PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

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

#### 3.1. Swiss proposal to pass *Canis lupus* from Appendix II to Appendix III

Relevant document: T-PVS (2004) 9. Proposal of Amendment by Switzerland concerning wolf

Switzerland sent on 27 September 2004 a proposal for amendment of the Appendices of the Convention under the terms of Article 17. It concerns the deletion of the wolf (*Canis lupus*) from Appendix II and its inclusion in Appendix III.

The delegate of Switzerland presented a number of arguments supporting the proposal noting, in particular, that the wolf was in much better conservation state than when the Convention was adopted and that the inclusion of wolf in Appendix III permitted to both conserve and manage its population.

The delegate of the Netherlands speaking on behalf of the European Union states proposed that a scientific study on the size and distribution trends and threats of the European wolf population is carried out by the Bern Convention and to postpone a decision until such study is received and examined by Parties with enough time for Parties to have an informed position.

Some delegations proposed that the study includes also legal considerations on how to deal with species that have improved their populations as a result of protection measures, on the possible use of Article 9 and on the obligations of Parties concerning illegal re-introductions.

The Secretariat was requested to distribute Resolution No. 3 (1993), which gives guidance and interpretation on Article 9.

The SNPN (*Société nationale de Protection de la Nature*) and the Swiss League (*Pro-Natura*) wished that wolf may stay in Appendix II as Article 9 permits a great flexibility of management. The Large Carnivore Initiative for Europe (LCIE) representative stated that a scientific study would help decision making, but thought the amendment of the legal protection given to wolf in Europe should not be changed for the problems in just one state for half a dozen animals. A management population by population (as suggested by the Action plan adopted by the Standing Committee) seemed more sensible.

The Committee decided to postpone the discussion of the Swiss amendment to a further meeting and carry out the above-mentioned report.

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

Relevant documents: T-PVS/Inf (2003) 21 Biennial Reports 2001-2002  
T-PVS/Inf (2004) 5 Biennial Reports 2001-2002  
T-PVS/Inf (2003) 9 Form for Biennial Reports

Article 9 paragraph 2 of the Convention requests Parties having made exceptions to Articles 4, 5, 6, 7 or 8 to present in writing such exceptions.

The Secretariat presented the biennial reports received (2001-2002). The committee took note of these reports.

The Secretariat informed the committee that the report on the implementation of the convention in Ireland had been published ("Nature and Environment" collection No. 138). The report on implementation in the United Kingdom was now available [T-PVS/Inf (2004) 15]. The report on Hungary would be disseminated once the government's consent had been obtained.

\* Items for information only:

T-PVS/Inf (2004) 15 Report on the implementation of the Convention in the United Kingdom

## **PART III –MONITORING OF SPECIES AND HABITATS**

### **4. Monitoring of Species and Habitats**

#### **4.1. Invasive Alien Species. Implementation of the European Strategy on IAS**

Relevant documents: T-PVS/Inf (2004) 1 European Strategy on Invasive Alien Species  
T-PVS/Inf (2004) 4 Follow-up of the implementation of the European Strategy on IAS  
T-PVS/Inf (2004) 6 Progress of work on IAS under the Convention  
T-PVS (2004) 15 Conservation of the Red Squirrel and control of the Grey Squirrel

The consultants, Mr Zilletti and Mrs Capdevilla, and the Secretariat informed the Committee on the progress and the follow-up of the European Strategy on IAS and on future work planned. The results from the questionnaire sent to states were mixed, but only a few states were developing or planned to develop a specific strategy on IAS.

The Secretariat informed the Committee of the presentation of the European Strategy to some important fora: Planta Europa Conference, EPPO Group on Invasive Alien Plants, NEOBiota, and IUCN Congress, which had adopted a resolution inviting states and IUCN partners to implement the Strategy. A new meeting of the Group of Experts was planned for 2005.

A number of delegates informed on progress in their own states. The Committee was informed on some coming events (research on pathways in the Mediterranean Region, on Invasive Alien plants in the Mediterranean, or a new meeting on NEOBiota, etc.).

The Chair concluded inviting Parties to implement Recommendation No. 99 (2003) and draw and implement national strategies on IAS.

The United Kingdom presented a paper on the Grey squirrel, pointing out to the need to recognise the threat that the species will present to the Red Squirrel and the need for regional co-operation to deal with this species. It suggested a number of possibilities of collaboration in the framework of the Convention that may catalise further action.

The Committee took note of the information presented.

#### **4.2. Large Carnivores: Iberian lynx conservation, LCIE activities**

Relevant documents: T-PVS/Inf (2004) ... Iberian lynx conservation progress in Spain  
T-PVS/Inf (2004) 8 Status, Conservation and Management of Large Carnivores in Turkey

The Spanish delegate presented a report on the progress of conservation work on Iberian lynx, including the captive breeding programme. The situation of the species was still very critical but field work was progressing very steadily (including supplementary feeding, habitat improvement, monitoring and rabbit repopulation) and the captive breeding programme was now fully operative, with 10 animals in captivity. He invited the Convention to be represented at a new seminar to be held in Cordoba from 15 to 17 December 2004.

The Secretariat informed on the contacts with Spanish authorities (Central and Regional) and estimated that the collaboration by all actors implied had improved much in the last two years. He thanked IUCN Species Survival Commission and LCIE for their support to the Convention on this important issue.

The co-ordinator of the Large Carnivore Initiative for Europe (LCIE) presented information on relevant issues concerning large carnivore conservation in Europe during 2004. She informed the Committee on a meeting on large carnivores issues in Germany, on the elaboration of an on-line information on Eurasian lynx (project ELOIS) – to be soon extended to the Iberian lynx – and of a meeting on lynx in the Alps. LCIE had become formally an IUCN Working Group and was offering its expertise to the Bern Convention and the European Union, as well as to UNEP for which they had prepared a report on the status and trends of large carnivores in Europe.

The Secretariat informed the Committee of the elaboration of a report on Large Carnivores in Turkey, on the preparation, with LCIE, of a brochure on large carnivores to be published in the Council of Europe "Questions & Answers" Series and on the holding of a seminar in Slovenia in 2005 on Management of transboundary populations of large carnivores.

The Committee took note with satisfaction of the information presented.

### **4.3. Birds. Impact of wind farms and electric lines**

Relevant documents: T-PVS (2004) 4 and 4 revised Draft recommendation on minimising adverse effects of wind power generation on birds and bats  
T-PVS (2004) 5 and 5 revised Draft recommendation on protecting birds on powerlines  
T-PVS/Inf (2003) 12 Impact on windfarms on birds and precautionary measures  
T-PVS/Inf(2003) 15 Protecting birds on powerlines

The Secretariat presented the draft recommendation prepared on protecting birds from powerlines.

The Committee discussed some of the controversial points and, after the work of a small negotiation group, adopted the recommendation as it appears in appendix 4 to this report.

The Secretariat presented the draft recommendation prepared on impacts of windfarms on birds and bats and precautionary measures.

The Committee discussed some of the controversial points and, after the work of a small negotiation group, adopted the recommendation as it appears in appendix 3 to this report.

The representative of the Netherlands, on behalf of the European Union, noted that, in the case of Member States of the European Community "thorough environmental assessment procedures" have to be applied as set up by the Council Directive 85/337/EEC on assessment of certain public and private projects on the environment as amended by the Council Directive 97/11/EC, the Council Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment and as appropriate assessment required in Article 6 of the Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.

The representatives of EUROBATS and ACCOBAMS expressed satisfaction to the adoption of the recommendation and expressed the wish that such type of work may be continued in the framework of the Convention.

The representative of BirdLife expressed some disappointment that the Committee had decided to delay further the adoption of the guidelines, having already had two years in which they could have been adapted. However she welcomed the establishment of an experts group on the issue and urged the Committee to adopt an updated version of the guidelines at their next meeting.

The Chair encouraged Parties to provide the Secretariat with expertise and resources to be able to meet the requests of Parties concerning future work on this field.

**\* Items for information only:**

- T-PVS/Inf (2004) 2 Ecological effects of lead shot on terrestrial habitats and on wild birds
- T-PVS/Inf (2004) 7 Towards a European Action Plan on Sturgeon
- T-PVS/Inf (2004) 12 Conclusion of the Seminar on Common Hamster (*C. cricetus*)

#### **4.4. Group of Experts on Conservation of Plants : Results of the 4<sup>th</sup> Planta Europa Conference**

Relevant documents: T-PVS (2004) 11 Report of Group of Experts on Conservation of Plants  
T-PVS/Inf (2004) 9 Planta Europa mid term review of the European Plant Conservation Strategy

The delegate of Slovenia, Vice-Chair of the meeting of the Group of Experts on Plant Conservation, presented the main findings of the meeting, which was held in the framework of the Planta Europa Conference (Valencia, Spain, from 17-20 September 2004) and aimed at assessing the implementation of the European Strategy on Plant Conservation. He stressed the co-operation between the Planta Europa network and the Group of experts, integrating the meetings of the Group of the Bern Convention within the framework of the Planta Europa conferences every three years, in order to streamline the synergies. Main topics discussed in the meeting were the elaboration of an European red list for vascular plants which was still to be finished (EEA-ETC/NPB was working on it); state and conservation problems of Fungi, Algae and Lichens; invasive alien plants and their effects on natural habitats and native species; and national implementation of the Recommendation No. 40 (1993) on the elaboration of conservation or recovery plans for species in Appendix I to the Convention.

The delegate of Switzerland stressed the importance of joining forces with Planta Europa related to the activities of the Council of Europe in plant conservation and regretted the decision taken last year by the Standing Committee to reject the proposal for amendment of Appendix I to include fungi.

The representative of the European Council for the Conservation of Fungi (ECCF) encouraged the Committee to move forward on work related to fungi.

The Secretariat congratulated the Spanish and regional conservation authorities for the excellent organization of the conference and drew the attention to the fact that the work on plant conservation was not only restricted to the elaboration of red lists.

The representative of IUCN reported on the progress made on the elaboration of red lists, related not only to vascular plants.

The delegate from the Netherlands, as Chair of the Planta Europa Conference, encouraged the Committee to join the network and implement the European Strategy on Plant Conservation.

The Secretariat informed the Committee about the meeting to be held in France about invasive plants in the Mediterranean-type regions in May 2005 and pointed out that this meeting was a clear example of the need to co-ordinate and foster synergies between the different groups of experts.

#### **4.5. Habitats: setting up of ecological networks, Emerald Network progress**

Relevant document: T-PVS (2004) 14 Report of Emerald Network Group of Experts

The Secretariat reported on the outcome of the meeting of the Emerald Network Group of Experts, which had taken place in Cracow (Poland) on 5 and 6 October 2004 in conjunction with the meeting of the Committee of Experts for the Pan-European Ecological Network.

Efforts to set up the Emerald Network had continued in 2004. Pilot projects had been launched in Burkina Faso and Norway. A training workshop had been held in each of these countries. A second contract to continue with the site designation process (Phase II.A of the timetable for establishing the Emerald Network) had been signed with the national authorities in "the Former Yugoslav Republic of Macedonia" and Georgia and had made it possible to identify some 30 percent of the potential sites for the network in those countries.

Pilot projects were on the drawing board for Azerbaijan, Bosnia and Herzegovina, Serbia and Montenegro, Belarus and Tunisia.

The Secretariat informed the Standing Committee that there will be a continuation – or second phase – of the Emerald Network Projects in Albania, Bosnia and Herzegovina, Croatia, “the former Yugoslav Republic of Macedonia” and Serbia and Montenegro. These projects aim to identify up to 80 % of Areas of Special Conservation Interest (Emerald sites), count with finance of the European Union and should be completed by the end of 2006.

The Secretariat invited those countries that had not already joined the pilot project programme (Lichtenstein, Monaco and Morocco) to do so and presented the Emerald Network logo adopted by the Group of Experts to the Standing Committee.

The Tunisian delegate, with the support of the Monaco delegate and the representative of the RAC/SPA, confirmed his country's invitation to hold a special colloquy on the development of the Emerald Network in Africa and the Mediterranean basin. The co-operation of a number of institutions, in particular the Barcelona Convention, might be requested for the event. The agenda might also include particular problems posed by the designation of marine sites and the identification of specific species and habitats that could be added to the existing lists or possibly form sub-lists of species and habitats.

The delegate of Burkina Faso stressed the importance of the Emerald Network in his country as a transfrontier cooperation tool and wished a list of species and habitats to be compiled for Africa and possibly the network to be opened to other countries in the sub-Saharan region with the technical and financial support of the Council of Europe.

The delegates from “the former Yugoslav Republic of Macedonia” and Switzerland reported on the progress of work in their countries. The Maltese and Romanian delegates announced that the work carried out through the Emerald Network was also used for the Natura 2000 network.

The question of funding for the work done through the Emerald Network was raised by a number of delegations with a view to obtain voluntary contributions to the programme, particularly for the pilot projects in Africa and the organisation of the colloquy in Tunisia.

The Secretariat presented, for information, the Final Declaration on the conservation of biodiversity and sustainable management in forests, adopted at the close of the fifth international symposium of the Pan-European Ecological Network, held in Cracow from 7 to 9 October 2004 after the joint meeting of the ecological networks, drawing the committee's attention to the points that were of interest to the activities of the Bern Convention.

The committee took note of the Group of Experts' report, approved the continuation of the Emerald Network development programme, endorsed the organisation of a special colloquy on the development of the Emerald Network in Africa and the Mediterranean basin and took account of the recommendations in the Final Declaration of the Cracow Symposium for the purposes of its future work in the area of forest habitats and species.

\* Items for information only:

- STRA-REP (2004)16 Final Declaration on Sustainable Forest Management and Biodiversity



## PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

### 5. Specific sites and populations

#### 5.1. Files

##### - Akamas Peninsula (Cyprus)

Relevant documents: T-PVS/Files (2004) 15 Secretariat report  
T-PVS /Files (2003) 17 Government report  
T-PVS /Files (2004) 27 Government report  
T-PVS/Files (2004) 7 Report by the NGOs (Cyprus Conservation Foundation)  
T-PVS/Files (2004) 18 Report by the NGOs (Federation of Ecological Organisations of Cyprus)

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

This case was first discussed at the 16<sup>th</sup> meeting of the Standing Committee in 1996. Two on-the-spot appraisals were carried out in 1997 and 2002 and a recommendation adopted in 1997 (Recommendation No. 63 (1997) on the conservation of the Akamas peninsula, Cyprus, and, in particular, of the nesting beaches of *Caretta caretta* and *Chelonia mydas* ). So far it has not been possible to obtain from Cyprus authorities a satisfactory solution for this area, compatible with the obligations under the Convention. The Cyprus authorities had informed the Secretariat in 2004 that another proposal concerning the Akamas peninsula had been presented to the Council of Ministers, to be discussed in September.

The Cyprus delegate informed the Committee on all the positive measures proposed by his government, including the future creation of a National Park, substantial proposals for the Natura 2000 Network and a very complete and detailed plan for the sustainable development of the area. He announced that the Limni beach would be protected for its turtle interest so there was no reason to deal with that territory in the context of the Akamas file. He did not object to the file being kept open as a sign of good will and co-operation, even if he found no objective reason to do so as Cyprus had met her obligations under the Convention.

Representatives of the non-governmental organisations regretted that the plans presented by the government left room for much interpretation and considered that the areas proposed for Natura 2000 were largely insufficient to protect the main natural values of the area. MEDASSET underlined the lack of compliance with regulations on a number of beaches of interest to marine turtles; referred also to the dangers of opening a road from Ineia to the coast establishing a community centre on the shore; also of maintaining tourism zones on either side of the park; and particularly insisted that granting authority to the Town Planning Department to prepare a development plan for the area would be catastrophic for Akamas.

The Committee welcomed the effort deployed by the Cyprus government to find solutions acceptable from an environmental point of view and encouraged the creation of the National Park and the consolidation of the protected areas under the Habitat Directive.

It decided to keep the file open.

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

Relevant documents: T-PVS/Files (2004) 16 Secretariat report  
T-PVS/Files (2004) ... Government report  
T-PVS/Files (2004) 11 NGO Report

The Green turtle was seriously threatened in the Mediterranean, where only a very small population remained. Nesting beaches in Turkey were of paramount importance for the survival of the species in the area protected by the convention. After opening a case file at its 20th meeting to

encourage conservation action, the Committee had focused on the situation on the Kanzali beach, where the presence of a chrome factory and other developments were a risk to the long-term conservation of this nesting site. An on-the-spot appraisal carried out in 2002 had revealed that the authorities had taken serious steps to rehabilitate the beach, but that further conservation action was needed. The Committee had adopted Recommendation No. 95 (2002) at its 22<sup>nd</sup> meeting.

The Turkish delegate said his government was endeavouring to deal with the problems, the most serious of which appeared to be erosion, which had further accelerated in the spring because of heavy rain. He listed the measures taken (factory emissions were being monitored, what remained of the jetty had been demolished, some greenhouses had been removed and others were being moved, awareness-measures had been taken and the factory managers had been compelled to submit a plan setting out a permanent solution to the problem of waste).

The MEDASSET representative said that no serious feasibility study had been carried out in order to find a solution to the problem of dangerous toxic waste (of which there were 1.5 million tonnes). As the jetty had not been completely destroyed, the erosion process had speeded up, leading to the destruction of 75 green turtle nests. There was a very urgent need to remove the greenhouses in section K3. Moreover, there was a plan for tourist development project by the government with a total capacity of 11,000 beds and two golf courses, which would also affect *Trionyx triunguis*.

The RAC/SPA representative said that Turkey had launched a National Action Plan for turtles under the Protocol concerning Mediterranean specially protected areas, thereby demonstrating its commitment.

The delegate from Monaco pointed out that the international community shared responsibility for the species and that co-operation was needed to solve the problem of the factory. Closer co-ordination with the Mediterranean Action Plan's MEDPOL programme was called for to help solve the problem of the dangerous waste stored by the chrome factory, particularly in the context of the Strategic Action Programme for controlling telluric pollution;

The Turkish delegate said he had not received any information about the tourist development project mentioned by MEDASSET.

At the end of the discussion, the Standing Committee decided, in view of the action taken by the Turkish Government and its determination, provisionally to close the file. It asked the government to continue to report on the situation.

## 5.2 Possible Files

### - Wolf control and legal status of the species in Switzerland

Relevant documents: T-PVS/Files (2004) 17 Secretariat report  
T-PVS/Files (2001) 1 Swiss Wolf Concept (Government Report)

This case concerned Swiss policy regarding the Wolf (*Canis lupus*). It had been brought to the attention of the Committee in 2002, when the Swiss Federal Council was contemplating the withdrawal of the wolf from the list of protected species, a measure that had finally been rejected. A Swiss policy for the wolf (Swiss Wolf Concept) had been adopted to manage and control the species.

The delegate said that until the question of the amendment of the appendices was settled, the Wolf Concept would be used, as would, if necessary, the exceptions provided for in Article 9 of the convention. He considered that the concept addressed the concerns of *Legambiente*, which had referred the matter to the Convention Secretariat.

The delegate of the Netherlands speaking on behalf of the European Union countries said that the matter was linked to the proposal to amend Appendix II and that it was not therefore possible to approve the opening of a file.

The Committee decided not to open a file.

- **Project to build a motorway through the Kresna Gorge (Bulgaria) [Rec. N. 98 (2002)]**

Relevant documents: : T-PVS/Files (2004) ... Government report  
T-PVS /Files (2004) 24 Secretariat report  
T-PVS/Files (2004) 2 Report by the NGOs  
T-PVS/Files (2004) 20 Report by the NGOs

This case concerns a motorway crossing an area of high biological diversity. It was examined by the Standing Committee in 2002, when it adopted a recommendation inviting the Bulgarian government to abandon the plans to enlarge the current road and look for more suitable alternatives, compatible with Bern Convention obligations. In 2004 the Bulgarian Ministry of the Environment informed the Secretariat that there was no further information concerning the state of progress of the project or the procedure for establishing a new protected area around the gorge.

The Bulgarian delegate confirmed that there was indeed nothing new to report.

The Secretariat informed the committee that, as requested by the Bureau, the Bulgarian Government had forwarded to the Secretariat an opinion from the Ministry of Regional Development and Public Works (Executive Agency for roads), which planned to organise an expert meeting with all the authorities concerned by the project to discuss, in particular, matters connected with the choice of route. The NGOs were calling for a file to be opened.

The Bulgarian delegate said that four options had been put forward, one of which avoided the prospective protected area. She stressed that NGOs were involved in the procedure for declaring the new protected area.

The delegate of the Netherlands, on behalf of the European Union member states, said that he would like to open a file on the Kresna Gorge as to stimulate the Bulgarian Government to further implement the actions and intentions as described in Recommendation No. 98 (2002).

The Committee decided to open a file.

- **Turkey: caves in the Thrace region**

Relevant documents: : T-PVS/Files (2004) 23 Secretariat report  
T-PVS /Files (2004) 28 Government report

This case concerns tourism development activities and projects likely to harm the bat populations in a set of caves in the north-west of Turkey where 37,000 bats representing 13 species have been counted. The Ministry of Environment of Turkey provided explanations concerning the Dupnisa cave. It is aware of the importance and sensitivity of this cave, which was awarded the 2<sup>nd</sup> degree of "Nature Protection Site". A series of measures were defined in order to foresee the threats and to ensure that the construction activities are monitored. They include monitoring of populations and on-the-spot appraisal at the end of the breeding season. The Secretariat wrote to the Turkish authorities requesting additional information on the protection of the Koyunbaba and Kocakuyu caves and the findings of the on-the-spot appraisal visit carried out last spring.

The Secretariat announced that it had received a technical report from the Turkish Government on all the caves and the results of the on-the-spot appraisal carried out in April 2004.

The Turkish delegate informed the committee that his government took the question of the possible impact of tourism very seriously and had taken a number of steps to restrict visits, organise them so as to limit the consequences and, in certain cases, prohibit them.

The delegate of the Netherlands said that the conclusions of the Turkey's survey is that doubt remains about the compatibility of tourism and its logistics, with the wintering function of the caves for large number of bats. The Netherlands suggested to arrange an on-the-spot appraisal on the raised compatibility issue and ask for a report of this visit back at the next meeting of the Standing Committee.

The Eurobats representative thanked Turkey for the progress it had made, in co-operation with the authorities, experts and NGOs. He invited the Turkish Government to keep up the good work and join Eurobats.

The Committee thanked the Turkish government for this positive development and decided not to open a file.

- **France: Conservation of the Hermann tortoise in the plaine des Maures**

Relevant documents: : T-PVS/Files (2004) 22 Secretariat report  
T-PVS /Files (2004) ... Government report  
T-PVS /Files (2004) 14 NGO report

This case concerns the protection of the habitat of Hermann tortoise in the Maures' Plain, which is considered unsatisfactory. In the past the Committee already dealt with this species and site when a project to build a test road for a tyre factory was proposed and abandoned. A French NGO (SNPN) claims that the measures taken to protect the species are not enough to halt its the decline of the populations and denounce the lack of rigour of the French Government in this matter, deploring in particular that the Natura 2000 zone covered only 60 % of the zones with high or average tortoise densities and that the process of establishing the nature reserve was progressing too slowly.

The Bureau decided to submit this file as a possible new file with a view to an on-site visit to look into these different matters more closely

The French delegate, bearing witness to his government's genuine commitment, highlighted a few key points, including the fact that the Michelin project had been moved elsewhere, that the land had been bought by the *Conservatoire du littoral*, the coastal protection body, and that over 6,000 hectares had been designated for Natura 2000 for the sake of the Hermann tortoise. A comprehensive programme to rehabilitate the tortoise had been launched in 2004. He thanked the NGOs for the help they had provided when forest fires had affected the tortoises.

The real issue was the expansion of the Balançon rubbish dump. He suggested that an on-the-spot appraisal be arranged.

The representative of the French National Society for Nature Protection (SNPN) listed the many threats he saw to the species - the route of the high-speed train (TGV), the clearing of land for vines, the delay in establishing the nature reserve, the fact that the Natura 2000 area was too small and the expansion of the rubbish dump over 30 hectares. He considered that the French Government should be made to face up to its responsibilities.

The Standing Committee decided to accept of the French authorities' offer to organise an on-the-spot appraisal in the next months, which would deal, among other matters to the study of the application to expand the rubbish dump. The case will be examined at the next meeting as a possible case file.

- **Ukraine: on the proposed navigable waterway through the Bystroe estuary (Danube delta)**

Relevant documents: : T-PVS/Files (2004) 4 Secretariat report  
T-PVS /Files (2004) 3 On-the-spot appraisal Report – Mr H. Lethier  
STRA-REP (2000) 8 Agreement for the creation and management of a cross-border protected area in the Danube Delta  
T-PVS /Files (2004) .. Government report

This case concerns a navigable waterway in Bystroe estuary of the Danube delta in Ukraine, which may affect adversely both the Ukrainian Danube Biosphere Reserve -an important wetland in Ukraine- and the whole Danube delta dynamics. A complaint was sent by a group of NGOs, "Danube Environment Forum", concerned by the ecological risks for the biodiversity of the entire Danube delta posed by the project. Given the European importance of the site the Bureau proposed to the Ukrainian

government an on-the-spot appraisal, which was carried out by Mr Hervé Lethier from 22 to 25 July 2004 accompanied by a member of the Secretariat. Contacts were also established with UNESCO (MAB Programme) and the Ramsar Convention Bureau -which had visited the site in 2003- as the matter had arisen considerable political attention in Ukraine and its neighbouring states, as well by European and US media. The expert was asked to examine the project, assess its possible impact on biodiversity, study the legal status of the area paying special attention to the cross-border context and make appropriate recommendations.

The visit had revealed that insufficient attention had been paid to the environmental aspects of the project and that there had not been proper consultation with the neighbouring states concerned (Moldova, Romania). The project needs to be reconsidered in a long-term, sustainable development perspective.

The expert Mr Hervé Lethier presented his report, stressing the ecological significance of the wetland, the unavailability of some EIA and the important potential effects that the project may have on the biological values of the delta.

The Secretariat presented the draft recommendation.

The delegates of Ukraine considered the re-opening of a navigable way necessary for the economic development of the area. They explained one by one the different options and assured that their government had made its choice for the best option in terms of environment. After the end of phase 1 the government was planning to proceed a phase 2 only if all the environmental guarantees are met and after a solid EIA. A good monitoring is planned and Ukraine is very open to co-operation with international organisations and neighbouring States and will provide necessary information.

The delegate of Romania found very balanced the report by the independent expert and found the draft recommendation appropriate and to the point, inviting the Standing Committee to adopt it with a small amendment. He said his state was most open to dialogue and wished that Ukraine ratify the 2000 trilateral agreement prepared by the Council of Europe and work for agreed solutions in its context.

The delegate of the Netherlands, speaking as Chair of the European Union, was concerned by the serious negative impact of the project, believed the information presented orally by Ukraine had not cleared their doubts and supported the adoption of the draft recommendation and the opening of a file.

The representatives of the Bonn Convention Secretariat and of AEWA expressed support for the adoption of the draft recommendation.

The representatives of BirdLife and WWF expressed great concern for the very serious damage that the project may cause in such an important wetland and invited the Standing Committee to take firm action.

In the discussion that followed, a number of States and NGOs proposed some amendments to the draft recommendation.

The Standing Committee adopted a recommendation (see appendix 5) and decided to open a file.

The delegate of Romania made the following statement: "Romania welcomes the adoption of Recommendation No. 111 (2004) of the Standing Committee and the opening of a case file in this case. However Romania expresses its disappointment with the form in which the first recommendation was adopted, taking into account the fact that the works may have an irreversible effect on the biodiversity of the Danube delta".

The Committee requested the Committee of Ministers of the Council of Europe to be informed of the recommendation and ensure, by whatever means are more appropriate, of the follow-up of the implementation of the recommendation, creating a space of dialogue among the interested States, international organisations and NGOs.

### 5.3. On-the-spot appraisal

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

Relevant documents: T-PVS/Files (2003) 27 Secretariat report  
T-PVS/Files (2003) 11 Government Report  
T-PVS/Files (2003) 15 Report by the NGO  
T-PVS/Files (2004) 5 On-the-spot appraisal Report – Mr J. Sultana

This case concerns two hydropower projects in Iceland, in areas of interest for bird species. The Kárahnjúkar Project is already under construction and the plans for the Nordlingaalda have been temporarily postponed. There is concern on the possible consequences for avifauna and the cumulative effects arising from other installations.

The Committee discussed the issue as a possible case file in 2003 and proposed an on-the-spot appraisal. The appraisal was carried out by Mr Joe Sultana from 18 to 21 July 2004 accompanied by a member of the Secretariat.

The independent expert, Mr. Joe Sultana, thanked the Icelandic authorities for having perfectly organised the visit and the meetings with all stakeholders and presented the results of his on-the spot appraisal carried out in July 2004.

The delegate of Iceland pointed out that no species were seriously affected and that his country was not breaching the Bern Convention, therefore he stressed that the recommendation was not needed. He also underlined that they had re-evaluated the figures of the Greylag goose (*Anser anser*) in the impact area and claimed that it was 5 %, and not 10 % of the Icelandic population.

The representative of BirdLife International stressed their view that the Kárahnjúkar project was in breach of the Bern Convention due to the significant proportion of internationally important populations of geese and skuas that would be adversely affected by the project. She highlighted that Kárahnjúkar had been assessed as the most environmentally damaging option in the Master Plan.

The delegate of the United Kingdom stated that his country would like to place in the record of the meeting the hope that the special and constructive interest it had shown in this matter would be recognised by the government of Iceland when undertaking the consultations for the Strategic Environmental Assessment. The United Kingdom would very much look forward to hearing from the Government of Iceland at the appropriate time.

Delegates of United Kingdom, Iceland and representatives of BirdLife International made several drafting proposals to amend the recommendation. To avoid further delay in the agenda of the meeting, the Secretariat proposed to meet with the persons concerned by this issue in a separate drafting group to draw up with a consensus text, which would be finally adopted together with the adoption of the meeting report (appendix 6).

At its adoption, the representative of BirdLife International expressed disappointment about the weakness of the Recommendation and especially the statement that no Bern Convention species will be seriously affected by the two projects. Icelandic Institute of Natural History reports state that up the Kárahnjúkar project will affect up to 3 % of the flyway population of pink-footed geese, up to 5 % of the flyway population of greylag geese and internationally important populations of arctic and great skuas.

#### - Cyprus: military antenna on the British Sovereign Base Area

Relevant documents : T-PVS/Files (2004) 21 On-the-spot appraisal Report – Mr E. Kuijken  
T-PVS /Files (2004) ... Government report  
T-PVS /Files (2004) 8 NGO report

This case concerned a military antenna of considerable size which NGOs claimed had a potential impact on wildlife close to an area of high biodiversity interest (the Akrotiri wetland). On the invitation of the UK authorities, an on-the-spot appraisal had been carried out from 5 to 7 September 2004 by Mr Eckhart Kuijken in the company of a member of the Secretariat.

The Bureau had examined the expert's report and considered that there was no need to present this case as a possible new file.

The expert presented the results of the visit, highlighting the ecological features of the area and the various stages that had preceded the construction of Pluto II and pointing to the lack of thorough research into alternative sites and the effects of antennae on birds, and the measures already taken by the UK authorities to attenuate them. He reviewed his proposals, as set out in the draft recommendation.

The representative of the sovereign base authority said that her administration was aware of its responsibilities towards the environment and neighbouring communities. She therefore welcomed the assessment and said that the effectiveness of the attenuation measures was being monitored and that mortality and hydrology studies would be carried out. Removal of the strip of eucalyptus was under consideration and the plan for the management of the Ramsar site was progressing well. A visitors' centre had been set up to provide information about the natural and cultural features of the peninsula.

The Cypriot delegate thanked the expert for his report, which was completely unbiased. He agreed with most of the recommendations, but had misgivings about the possible erection of further antennae and the impact of electromagnetic radiation. He asked that in the preamble of the relevant recommendation the following paragraph to be added: "*Assured that the United Kingdom Government will not proceed with any development that will further deteriorate the situation of this area*".

The representative of the Game Fund of the Ministry of the Interior said that thousands of birds were killed every year. He thought the site of the antennae should be included in the Ramsar area.

The delegate of Turkey said that it is difficult to understand how such an antenna was built on an important wetland. He also pointed out that to build a new plant emitting high radiation would be dangerous for all living things.

The delegate of Switzerland suggested that the authorities concerned might consider making technical adjustments to the structural design of their antennae to improve the future chances of survival of birdlife in the region.

The representative of BirdLife welcomed the report. He shared the Cypriot delegate's concern about the possibility of new antennae and stressed the need for a very thorough environmental impact assessment, including a study of alternative sites.

The representative of the Cyprus Conservation Foundation pointed out that the Bern Convention shouldered responsibility for this case, as the territory was not part of the European Union. She highlighted the importance of the parts of the recommendations that concerned openness and access to data.

The United Kingdom delegate said that some of the bird mortality figures were extrapolations and that the government could not give an undertaking that there would be no more development on the site.

The Monaco delegate congratulated the United Kingdom for dealing openly with the problem and hoped that other Contracting Parties to the convention would show the same concern in respect of the impact of military activities, particularly on the marine environment.

The Committee thanked the expert and adopted a recommendation, which appears in appendix 7.

#### 5.4. Follow-up of selected recommendations from previous meetings

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

The Moroccan delegate provided information about Morocco's sustainable tourism development strategy and the steps taken in connection with the file on the construction of a Club Méditerranée holiday village in Tifnit.

Several meetings had been held in 2001 but, since then, the convention's point of contact for Morocco (High Commission for Water and Forests and Measures to Combat Desertification) had received no further official communication from the Club Méditerranée concerning this project. Concerted efforts were necessary between the ministerial departments concerned by the project, with a view to developing tourism that was suited to the site and took account of the Standing Committee recommendation.

The Standing Committee took note of this information.

- **Recommendation No. 107 (2003) on the Odelouca dam (Portugal)**

The Secretariat informed the committee that the information sent by the Portuguese Government had arrived too late to be submitted to the Standing Committee.

The committee instructed the Bureau to resume consideration of the matter at its spring meeting.

- **Recommendation No. 108 (2003) on the proposed construction of the "Via Baltica" (Poland)**

The Polish delegate informed the committee that a strategic environmental assessment would be carried out.

The representative of BirdLife said the NGOs were concerned about the implementation of the recommendation adopted in the wake of the on-site visit in 2003, in particular the call for a strategic environmental assessment. It drew attention to the nature of some of the work undertaken, which was apparently not being carried out for maintenance purposes, as the Directorate General of Roads claimed, but in order to widen part of the section situated along the route favoured by the government (Bialystok). He considered that the decision concerning the route had in fact already been taken, and requested that a case file be opened.

The Polish delegate refuted these arguments and said that no decision had been taken.

The committee took note of this information. It instructed the Bureau to monitor the situation.

\* Items for information:

Marine turtles in Zakynthos (Greece)

*Relevant document: T-PVS/Files (2004) 9 Rapports des ONG (Archelon, STPS)*

*Relevant document: T-PVS/Files (2004) 10 Rapports des ONG (Medasset)*



## **5.5. Items for information**

### **- Catching, killing or trading of protected birds in Cyprus**

Relevant documents: : T-PVS/Files (2004) 19 Report by the NGO  
T-PVS/Files (2004) 29 Report by the SBA UK Government

The United Kingdom Government delegate presented his report, stressing that his authorities maintained a very firm stand on this issue. Measures to wipe out these illegal practices had been stepped up (introduction of new legislation in 2004, more severe sanctions and harsher penalties). The only means of putting a stop to such practices would be to prevent the sale of mist nets and lime-sticks and trade in the birds.

The Cyprus delegate drew attention to the fruitful co-operation with the Sovereign Base Authorities and NGOs and reaffirmed his government's commitment, within the limits of its resources - for the trappers were constantly changing tactics to escape control. He also mentioned that the trapping activity had reduced sharply and that the reportings and enforcement activity increased. A booklet designed to change their attitudes will be prepared with BirdLife and the Cyprus police.

BirdLife welcomed the progress made. Trapping had declined but remained a very serious conservation problem. It considered that the Committee should continue to exert political pressure.

The representative of the Cyprus Conservation Foundation highlighted the importance of continuing to report on the issue and the need for targeted education.

The Committee took note of the information presented, welcomed the co-operation between the governments concerned and NGOs. It also asked to maintain efforts to curb the illegal take and sale of protected bird species. The Bureau will follow progress of appropriate measures.

## **PART V – STRATEGIC DEVELOPMENT OF THE CONVENTION**

### **6. Strategic development of the Convention**

#### **6.1. Declaration on the 25<sup>th</sup> Anniversary of the signature of the Convention. Draft General Principles on Environment Protection for Sustainable development. Council of Europe Summit**

Relevant document: T-PVS (2004) 8 Draft Declaration on the role of the Bern Convention in the preservation of biological diversity

The Secretariat presented a draft declaration on the occasion of the 25<sup>th</sup> anniversary of the signature of the Convention.

The Committee discussed the draft declaration, proposed modifications and adopted the declaration as it appears in appendix 8 to this report.

The Secretariat informed the Committee on the next Council of Europe Summit. The Chair invited delegations to work for a full recognition of Environment and Sustainable Development among Council of Europe priorities at the Summit.

The Committee decided to communicate its Declaration to the Committee of Ministers of the Council of Europe as soon as possible so it may be taken due account in the negotiations for the 3<sup>rd</sup> Summit.

#### **6.2. Draft Programme of Activities for 2005**

Relevant document: T-PVS (2004) 6 Draft Programme of Activities for 2005

The Secretariat presented a draft programme of activities for year 2005, prepared following discussions at the Bureau.

A number of delegation suggested some changes or addition to the programme. Some states announced voluntary contributions. For the production of an Action plan on the Globally Threatened Saker Falcon (*Falco cherrug*), Slovakia offered 5,000 € and Hungary offered support for a workshop in February 2005.

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

The Committee adopted its programme of activities for 2005 as presented in appendix 9.

#### **6.3 States to be invited as observers to the 25<sup>th</sup> meeting**

The Secretariat decided unanimously to invite the following States (not member States of the Council of Europe) to attend its 25<sup>th</sup> meeting as observers: Algeria, Belarus, Cape Ver, Holy See, Kazakhstan, Kyrgyzstan, Mauritania, Tajikistan, Turkmenistan, Uzbekistan.

## **PART VI- OTHER ITEMS**

### **7. Election of Chair and Vice-Chair**

The Committee elected Mrs Véronique Herrenschmidt (France) as Chair.

The Committee elected Mr Jón Gunnar Ottósson (Iceland) as Vice-Chair; Mrs Ilona Jepsen (Latvia, ex-Chair) will stay on as member of the Bureau.

### **8. Date and place of the 25<sup>th</sup> meeting, adoption of the report**

The Committee decided to hold its 25<sup>th</sup> meeting from 28 November to 1 December 2005.

The Committee adopted its report.

### **9. Other business (items for information only)**

On the proposal of the United Kingdom, supported by France, the Committee marked its agreement with the drafting of an Action plan for West-European sturgeon (*Acipenser sturio*). Regarding on available financial means, a working group will be created to this end which will also possibly deal in the future on other sturgeon species.

**APPENDICES TO THE REPORT**

- Appendix 1 List of participants
- Appendix 2 Agenda
- Appendix 3 Recommendation No. 109 (2004) on minimising adverse effects of wind power generation on wildlife (appendix 3);
- Appendix 4 Recommendation No. 110 (2004) on minimizing adverse effects of above-ground electricity transmission facilities (power lines) on birds (appendix 4);
- Appendix 5 Recommendation No. 111 (2004) on the proposed waterway through the Bystroe estuary (Danube Delta, Ukraine) (appendix 5);
- Appendix 6 Recommendation No. 112 (2004) on hydroelectric dams at Kárahnjúkar and Nordlingaalda (Iceland) (appendix 6);
- Appendix 7 Recommendation No. 113 (2004) on the installation of a new antenna (Pluto II) in the Sovereign Base Areas (Akrotiri, Cyprus) (appendix 7);
- Appendix 8 Declaration on the role of the Bern Convention in the preservation of biodiversity
- Appendix 9 Programme of activities for 2005

## Appendix 1

### List of participants

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**Appendix 2****AGENDA****PART I – OPENING**

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

**PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS****3. Monitoring of the implementation of the legal aspects of the Convention**

- 3.1 Amendments : Switzerland proposal to pass *Canis lupus* from Appendix II to Appendix III
- 3.2 Biennial reports 2001-2002 concerning exceptions made to Articles 4, 5, 6, 7 or 8

## \* Items for information:

- T-PVS/Inf (2004) 15 Report on the implementation of the Convention in the United Kingdom
- T-PVS (2004) 3 and 10 Bureau Reports
- T-PVS/Inf (2004) 5 Biennial Reports

**PART III – MONITORING OF SPECIES AND HABITATS****4. Monitoring of Species and Habitats**

- 4.1 Invasive Alien Species: Implementation of European Strategy
- 4.2 Large Carnivores: Iberian lynx .Information on LCIE activities
- 4.3 Birds: Impact of windfarms and electric lines
- 4.4 Group of Experts on Conservation of Plants: Results of the 4<sup>th</sup> Planta Europa Conference
- 4.5 Habitats: setting up of ecological networks: Emerald Network progress

## \* Items for information:

- T-PVS/Inf (2004) 2 Ecological Effects of Lead-Shot on Terrestrial Habitats and on the Accumulation of Lead in Wild Birds other than Waterfowl

**PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS****5. Specific sites and populations**

- 5.1. Files
  - Akamas Peninsula (Cyprus)
  - Green turtle (*Chelonia mydas*) in Kazanlı (Turkey)
- 5.2 Possible Files
  - Wolf control in Switzerland and legal status of the species
  - Project to build a motorway through the Kresna Gorge (Bulgaria) [Rec. N. 98 (2002)]
  - Turkey: caves in the Thrace region
  - France: Conservation of the Hermann turtle in the plaine des Maures
  - Ukraine: building of a canal in the Bystre Stuary (Danube delta)
- 5.3 On-the-spot appraisals
  - Hydro-electric dams at Kárahnjúkar and Nordlingaalda (Iceland)
  - Cyprus: military antenna on the British sovereign basis
- 5.4 Follow-up of selected recommendations from previous meetings
  - Recommendation No. 97 (2002) on the conservation of the Bald ibis (*Geronticus eremita*) and the tourism development project in Tifnit (Souss Massa, Morocco)
  - Recommendation No. 107 (2003) on the Odelouca dam (Portugal)
  - Recommendation no. 108 (2003) on the proposed construction of the “Via Baltica” (Poland)

<p>* Items for information: Marine turtles in Zakynthos (Greece) Catching, killing or trading of protected birds in Cyprus</p>
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## **PART V – STRATEGIC DEVELOPMENT OF THE CONVENTION**

### **6. Strategic development of the Convention**

- 6.1 Declaration on the 25<sup>th</sup> Anniversary of the signature of the Convention. Draft General Principles on Environment Protection for Sustainable development. Council of Europe Summit
- 6.2 Draft Programme of Activities for 2005
- 6.3 States to be invited as observers to the 25<sup>th</sup> meeting

## **PART VI- OTHER ITEMS**

### **7. Election of Chairman and Vice-Chairman**

### **8. Date and place of the 25<sup>th</sup> meeting, adoption of the report**

### **9. Other business (items for information only)**

### Appendix 3



Convention on the Conservation  
of European Wildlife and Natural Habitats

Standing Committee

**Recommendation No. 109 (2004) of the Standing Committee, adopted on 3 December 2004, on minimising adverse effects of wind power generation on wildlife**

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

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

Recalling that Article 2 of the Convention requires Parties to take requisite measures to maintain the population of wild fauna at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic requirements;

Recalling that Article 3.2 of the Convention requires each Contracting Party to undertake, in its planning and development policies and in its measures against pollution, to have regard to the conservation of wild fauna;

Recalling also the Convention on the Conservation of Migratory Species of Wild Animals (CMS) Resolution 7.5 on Wind Turbines and Migratory Species adopted by the 7<sup>th</sup> meeting of the Conference of the Parties (2002) (appendix 1) and recognising the intention of the CMS to increase cooperation with the Bern Convention;

Recalling also the Agreement on the Conservation European Populations of Bats (EUROBATS) Resolution 4.7 on wind turbines and bat populations adopted by the 4<sup>th</sup> Session of the meeting of Parties (2003) (appendix 2);

Recognising the environmental benefits of wind energy especially for addressing climate change, and the significance of reducing climate change for the long-term survival of Europe's wild species and their habitats;

Noting that wind farms in marine areas represent a relatively new technology for large-scale energy production the actual effects of which on nature and on different components of biodiversity cannot be fully assessed or predicted on the basis of the currently available information;

Concerned to minimise the potential adverse impacts of wind turbines and associated infrastructure on wildlife, as well as on their food sources and habitats, including:

- (a) loss of, or damage to, and disturbance of habitat (including permanent or temporary feeding, resting, and breeding habitats);
- (b) disturbance leading to displacement or exclusion, including barriers to movement (and commuting corridors);
- (c) collision mortality of birds in flight;

Recognising the need for a thorough environmental assessment procedure prior to selecting appropriate building sites and deciding on construction permits, in order to avoid damage to areas of particular ecological value;

Referring to the report *Wind Farms and Birds: an analysis of the effects of wind farms on birds and guidance on environmental assessment criteria and site selection issues*, prepared by BirdLife International for the Council of Europe T-PVS/Inf (2003) 12;

Aware of the need for robust, objective baseline studies to inform sensitive siting to minimise deleterious effects on birds, other wildlife and their habitats, and the need for regular post-construction monitoring at consented installations where there are environmental sensitivities;

Recommends that Contracting Parties to the Convention:

1. take appropriate measures to minimise the potential adverse effects of wind turbines in wildlife;
2. support and advance by involving also the wind energy sector and adequate monitoring and surveillance to improve understanding of the impact of wind farms and through this to provide the broader public with trustworthy information\* .

Invites observer states to take note of this recommendation and implement it as appropriate.

Urges the Secretariat to develop appropriate guidelines on standard study methods, to inform the EIA process and relevant legal procedures designed for habitat and species protection. For this purpose the Secretariat is advised to establish an open-ended group of experts and through it to open a broad consultation process involving the non-governmental organisations and representatives from the sector concerned.

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\* Footnote in the case of Member States of the European Community surveillance will take into account Article 6 of Directive 2001/77/EC which requires Member States to streamline and expedite procedures at the appropriate administrative level for the authorisation of installations for the production of electricity from renewable energy.



APPENDIX 1  
**Convention on the Conservation of Migratory Species  
 of Wild Animals**



**RESOLUTION 7.5\***

**WIND TURBINES AND MIGRATORY SPECIES**

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* that Article II of the Convention acknowledges the need to take action to avoid any migratory species becoming endangered;

*Recalling also* the need to preserve wildlife in the marine environment as stipulated in the relevant legislation of the European Community and in the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), the Helsinki Convention on the Protection of the Baltic Sea Area, the Bern Convention on the Conservation of European Wildlife and Natural Habitats, and the Bergen Declaration of the Fifth International Conference on the Protection of the North Sea;

*Acknowledging* Article VII of the Convention whereby the Conference of the Parties may make recommendations to the Parties for improving the effectiveness of this Convention;

*Considering* that the Strategic Plan for 2000 - 2005 adopted by Resolution 6.4 requires Parties to review the special problems faced by migratory animals in relation to various obstacles to migration and to propose remedial measures that may have widespread applicability;

*Recognising* that Resolution 4.5 directs the Scientific Council *inter alia* to recommend solutions to the Conference of the Parties to problems relating to the scientific aspects of the implementation of the Convention in particular with regard to the habitats of migratory species;

*Recognising* the environmental benefits of wind energy especially for addressing climate change, and the significance of reducing climate change for the long-term survival of migratory species;

*Noting* that wind turbines especially in marine areas represent a new technique of large scale energy production, the actual effects of which on nature and on different components of biodiversity cannot be fully assessed or predicted at present;

*Recognising* the lack of sufficient and relevant research on such effects, especially on nature, and the lack of data on the distribution and migration of species concerned;

*Concerned* about the possible negative impacts of wind turbines on migratory species of mammals and birds, as well as on their food sources and habitats *e.g.*:

- (a) destruction or disturbance of permanent or temporary feeding, resting, and breeding habitats;
- (b) increased collision risk for birds in flight;
- (c) through electric and magnetic fields of connecting power cables; or

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.13.



(d) emission of noise and vibrations into the water;

*Recognising* the need for a thorough environmental impact assessment prior to selecting appropriate building sites and issuing construction permits, in order to avoid areas of particular ecological value and habitats with high nature conservation needs;

*Aware* of the need to regularly monitor and assess the actual impacts of wind turbines by exchange of international experience and site-specific effect monitoring programmes in existing wind turbine plants; and

*Noting* especially the potential risk that several hundred of such marine installations with heights up to 150 metres may present as obstacles in flyways, and wishing to minimise possible adverse effects on nature;

***The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals***

1. *Calls* upon the Parties:

- (a) to identify areas where migratory species are vulnerable to wind turbines and where wind turbines should be evaluated to protect migratory species;
- (b) to apply and strengthen, where major developments of wind turbines are planned, comprehensive strategic environmental impact assessment procedures to identify appropriate construction sites;
- (c) to evaluate the possible negative ecological impacts of wind turbines on nature, particularly migratory species, prior to deciding upon permission for wind turbines;
- (d) to assess the cumulative environmental impacts of installed wind turbines on migratory species;
- (e) to take full account of the precautionary principle in the development of wind turbine plants, and to develop wind energy parks taking account of environmental impact data and monitoring information as it emerges and taking account of exchange of information provided through the spatial planning processes;

2. *Instructs* the Scientific Council to assess existing and potential threats from offshore wind turbines in relation to migratory mammals and birds, including their habitats and food sources, to develop specific guidelines for the establishment of such plants and to report to the Conference of the Parties accordingly at its next meeting; and

3. *Invites* relevant intergovernmental organizations as well as the European Community and the private sector to cooperate with CMS in efforts to minimise possible negative impacts of offshore wind turbines on migratory species.

\* \* \*



APPENDIX 2  
**The Agreement of the Conservation of  
 European Populations of Bats**



**RESOLUTION No. 4.7**

**WIND TURBINES AND BAT POPULATIONS**

Adopted by the Session of the Meeting of Parties (Sofia, 22-24 September 2003)

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*The Meeting of the Parties to the Agreement on the Conservations of Populations of European Bats (hereafter “the Agreement”),*

*Recalling* Article III, Paragraph 6 of the Agreement, which stipulates that “Each Party shall take such additional action as it considers necessary to safeguard populations of bats which it identifies as being subject to threat and shall report under Article VI on the action taken.”;

*Appreciating* Resolution 7.5 adopted by the Seventh Meeting of the Conference of Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) concerning Wind Turbines and Migratory Species;

*Recognising* that the Terms of Reference for the Advisory Committee give it the task to recommend solutions to the Meeting of Parties to problems relating to the scientific aspects of the implementation of the Agreement;

*Further recognising* the environmental benefits of wind energy especially for addressing climate change and the significance of reducing climate change for the longterm survival of bat populations;

*Noting* the potential of large scale development of wind turbines as a new technique of energy production for which the actual effects on bats are not fully assessed or predicted at present;

*Noting* also that there is existing evidence of mortalities of bats from wind turbines;

*Concerned* about the possible negative impacts of wind turbines on bat populations as well as their prey and habitats e.g.:

- destruction and disturbance of habitats and commuting corridors,
- destruction or disturbance of roosts,
- increased collision risk for bats in flight,
- through emission of ultrasound noise.

*Recognising* the need for a thorough environmental impact assessment prior to selecting appropriate construction sites in order to avoid areas of particular value to bat populations;

*Aware* of the need to regularly monitor and assess the actual impact of wind turbines by international exchange of information and by monitoring programmes at existing wind turbine plants;

*Recognising* the need for adequate relevant research on such effects on bats and the limited data available on bat populations potentially affected;

*Noting* especially the potential risk to bat populations that such installations may present; and

*Wishing* to minimise possible adverse effects on bat populations;

*Decides to:*

*Request* the Advisory Committee to assess the evidence of the impacts of wind turbines on bat populations and, if appropriate, to develop guidelines for assessing potential impacts on bats and for the establishment of wind turbines in accordance with the ecological requirements of bat populations;

*Emphasise* that until this task is completed, the Parties and Range States should take full account of the precautionary principle in the development of wind turbine plants and to take account of bats in planning processes relating to the siting of wind turbines, especially along migration routes and in areas of particular value to bat populations;

*Encourage* the Parties and Non-Party Range States to initiate and support further investigations and research on the impact of wind turbines on bats.

## Appendix 4



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

#### Standing Committee

#### **Recommendation No. 110 (2004) of the Standing Committee, adopted on 3 December 2004, on minimising adverse effects of above-ground electricity transmission facilities (power lines) on birds**

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

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

Recalling that Article 2 of the Convention requires Parties to take requisite measures to maintain the population of wild fauna at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic requirements;

Recalling that Article 3.2 of the Convention requires each Contracting Party to undertake, in its planning and development policies and in its measures against pollution, to have regard to the conservation of wild fauna.

Recalling also the Convention on the Conservation of Migratory Species of Wild Animals (CMS) Resolution 7.4 on Electrocution of Migratory Birds adopted by the 7<sup>th</sup> meeting of the Conference of the Parties (2002) and recognising the intention of the CMS to increase cooperation with the Bern Convention;

Recognising the importance of maintaining energy supplies and for actions taken to protect birds to be proportionate in terms of cost and to avoid reduction in overall level of safety of transmission lines or in stability of supply;

Recognising the importance of maintaining a stable energy supply and avoiding a reduction in the overall level of safety of transmission lines;

Recognising also that actions taken to protect birds should be proportionate in terms of cost,

Referring to the information presented in the report T-PVS/Inf (2003) 15 *Protecting birds from powerlines: a practical guide to minimising the risks to birds from electricity transmission facilities*, prepared by BirdLife International for the Council of Europe, informing of the negative impact on many species of wild bird (including migratory species) across Europe and the world, from overhead electricity transmission lines, conductors and towers (including those associated with railway infrastructure) through increased mortality due to electrocution, collision and also through reduction of suitability of staging, wintering and breeding areas, especially when powerlines cross open landscapes;

Concerned that a significant number of bird species suffering from electricity transmission facilities are listed in Annex II to the Convention, and that the threat is increasing due to the continuing construction of dangerous electricity transmission facilities;

Concerned particularly that, without action to minimize threats to birds from electricity transmission facilities, many populations and potentially species, including globally threatened species such as *Aquila adalberti* may be severely affected;

Recognising that, especially in arid zones, electrocution of birds on transmission lines can cause disastrous forest fires affecting both wildlife and people and for which electric utility companies can expect to be made liable;

Aware that technical solutions are available to eliminate or reduce transmission line electrocution and collision risk posed to birds and that such solutions which are safer for birds also correspond to a better energy supply and therefore are an advantage to supplying companies; most existing facilities do not incorporate such solutions

Desiring to raise awareness among the public, developers and decision-makers of the serious, widespread risks posed to birds by powerlines and that these can readily be minimised;

Recommends that Contracting Parties to the Convention:

1. take appropriate cost-effective measures to reduce bird mortality from electric transmission facilities taking into account Resolution 7.4 of the Seventh meeting of the Parties of the Convention on Migratory Species of Wild Animals (Appendix 2), applying those cautions to cases where non-migratory species may be affected;

2. apply as far as possible the measures for bird safety suggested in the report mentioned in the *consideranda* above, and in particular those suggested in the enclosed Appendix 1, taking into account that, to ensure appropriately located and safe constructions, the following measures need to be considered:

To avoid electrocution

- a) banning of the most dangerous types of pole
- b) use of state-of-the-art recommended technical standards for bird safety for new and retrofitted facilities

To avoid collisions and reduction of habitat availability, while improving air safety

- c) encouraging underground location of cables where possible in technical and financial terms; or
- d) in locations of particular importance to birds, and where birds may be vulnerable to collision, consents should be conditional upon examination of different routing alternatives prior to and during the planning phase, involving a minimum of one year of ornithological investigations including of bird movements during both day and night ;
- e) constructions should obstruct only a minimum of air space in a vertical direction i.e. single-level arrangement of conductor cables with no neutral cable above or clearly visible black-and-white markers should be attached to high-risk cables;

3. consider replacing underground overhead powerlines in areas of exceptional high interest for birds, particularly in protected areas and in areas designated for the Natura 2000 and Emerald Networks for their bird interest.

4. systematically collect information with respect to collisions and electrocutions on electricity transmission lines;

5. communicate to the Standing Committee the relevant steps that have been adopted or envisaged concerning the implementation of this recommendation as well as information on the outcome of measures adopted;

Invites observer states to take note of this recommendation and implement it as appropriate.

## APPENDIX 1

Examples of measures that may be considered as appropriate for minimising the negative impacts on birds of electricity transmission facilities are listed for implementation by Contracting Parties. Additional standards, including stricter standards, may be adopted by Contracting Parties. The design and route of electricity transmission lines is critically important to avoiding deleterious impacts on birds.

In considering these examples of possible bird mitigation measures, it is recognised that the electricity industries in Contracting Parties will necessarily have to work at actions that might be taken to protect birds in a wider context. This includes cost, stability of supply and overall safety of transmission lines

#### A. Criteria for Environmental Assessment

- (a) Thorough environmental assessment<sup>1</sup> should be undertaken for all electricity transmission lines that have the potential for damaging effects on wild birds or in areas where there is uncertainty as to the potential effects. .
- (b) The use of standard methods is essential to ensure comparability, adopting the Before-After Control-Impact (BACI) approach with consistent application of these methods before, during and after construction in the vicinity of the power line and a reference area for comparison
- (c) There is a need for best practice guidance on standard study methods, to inform the EIA process.
- (d) In case of lacking knowledge and in areas of particular importance to birds, a **minimum** one-year baseline field study should be undertaken to determine the use of the study-area by birds.
- (e) Post-construction monitoring needs to enable short- and long-term effects and impacts to be distinguished and satisfactorily addressed.

The following list of bird families are indicative of those that should tend to be focal species for environmental assessments where they are at risk as they are considered to be particularly sensitive, or potentially so, to power lines (electrocution, collision, displacement including barrier to movement). Key: 0 - no casualties reported or likely; I - casualties reported, but no apparent threat to the bird population; II - regionally or locally high casualties; but with no significant impact on the overall species population; III - casualties are a major mortality factor; threatening a species with extinction, regionally or on a larger scale.

	(a) due to electrocution	(b) due to collisions
Loons ( <i>Gaviidae</i> ) and Grebes ( <i>Podicipedidae</i> )	0	II
Shearwaters, Petrels ( <i>Procellariidae</i> )	0	I - II
Bobbies, Gannets ( <i>Sulidae</i> )	0	I - II
Pelicans ( <i>Pelicanidae</i> )	I	II - III
Cormorants ( <i>Phalacrocoracidae</i> )	I	II
Hérons, Bitterns ( <i>Ardeidae</i> )	I	II
Storks ( <i>Ciconiidae</i> )	III	III
Ibisses ( <i>Threskiornithidae</i> )	I	II
Flamingos ( <i>Phoenicopteridae</i> )	0	II
Ducks, Geese, Swans, Mergansers ( <i>Anatidae</i> )	0	II
Raptors ( <i>Accipitriformes</i> and <i>Falconiformes</i> )	II - III	I - II
Partridges, Quails, Grouses ( <i>Galliformes</i> )	0	II - III
Rails, Gallinules, Coots ( <i>Rallidae</i> )	0	II - III
Cranes ( <i>Gruidae</i> )	0	II - III
Bustards ( <i>Otididae</i> )	0	III
Shorebirds / Waders ( <i>Charadriidae</i> + <i>Scolopacidae</i> )	I	II - III
Skuas ( <i>Stercorariidae</i> ) and Gulls ( <i>Laridae</i> )	I	II
Terns ( <i>Sternidae</i> )	0 - I	II

<sup>1</sup> For example, as set out in Directive 2001/42/EC of the European Parliament and of the Council 'Assessment of certain public and private projects on the environment' (EIA Directive) as amended by Directive 97/11/EC.

Auks ( <i>Alcidae</i> )	0	I
Sandgrouses ( <i>Pteroclididae</i> )	0	II
Pigeons, Doves ( <i>Columbidae</i> )	II	II
Cuckoos ( <i>Cuculidae</i> )	0	II
Owls ( <i>Strigiformes</i> )	I - II	II - III
Nightjars ( <i>Caprimulgidae</i> ) and Swifts ( <i>Apodidae</i> )	0	II
Hoopoes ( <i>Upudidae</i> ) and Kingfishers ( <i>Alcedinidae</i> )	I	II
Bee-eaters ( <i>Meropidae</i> )	0 - I	II
Rollers ( <i>Coraciidae</i> ) and Parrots ( <i>Psittadidae</i> )	I	II
Woodpeckers ( <i>Picidae</i> )	I	II
Ravens, Crows, Jays ( <i>Corvidae</i> )	II - III	I - II
Medium-sized and small songbirds ( <i>Passeriformes</i> )	I	II

**B. Precautions for route selection for electricity transmission lines**

- (a) There should be precautionary avoidance of locating power lines farms in designated or qualifying sites for nature conservation, including Important Bird Areas (IBAs).
- (b) As part of effective regional planning, there is a need to identify species and areas of concern, to map potential and potentially sensitive locations for electricity transmission lines based on nature conservation concerns, for example avoidance of migratory corridors and other large concentrations of birds.

**C. Technical Standards to protect birds from electrocution**

*Newly erected power poles and technical hardware should be constructed to exclude the possibility of bird electrocution. Crossarms, insulators and other parts of medium voltage (1KV – 60 KV) powerlines should be constructed so that birds are not able to perch near energized powerlines that might be hazardous.*

Mitigating measures should be undertaken on existing power poles and technical hardware in the medium voltage range in locations of particular importance for birds

Power poles for medium voltage (1KV – 60 KV) should reflect the state-of-the-art in design for bird safety and should follow the detailed design guidelines and criteria described in the catalogue „Vogelschutz an Freileitungen“, VDEW-Verlag, 2<sup>nd</sup> edition, 1991 (Comments on Section 8.10 Bird Protection of German Industry Norm VDE 0210/12.85).

The following describes the most widely used types of power poles worldwide, their potential risk and steps towards mitigation. Recommendations are made for power poles made of concrete, steel, composite steel and wood. This report is based on standards set up by the Vereinigung Deutscher Elektrizitätswerke (1991) as well as studies carried out by the NABU National Working Group on Electrocution (2002).

The safety of the installations depends primarily on

- how insulators are attached to the poles and
- the actual space between the power cables and other energized and grounded parts.

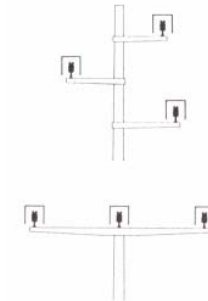
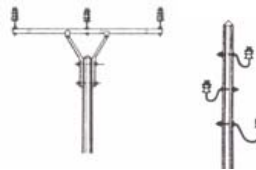
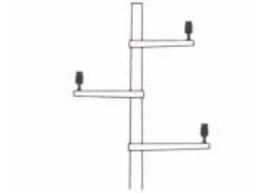
## A) POWER POLES WITH UPRIGHT INSULATORS

**Power poles, constructed on pre-stressed concrete or metal with upright insulators,** are widely used and rank as the most dangerous of all types. The gap between the cables and the crossarm is small.

*Risk: high*

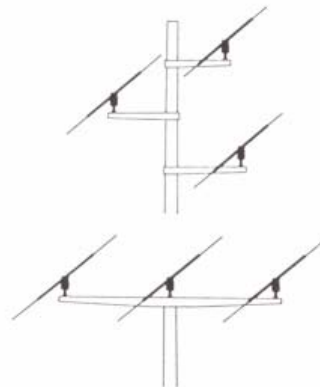
In wet weather **wooden poles** with upright insulators can be a hazard as well as poles that are grounded. For mitigation, the top of armless poles has to be well above the uppermost wire (right).

Mitigating electrocution effectively is possible either by treating poles (a) with insulating caps made of plastic for outdoor use 130 cm in length or (b) insulating powerlines with tubing 130 cm in length. The conductors have to be spaced at a distance of at least 140 cm. If this is not possible, they should be insulated with tubing.



### Suggested Practices:

- (a) Insulated caps (above)
- (b) Tubing (below)

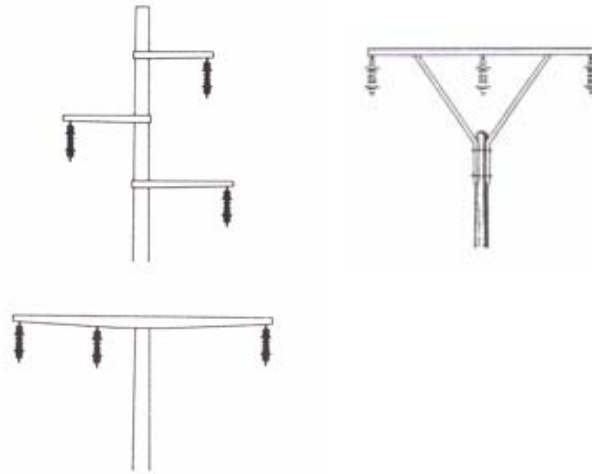




### B) POWER POLES WITH SUSPENDED INSULATORS

**Poles with suspended insulators** are fairly safe provided the distance between a likely perch (crossarm) to the energized parts (conductors) is at least 60 cm. Conductors should be spaced at least 140 cm apart. Hardware that is used to prevent arcing (“St. Elmo’s fire” on both sides of the insulators) should not be used.

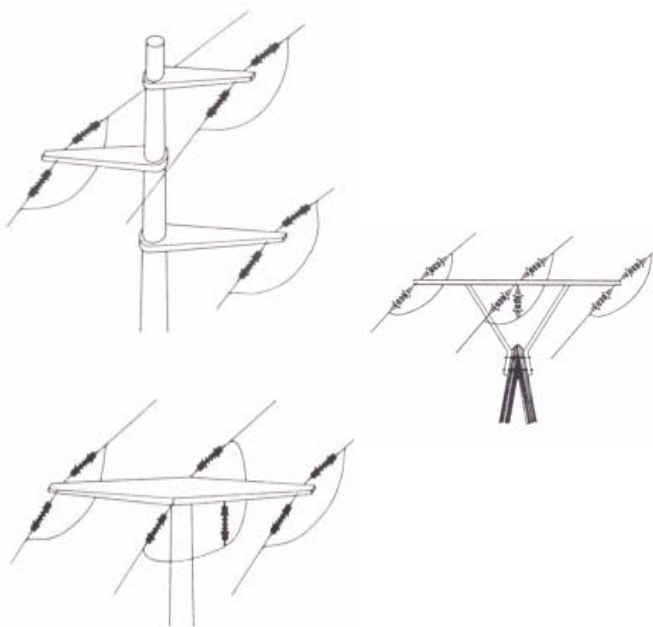
**Risk: low**



### C) STRAIN POLES

**Strain poles with powerlines below the crossarm:**

**Risk low, if the insulators are long enough (at least 60 cm).**

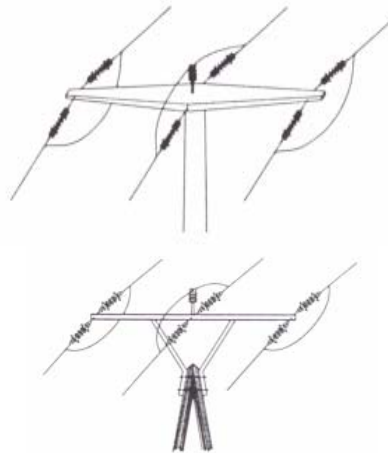


**Strain poles with one conductor above the crossarm.**

**Risk high (see also Fig. 3):**

Bird-safe strain poles require insulating chains at least 60 cm in length. Hazardous constructions can be mitigated by  
 (a) lengthening the chains or  
 (b) installing perch rejectors (upright “whisk brooms”) on the crossarms.

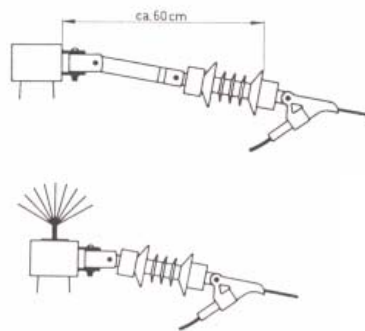
In instance where the conductors run above or too close to the crossarm, (c) tubing should be used. Junction power poles should be treated in the same way (insulation of conductors which come too near to a perching site – closer than 60 cm).



Suggested practices:

Lengthening of the chain (a, above)

**Perch rejectors, made of plastic rods (b, below)**



Suggested practices:

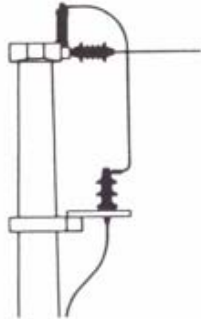
**Insulated hood or insulated tubing (c)**

(see also Fig. 30)

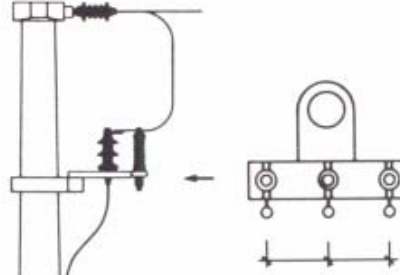


### D) TERMINAL POLES AND TOWER STATIONS

#### Terminal pole



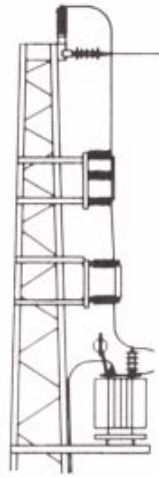
**Risk: high**



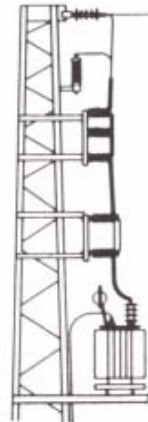
**Suggested practices (see legend)**

Frequently over voltage reactors extend above the tops of terminal poles and tower stations. This hazard for birds can be avoided if the over voltage reactor is attached below the crossarm and all down leading wires are insulated with tubing. On tower stations all contacts directly above the switch as well as between the switch and transformer should be treated likewise. Hardware used to prevent electrical arcs should not be used (mitigation measure : dismantle).

#### Tower Station



**Risk: high**

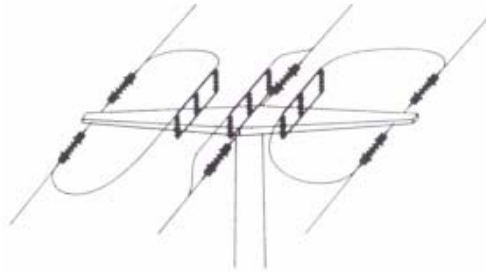


**Suggested practices (see legend)**

## E) SWITCH TOWERS

The safest switch towers have their switches attached below the crossarm. Otherwise, mitigation measures are more complicated and do not provide the same high degree of safety for birds. As hooding is usually not possible, various techniques have been tested.

### Switch tower

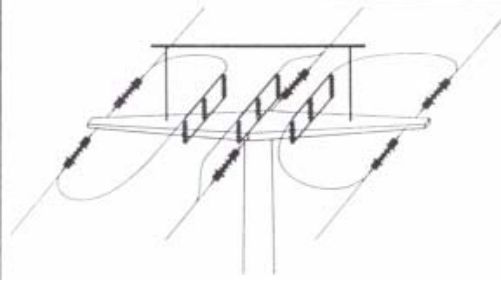


### Risk: high

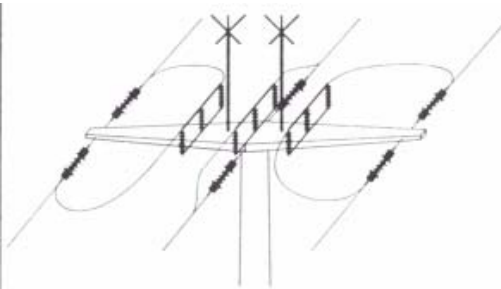
Insulated perch sites can be installed (a) lengthwise to the crossarm or (c) at its edge. They should be as long as possible and have a rough texture. Perching deterrents (“St. Andrew`s Cross”) (b) installed above the switch keep birds from perching on the poles, as does the installation of acrylic glass rods (c).

### Suggested practices:

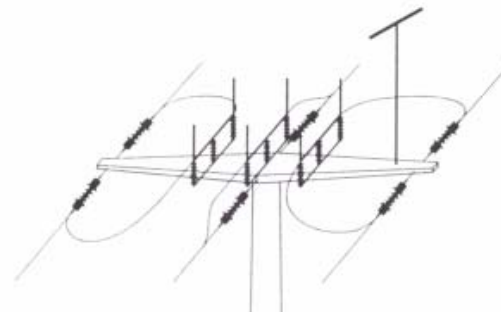
#### (a) Insulated perch sites



#### (b) St. Andrew`s Cross



#### (c) Insulated perch sites lengthwise to the crossarm and acrylic glass rods



In the case of medium-voltage **railway powerlines**, similar modifications or new constructions must become mandatory: they reduce bird losses and improve railway safety. In Germany, railway engineers, conservationists and government representatives are in the process of elaborating detailed technical standards and design guidelines, which take into consideration bird safety. Fig. 16 illustrates that bird safety can be introduced without large technical effort.

**D. Priorities for research to enable impacts of electricity transmission lines to be minimized**

- (a) Research and monitoring should be implemented by national governments and the energy utility companies, in consultation with relevant experts, to improve our understanding of the impacts of electricity transmission installations. This will be an iterative process that will inform decision-making, appropriate route selection and design of installations. The results of research should be published in international scientific journals, including a summary, preferably in English, to ensure wider dissemination including to electro-engineering periodicals.
- (b) Research and monitoring requirements should encompass the following:
  - i effects and potential population level impacts on birds of electrocution, collision and displacement from habitats and barriers to movement;
  - ii effectiveness of different designs of installation at minimising bird mortality, while taking account of their cost effectiveness, including durability.
- (c) There need to be incentives to ongoing technological development of electricity transmission installations which minimise impacts on birds eg while being durable and removing neutral cables which are at different heights from other cables.
- (d) A useful subject for further study is to look in detail at individual case studies to evaluate examples of conflict resolution, case law, or trends in casework throughout the Council of Europe area.

## APPENDIX 2



## Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.4\*

## ELECTROCUTION OF MIGRATORY BIRDS

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

*Recognising* that, under Article II of the Convention, Range States agree to take action for the conservation of migratory species whenever possible and appropriate, paying special attention to migratory species the conservation status of which is unfavourable, and taking individually or in cooperation appropriate and necessary steps to conserve such species and their habitats;

*Recognising* that Article II of the Convention requires all Parties to take action to avoid any migratory species becoming endangered and, in particular, to endeavour to provide immediate protection for migratory species listed in Appendix I to the Convention;

*Recognising* that Article III (4) (b) of the Convention requires Parties to endeavour *inter alia* to prevent, remove, compensate for or minimise, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of migratory species;

*Concerned* by the information presented in document UNEP/CMS/Inf.7.21 to the Seventh Meeting of the Conference of the Parties concerning the worldwide and increasing impact of electricity transmission lines, conductors and towers in causing injury and death by electrocution to species of large birds, including migratory species;

*Noting* that a significant number of migratory bird species that are significantly exposed to electrocution danger are listed in the Appendices to the Convention;

*Concerned* that such species are increasingly threatened by continuing construction of medium-voltage overhead transmission lines;

*Concerned particularly* that, without action to reduce or mitigate threats of electrocution, many populations and potentially species, including *Aquila adalberti* and *Hieraetus fasciatus*, may be severely affected;

*Recognising* that, especially in arid zones, electrocution of birds on transmission lines can cause disastrous forest fires affecting both wildlife and people;

*Desiring* to raise awareness among the public, developers and decision-makers of the serious, widespread electrocution risk posed to birds;

*Aware* that technical solutions are available to eliminate or minimise transmission line electrocution risk posed to birds;

*Recognising* that power lines that are considered safer for birds also correspond to a better energy supply and therefore are an advantage to supplying companies;

\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.12.

*Bearing in mind* that collision with power lines is also a problem for birds, and that preventive measures should also be applied to mitigate its effects; and

*Bearing in mind* that electrocution on electricity transmission lines of railway infrastructure may also be a problem, and preventive measures should be envisaged;

***The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals***

1. *Calls* on all Parties and non-Parties to curb the increasing electrocution risk from medium-voltage transmission lines to migratory birds and to minimise this risk in the long term;
2. *Calls* on all Parties and non-Parties to include appropriate measures in legislation and other provisions for planning and consenting medium-voltage electricity transmission lines and associated towers, to secure safe constructions and thus minimise electrocution impacts on birds;
3. *Encourages* constructors and operators of new medium-voltage transmission lines and associated towers to incorporate appropriate measures aimed at protecting migrating birds against electrocution;
4. *Calls* on Parties and non-Parties to appropriately neutralise existing towers and parts of medium-voltage transmission lines to ensure that migratory birds are protected against electrocution;
5. *Invites* all concerned to apply as far as possible the catalogue of measures contained in document UNEP/CMS/Inf.7.21, which are based on the principle that birds should not be allowed to sit on parts that are dangerously close to the transmission parts under voltage;
6. *Encourages* constructors and operators to cooperate with ornithologists, conservation organizations, competent authorities and appropriate financial bodies in order to reduce the electrocution risk posed to birds from transmission lines; and
7. *Requests* the Secretariat to collect more information with respect to collisions and electrocutions on electricity transmission lines of railway infrastructure and other related issues.

\* \* \*

**Appendix 5**

Convention on the Conservation  
of European Wildlife and Natural Habitats

Standing Committee

**Recommendation No. 111 (2004) of the Standing Committee, adopted on 3 December 2004, on the proposed navigable waterway through the Bystroe estuary (Danube Delta, Ukraine)**

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

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

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

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

Referring to the report of Mr Hervé Lethier on the project to re-excavate a shipping canal in the Bystroe estuary (Danube Delta, Ukraine), drawn up following his on-the-spot appraisal [document T-PVS/Files (2004)03];

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

Noting that the Danube Delta constitutes one of the most important hotspots of biological diversity of the whole continent, supporting globally threatened and other rare species and habitats of European and world importance, and that Ukraine has undertaken to protect the Ukrainian part of the delta under its national and international legislation;

Considering that the protected area concerned is an important wetland in Ukraine, and a wetland of international importance as designated by Ukraine under the Ramsar Convention, has received international recognition of its value as a UNESCO Biosphere Reserve and will be a major component in the implementation of the Bern Convention Emerald Network;

Conscious that economic imperatives linked to the development of the Danube Delta region should take into account environmental considerations on the long-term conservation of the area;

Noting with concern that the limits of the protected area have been modified to exclude the Bystroe estuary so that the proposed development could legally proceed;

Firmly stating that the modification of limits of protected areas to accommodate development projects should in general be avoided, as it weakens any system of protected areas;



Considering that the implementation of the Bystroe project and future use of this channel might cause significant environmental damage and change the hydrological regime of part of the delta;

Noting that no environmental impact assessment was made available to the experts at the time of the mission, in July 2004;

Noting that the establishing of the navigable waterway and its exploitation may deteriorate natural habitats protected under Article 4 of the Convention and that the development could affect populations of species protected under Article 6 of the Convention;

Noting that such engineering works and future shipping exploitation in an area of paramount biological importance can only be contemplated as “exceptions” in the sense of Article 9 paragraph 1 of the Convention, that states that Parties “*may make exceptions from the provisions of Articles 4, 5, 6 and 7*”, among other reasons “*in the interests of public health and safety, air safety or other overriding public interests*”;

Noting, however, that Article 9, paragraph 1 of the Convention, states that a Party “*may make exceptions of Articles 4, 5, 6, 7 ... provided that there is no other satisfactory solution*” and conscious that viable alternative solutions have not been sufficiently explored and analysed yet ;

Noting that in this case Ukraine has failed to fulfil completely the terms of the Convention;

### **Transboundary aspects**

Taking into account the transboundary aspects of the projects and the fact that not enough consultation has been established with neighbouring states that may be affected;

Recalling that, as the planned activities might have significant adverse environmental impacts in a transboundary context, the Espoo Convention has begun the process of investigation by setting up an Inquiry Commission on compliance of Ukraine with the provisions of this Convention;

Recalling that, under the aegis of the Council of Europe, the Minister of Environment and Territorial Planning of the Republic of Moldova, the Minister of Waters, Forests and Environmental Protection of Romania and the Minister of the Environment and Natural Resources of Ukraine signed in Bucharest, on 5<sup>th</sup> June 2000 an *Agreement for the creation and management of a cross-border protected area between Moldova, Romania and Ukraine in the Danube Delta and the lower River Prut nature protected areas* (document STRA-REP (2000) 8);

Regretting that the above-mentioned Agreement has failed to enter into force, as its article 7 states that the “*Agreement shall take effect on the date of receipt by the depositary of the last notification in which the Parties shall inform on the completion of the legal procedures required under their national law for the entry into force of this Agreement*”, such notifications having not yet taken place;

Considering, however that by signing such Agreement the three states concerned have shown a willingness to co-operate in the issues dealt with by the Agreement ;

Recalling that Article 2 of the above-mentioned Agreement states that “*the Parties undertake to conserve its natural heritage (fauna, flora, habitats) and preserve its ecological and physical assets*” and that “*the Parties undertake to harmonise their methods of management and to co-ordinate all development projects or improvements by means of a comprehensive action programme leading ultimately to the development of a joint management plan*” and noting with regret that the project to establish a navigable waterway through the Bystroe estuary has not been subject to the co-ordination referred to in the Agreement;

Noting that the Agreement has not been properly implemented by the signatory Ministries and that dialogue between neighbouring states concerning this project and other issues concerning the ecological preservation of the Danube Delta has been imperfect;

Conscious of the need to reconcile the economic and ecological issues raised by this project and convinced of the necessity to further explore alternatives that, being economically sound and affordable, would be compatible with the preservation of the ecological character and functioning of the Danube Delta,

**Recommends Ukraine to:**

1. suspend works, except the completion of phase 1, and do not proceed with phase 2 of the project until:
  - the EIA for phase 2 is undertaken to international standards and submitted to the relevant international experts and organizations;
  - the public consultation on the EIA for phase 2 takes place and the proposals made during the discussions are duly considered;
  - the data collected during the additional monitoring program with involvement of international experts is analyzed and adequate recommendations are elaborated.
2. provide additional information on ecological and socio-economic aspects of alternative solutions and viable options of further development of shipping activities in the Ukrainian part of the Danube Delta; to this end prepare an Environmental Impact Assessment report with independent international experts, including from neighbouring states;
3. provide, for measures of ecological compensation and mitigation for any possible environmental damage; in that context finalize the official approval of proposed zonation which foresees the considerable expansion both in quality and quantity of the protected area; analyse the impact of phase 1 of the project;
4. invite in the coming months the international community to participate in a process to elaborate a Strategic Development Plan for the region that would stress the sustainability of social and economic activities and would assure the maintenance of the unique ecological values of the area and their long-term preservation;
5. consolidate a large area of strict protection free as far as possible of human interference, placing outside the protected area economic activities that are likely to negatively affect biological diversity, such as industrial activities linked to shipping, new building, etc.

**Recommends Moldova, Romania and Ukraine to:**

6. complete the legal procedures required under their national law for the entry into force of the "Agreement for the creation and management of a cross-border protected area between Moldova, Romania and Ukraine in the Danube Delta and the lower River Prut nature protected areas", which specifically aims at fostering dialogue among the three states concerning the maintenance of natural landscapes, the conservation, monitoring and management of the Danube's Delta natural heritage, the protection of cultural heritage, the promotion of education for sustainable development, the supervision and guidance of economic, social and cultural activities, among other issues; notify the Council of Europe, as depositary of the Agreement, of the completion of appropriate legal procedures;
7. develop constructive dialogue between the national and local authorities, local communities, non-governmental organisations, and scientists, and communicate openly about the progress of decision making;
8. welcoming Ukraine's initiative to launch a scientific monitoring programme to assess, in the long term, the environmental state of the Danube delta, including the effects of the navigable waterway and the success of any mitigation and compensation measures, invite experts from the Danube basin countries to participate in the programme and hold periodic meetings and consultation;
9. use the framework of that agreement and the Bern Convention to promote dialogue on environmental issues affecting the biological diversity of the Danube Delta;

**Recommends that Ukraine**

10. call, under the auspices of the Council of Europe, for a meeting of the states signatories of the Agreement to discuss relevant matters concerning this and other issues dealt with in the Agreement;

**Invites the Council of Europe, in its capacity of depositary of the Bern Convention to**

- support and facilitate as appropriate dialogue among the states sharing the Danube delta concerning the conservation and sustainable development of the area, in co-operation with other relevant international organisations
- consider the possibility to participate in the whole process of monitoring of the ecological situation in the Danube Delta and further development of the project in a sustainable way;
- undertake a transboundary strategic environmental assessment of the entire Danube delta according to international standards, taking into account the ecosystem approach.

## Appendix 6



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

#### Standing Committee

#### **Recommendation No. 112 (2004) of the Standing Committee, adopted on 3 December 2004, on hydroelectric dams at Kárahnjúkar and Nordlingaalda (Iceland)**

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

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

Recalling that under Article 3, paragraphs 1 and 2 of the Convention, the Parties agree that “*Each Contracting Party shall take steps to promote national policies for the conservation of wild flora, wild fauna and natural habitats, with particular attention to endangered and vulnerable species, especially endemic ones, and endangered habitats, in accordance with the provisions of this Convention*” and that “*Each Contracting Party undertakes, in its planning and development policies and in its measures against pollution, to have regard to the conservation of wild flora and fauna*”;

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

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

Recalling the *Recommendation (2002) 96 of the Standing Committee, on conservation of natural habitats and wildlife, specially birds, in afforestation of lowland in Iceland*, and the European Strategy on Invasive Alien Species developed by the Bern Convention;

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

Referring to the report of Mr Joe Sultana drawn up following his on-the-spot appraisal [document T-PVS/Files (2004) 5];

Concluding that no Bern Convention species will be seriously affected by the Kárahnjúkar and Nordlingaalda projects and that there is no need to open a case file on this issue;

Considering that the sites concerned by the hydropower projects contain species and habitats of European importance listed in the Appendices to the Convention, in particular, the internationally important population of the Pink-footed-goose (*Anser brachyrhynchus*), the Greylag goose (*Anser anser*), the Arctic skua (*Stercorarius parasiticus*) and the Great skua (*Catharacta skua*), as well as the Harbour seal (*Phoca vitulina*);

Noting that the hydropower projects are motivated by the policy of the Icelandic Government to promote increased utilisation of renewable energy resources in harmony with the environment and noting the positive achievement that about 70% of all energy consumption in Iceland comes from renewable sources;

Desirous to reduce and compensate the negative impacts that the hydropower projects are likely to have on biodiversity and recognising the importance of functioning ecosystems, and the significance of habitat integrity in maintaining biodiversity, and over the long term enabling adaptation to climate change;

Noting that both the Kárahnjúkar and Nordlingaalda projects are part of a first phase of a larger Icelandic hydro and geothermal energy Master Plan encompassing nearly fifty potential hydropower projects;

Noting that both projects have been evaluated with respect to their impact on nature, cultural heritage, alternate land-use potential, economic gain and regional development, in full accordance with national environmental legislation and international obligations, including the provisions of the Bern Convention;

Noting that the Kárahnjúkar hydropower project has been given the go-ahead by the authorities and work is in progress; noting also that the proposed Nordlingaalda hydropower dam has been temporarily postponed;

**Recommends that the Government of Iceland:**

1. Address cumulative negative effects on Bern Convention species while conducting a strategic environmental impact assessment in accordance with the European Community SEA Directive (2001/42/EC), based on the Master Plan for hydro and geothermal energy resources;
2. Recognising the value of the monitoring board established under the Kárahnjúkar hydropower project, consider the establishment of a similar process for appropriate hydro and geothermal projects that are approved and implemented, ensuring that these processes are effective and transparent, addressing negative impacts and in compliance with imposed conditions;

**Relating to Kárahnjúkar hydropower project:**

3. Avoid disturbance and pressures in the area of Eyjabakkur Important Bird Area (IBA) by restricting access during the moulting period of the Pink-footed goose (*Anser brachyrhynchus*). Furthermore, take appropriate measures to ensure that favourable conservation status of the area is maintained;
4. Maintain a favourable conservation status of the Úthérad to ensure the ornithological integrity of this IBA;
5. Consider wetland restoration in the Úthérad IBA to compensate for negative impacts resulting from the project;

**Relating to Nordlingaalda hydropower dam (Thjórsárver):**

6. Maintain the favourable conservation status of the Thjórsárver to ensure the ecological integrity of this ecosystem and protect against significant negative impacts that may arise as a result of energy projects.

**Appendix 7**

Convention on the Conservation  
of European Wildlife and Natural Habitats

Standing Committee

**Recommendation No. 113 (2004) of the Standing Committee, adopted on 3 December 2004, on the installation of a new antenna (Pluto II) in the Sovereign Base Area (Akrotiri, Cyprus)**

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

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

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

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

Recalling that Article 4 of the Convention stipulates that the Contracting Parties undertake to give special attention to the protection of areas that are of importance for the migratory species specified in Appendices II and III and which are appropriately situated in relation to migration routes, as wintering, staging, feeding, breeding or moulting areas;

Noting however that Article 9, paragraph 1, states that a Party may make exceptions from the provisions of Articles 4, 5, 6, 7 and from the prohibition of the use of the means mentioned in Article 8 provided that there is no other satisfactory solution and that the exception will not be detrimental to the survival of the population concerned;

Referring to the report of Mr Eckhart Kuijken drawn up following his on-the-spot appraisal [document T-PVS/Files (2004) 21];

Bearing in mind the work carried out by the independent international panel of experts of the IEMA (Institute of Environmental Management and Assessment, Lincoln, United Kingdom) as well as the findings of the Ramsar Convention mission conducted in June 2002 to the Akrotiri Salt Lake ;

Noting that the construction of the communication antennae is considered vital on security grounds and that they are an essential part of worldwide communication networks;

Noting that the Akrotiri wetland contains a combination of inland saline and freshwater wetland habitats unique in the biogeographic region of the eastern Mediterranean;

Noting that this ecosystem is listed as an "Important Bird Area" and was designated by the United Kingdom as a wetland of international importance under the Ramsar Convention as agreed with the Cypriot Ministry of Foreign Affairs;

Considering that this area is a major component in the implementation of the Natura 2000 / Emerald Network;

Having taken note that the local population of Akrotiri village has expressed serious concern over the health risk from the repeated exposure to radiation;

Convinced of the need for co-operation between the Sovereign Base Area (SBA) and the Cypriot authorities and the non-governmental organisations (NGOs) in order to ensure regular monitoring and to carry out field observations and research;

Stressing also the need for good communication with local residents, especially on the subject of health;

Having noted monitoring of bird movements by night vision equipment illustrating that some mortality occurs (RPS-Ecoscope Report)

Aware of the mitigation measures already taken by the British authorities to prevent bird collisions;

Recognising furthermore the de facto contribution of the military presence to the conservation of natural values of Akrotiri and surrounding coastal strips,

Further noting that the natural value of the site makes it an inherently inappropriate location for developments that pose a potential threat to wildlife;

Wishing that the possible establishment of a new antennae in the area or the expansion of the existing antennae or other development that may lead to deterioration of the site be subject to a thorough prior Environmental Impact Assessment and to a wide public consultation procedures involving, as appropriate, Cyprus authorities;

Recommends to:

1. Further monitor on a long-term basis the consequences of the construction of the Pluto I and II antennae in a site with ornithological values of international importance, especially in order to better estimate the overall level of bird mortality; it is recommended to establish networks of SBA experts together with NGOs and the Cypriot authorities and to join efforts for both monitoring and the design of additional experimental research and the development of further mitigating measures to minimise the effects of the antenna park on bird movements;
2. Monitor radiation levels in order to assess effects on bird orientation, but in the first place to assure local populations that there are no health problems even when the antennae are operated simultaneously; independent validation of monitoring data is to be guaranteed and additional opportunities for biological experimental research are to be considered in view of the precautionary principle;
3. Draw up an integrated management plan for the whole wetland complex of the Salt Lake and Fissouri Marsh, including surrounding areas of outstanding ecological importance (beaches, dunes, rocky shorelines), taking into account the requirements of the Ramsar and Bern Conventions and of the European Union directives in order to safeguard the international values;
4. Ensure that the establishment of the management plan or other plans and projects are based on public consultation and mutual agreements between the SBAA, the Cypriot authorities and specialised NGOs and that it is communicated to all stakeholders, especially local residents.

Crucial aspects to be included are, among others:

- i. water management (quantity and quality, influence by agricultural chemicals, etc.), coastal protection, bird preservation, habitat conservation and vegetation management;
- ii. specific actions to avoid bird disturbances (by cars, visitors, shooting, bird trapping, model airplanes), including the mitigating measures in the antennae park;
- iii. regulations concerning recreational land use and physical planning taking into account the limits of the area's carrying capacity by preventing irreversible development of beach recreation facilities;
- iv. a restricted policy for building permissions in order to prevent increased pressure on the environment;

- v. a chapter on further establishment of environmental and nature education, monitoring and research, including provision of budgets for personnel, equipment and functioning costs (leaflets, exhibitions, etc);
5. Remove gradually the western edge of the eucalyptus belt north of the Salt Lake and on the south-eastern edge of Fissouri Marsh in order to alleviate the risks of bird collisions with *Pluto antennae*; the effects of cuttings must be carefully monitored for all groups of species (waterbirds, raptors, passerines) as well as the ecological consequences on the water level and the potential for vegetation restoration;
6. Take steps to ensure that the archaeological, historical and ecological values of Akrotiri, which represent an underestimated opportunity for environmental and cultural education, especially for schools but also for the public at large be recognised; open and improve some of the signposted trails in the military area as a specific programme of the Akrotiri Information Centre and the future permanent visitors centre, in order to better communicate with the Cypriot population.





## Appendix 8

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

#### Standing Committee

#### **Strasbourg Declaration on the role of the Bern Convention in the preservation of biological diversity (adopted on 30<sup>th</sup> November 2004)**

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats,

*Meeting* in Strasbourg from 29 November to 3 December 2004 under the auspices of the Council of Europe;

*Celebrating* the 25<sup>th</sup> anniversary of the signature of the Convention;

*Recognising* the pioneer role of the Convention in proposing a comprehensive approach through legislative and administrative measures aimed at the conservation and sustainable use of wild flora and fauna and natural habitats;

*Aware* that the preservation and sustainable use of biological diversity is of paramount importance for the well-being of societies and for the maintenance of ecological systems;

*Worried* that biological diversity is still being lost at unsustainable rates, in process of a constant erosion of the world's natural heritage;

*Wishing* to contribute to the goals of the Johannesburg "World Summit on Sustainable Development" to achieve by 2010 significant reduction in the current rate of loss of biological diversity;

*Celebrating* that in the 25 years since its signature the Bern Convention has contributed significantly to fostering conservation of biological diversity in its Contracting Parties, mainly through the improvement and implementation of national legislation, and its common programmes in the field of threatened species and the conservation and sustainable use of natural habitats;

*Sharing* the concerns of the United Nations Millennium Declaration adopted by the General Assembly in September 2000, which mentions "*respect for nature*" among the fundamental values essential to international relations in the twenty-first century and states that "*Prudence must be shown in the management of all living species and natural resources, in accordance with the precepts of sustainable development. Only in this way can the immeasurable riches provided to us by nature be preserved and passed on to our descendants. The current unsustainable patterns of production and consumption must be changed in the interest of our future welfare and that of our descendants*";

*Conscious* that 25 years after the Convention was signed, wildlife and natural habitats are still under stress by threats that have intensified in importance, such as climate change, habitat fragmentation, land-use change, invasive alien species, industrial accidents or pressures on the natural heritage driven by globalisation and unsustainable consumption patterns;

*Recalling* the 1995 Monaco Declaration on the role of the Bern Convention in the implementation of worldwide international instruments for the protection of biodiversity and its Resolution No. 7 (2000) on the Strategic Development of the Convention,

Recalling the Resolution on Biodiversity adopted in Kyiv (Ukraine) at the Fifth Ministerial Conference "An Environment for Europe" (May 2003);

Considering that conservation of biological diversity in the framework sustainable development is one of the priorities of the Council of Europe for the next decade;

*Acknowledges* that:

A. The Bern Convention, which to date counts with 45 Contracting Parties, constitutes an instrument of major importance for the conservation and sustainable use of biological diversity at the regional level by reason of its aims, its geographical coverage and commitment of its Parties to implementation;

B. The Bern Convention has a solid conservation work behind, a strong expertise and a great potential to continue contributing, in synergy with other multilateral environmental agreements, European Union directives and other biodiversity related instruments, to the goals of conservation and sustainable use of the world's biological diversity;

*Adopts* the following resolutions, which are an integral part of this Declaration:

1. Promote the expression and adoption of a political consensus on the values attached to the fundamental entitlement to live in a healthy environment and to benefit from the sustainable use of biological diversity while guaranteeing sustainable development and solidarity for present and future generations;
2. Strengthen the monitoring of the implementation by Parties of the provisions of the Convention, both through the elaboration of country reports, the regular check up of compliance with selected recommendations and the further development of the case-file system as a tool for negotiation and prevention of conflict where appropriate;
3. Continue its work on species conservation through the preparation, implementation and follow-up of action plans, strategies and recommendations, the monitoring of populations at risk and the prevention of the effects of Invasive Alien Species on wildlife and natural habitats, supporting as appropriate the Convention's specialised groups of experts;
4. Strengthen the implementation of its decisions concerning the Areas of Special Conservation Interest which set up the framework of the development of the Emerald Network, encouraging States to designate areas and build the network at the national level;
5. Devote more efforts to analysing the impact of sectoral policies on biological diversity, evaluating the sustainability of such policies, proposing ways and means to better integrate biological diversity consideration into sectoral policies and promoting remedial action where appropriate;
6. Continue awareness-raising activities to concerned sectors, decision makers and the general public;
7. Work more closely with other Council of Europe sectors in the field of sustainable development, identifying crosscutting issues, exploiting appropriate synergies, improving the visibility of the Convention and enhancing its political dimension within the Organisation;
8. Enhance work on the ways and means to assure the financial sustainability of the Convention, encouraging Parties to make voluntary contributions and to support environment programmes at the Council of Europe
9. Pursue and reinforce the implementation of the Memorandum of Co-operation between the Secretary General of the Council of Europe, in his capacity as Secretary of the Bern Convention, and the Executive Secretary of the Convention of Biological Diversity, signed in November 2001, including the exchange of information, the co-ordination of work programmes and the implementation at the regional level of CBD initiatives; in this context maintain the existing synergy with the Pan-European Biological and Landscape Diversity Strategy and other biodiversity related treaties and initiatives; continue and strengthen cooperation with UNEP, UNESCO and other relevant United Nations bodies;
10. Strengthen working relationships with the European Community, aiming at the enhancement of common activities and improvement of coherence in the monitoring of implementation, by State Members of the European Union, of the obligations under the Bern Convention; in that context, pursue and reinforce the implementation of the Memorandum of Co-operation between the Council

of Europe and the European Environment Agency, in particular in the field of information on ecological networks, collection and harmonisation of data on species and biodiversity indicators;

11. Continue and develop the involvement of relevant non-governmental organisations and experts as their contribution is essential to the success of the convention;
12. Deploy appropriate efforts to encourage the six member States of the Council of Europe that have not yet ratified the Convention to do so.

## Appendix 9

## Activities for 2005

in Euro

<b>1. Monitoring of the legal application of the Convention</b>	
<p><b>1.1. Reports on the implementation of the Convention in two Contracting Parties and legal assistance to new Contracting Parties</b></p> <p>Reports will make a legal analysis of the implementation of the Convention in one Contracting Party, suggesting way to improve such implementation and adapt it to the provisions of the Convention (for new Parties).</p> <p>Fixed appropriation for consultant</p>	6,000
<b>2. Conservation of natural habitats</b>	
<p><b>2.1. Group of experts for the setting up of the Emerald Network of Areas of Special Conservation Interest</b></p> <p style="text-align: right;">1 day</p> <p><i>Terms of reference</i> To do the necessary work to implement Recommendation No. 16 (1989) on areas of special conservation interest. The group will review the technical documents prepared by the experts and make proposals to build up the Emerald Network.</p> <p>Travel and subsistence expenses for one expert from each 22 states: ALBANIA, ARMENIA, AZERBAIJAN, BOSNIA AND HERZEGOVINA, BULGARIA, CROATIA, CZECH REPUBLIC, ESTONIA, GEORGIA, LATVIA, LITHUANIA, MOLDOVA, MONACO, MOROCCO, ROMANIA, RUSSIA, SERBIA AND MONTENEGRO, SLOVAKIA, "THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA", TUNISIA, TURKEY, UKRAINE</p> <p>Travel and subsistence expenses for 1 consultant</p>	15,600 1,000
<p><b>2.2. Pilot projects for the setting-up of the Emerald Network at national level in some states</b></p> <p>Financial contribution for the setting-up of the Network in 2 States</p>	22,000
<p><b>2.3. Consultants</b></p> <p>Consultants will be hired to manage the setting-up of the Emerald Network and to do the necessary technical work required, included software, lists, handling of data, etc.</p>	10,000
<b>3. Monitoring of species and encouraging conservation action</b>	
<p><b>3.1. Invasive Alien Species</b></p> <p><b>- Group of Experts on Invasive Alien Species</b></p> <p style="text-align: right;">Majorca (Spain) : 3 days</p> <p><i>Terms of reference</i> The Group of Experts will facilitate and survey the progress in the implementation of the European Strategy on Invasive Alien Species and support national activities.</p> <p>Travel and subsistence will be covered for one expert of each of the following 18 states: ALBANIA, BELGIUM, CROATIA, CYPRUS, CZECH REPUBLIC, ESTONIA, HUNGARY, ICELAND, ITALY, MALTA, MOROCCO, POLAND, PORTUGAL, SLOVAKIA, SLOVENIA, TUNISIA, UKRAINE</p> <p>Travel and subsistence expenses for 3 consultants</p> <p><i>Participants</i> All Contracting Parties</p> <p><i>Observers</i> All observer states and qualified organisations active in this field</p>	15,200 2,400

<p><b>- Seminar on Invasive Alien Plants in the Mediterranean Region (organised by Porquerolles Botanical Conservatory)</b> Montpellier (France)</p>	<p>p.m.</p>
<p><b>-Follow-up of the implementation of the European Strategy on Invasive Alien Species (IAS)</b> Appropriation for consultant and technical meetings</p>	<p>5,000</p>
<p><b>3.2. Invertebrate Conservation</b></p>	
<p>- This activity is carried out in co-ordination with EIS (European Invertebrate Survey)</p>	
<p>Finalisation of the draft of the European Strategy for Invertebrate Conservation, aiming at identifying priority action by states.</p>	<p>10,000</p>
<p><b>3.3. Large Carnivores and Large Herbivores</b></p>	
<p>These activities are carried out in co-operation with LCIE and LHF. Within the Large Carnivore Initiative for Europe, a number of regional working groups have been established to monitor implementation of European action plans.</p>	
<p>Consultants and co-ordination meetings</p>	<p>6,000</p>
<p><b>- Seminar on the transboundary management of large carnivore populations</b> Slovenia: 3 days</p>	
<p><i>Terms of reference</i></p>	
<p>The Seminar will examine transboundary management of large carnivore population in the context of an expansion of populations of wolf, lynx and bear. The seminar will make proposals concerning international co-operation in that field and on the implementation of Action Plans adopted by the Standing Committee.</p>	
<p>Travel and subsistence expenses for one expert of the following 16 states: <small>ALBANIA, BULGARIA, CROATIA, ESTONIA, FRANCE, GREECE, ITALY, LATVIA, LITHUANIA, POLAND, ROMANIA, SLOVAKIA, SWEDEN, SWITZERLAND, TURKEY, UKRAINE</small></p>	<p>15,500</p>
<p>Travel and subsistence expenses of 3 consultants</p>	<p>2,800</p>
<p><i>Participants</i></p>	
<p>All Contracting Parties</p>	
<p><i>Observers</i></p>	
<p>All observer states and qualified organisations active in this field</p>	
<p><b>- International Bear Conference (Italy)</b></p>	<p>8,000</p>
<p>Support for attendance and other expenses</p>	<p>p.m.</p>
<p><b>- Seminar on the conservation of the wolverine</b></p>	
<p><b>3.4. Plant Conservation</b></p>	
<p>In co-operation with Planta Europa, implementation of a European Strategy on Plant Conservation.</p>	
<p>Consultants and meetings</p>	<p>6,000</p>
<p><b>3.5. Conservation of amphibians and reptiles</b></p>	
<p>- In co-operation with Societas Europea Herpetologica (EIS)</p>	
<p>Drafting of action plans for threatened amphibians and reptiles</p>	<p>10,000</p>
<p>Meetings and consultants</p>	

<p><b>- Conference on marine turtles</b></p> <p style="text-align: right;">(Turkey): 3 days</p> <p><i>Terms of reference</i></p> <p>In co-operation with IUCN and the Bonn Convention and the Barcelona Convention, the Conference will review the implementation of present Action Plans for marine turtles in Europe and suggest appropriate conservation actions.</p> <p>Travel and subsistence expenses will be covered for one expert of each of the following 11 states:</p> <p>ALBANIA, CROATIA, CYPRUS, FRANCE, GREECE, ITALY, MOROCCO, SENEGAL, SLOVENIA, SPAIN, TUNISIA</p> <p>Travel and subsistence expenses for 2 consultants</p> <p><i>Participants</i></p> <p>All Contracting Parties</p> <p><i>Observers</i></p> <p>All observer states and qualified organisations active in this field.</p> <p><b>3.6. Wildlife and wind power generation</b></p> <p><b>- Group of Experts on wind power and wildlife (15 experts)</b></p> <p style="text-align: right;">Strasbourg: 2 days</p> <p><i>Terms of reference</i></p> <p>To develop appropriate guidelines on standard study methods, to inform the EIA process and relevant procedures designed for habitat and species protection.</p> <p><i>Participants:</i></p> <p>All Contracting Parties.</p> <p><i>Observers</i></p> <p>All observers states, qualified organisations active in this field and appropriate industrial partners.</p> <p><i>Consultants</i></p> <p>[Estimated cost of this activity]</p> <p><b>3.7 Bird Conservation</b></p> <p><b>- Action Plan on the European Saker (<i>Falco cherrug</i>)</b></p> <p>BirdLife Hungary, supported by the ProVértes Public Foundation and the Governments of Hungary and Slovakia, will prepare an Action plan and hold a seminar. The plan will be presented for endorsement of the Standing Committee at the end of 2005.</p> <p><b>3.8 Conservation of fish</b></p> <p><b>- Action plan for the European sea sturgeon (<i>Acipenser sturio</i>) and research on the statut of other threatened sturgeon species in Europe</b></p> <p>The Secretariat will facilitate as appropriate the elaboration of an Action plan on the European sea sturgeon and a revision of the status of other European sturgeons, with the view of enhancing their conservation at the European level.</p> <p>[Expenses – not yet available -]</p>	<p>10,200</p> <p>2,500</p> <p>[25,000]</p> <p>p.m.</p> <p>[15,000]</p>
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<b>4. Habitat Protection through tax incentives and other economic measures</b>	
<p>- Habitat protection may be achieved by legal or regulation measures or by proposing tax incentives and other appropriate economic measures both in protected areas and outside them.</p> <p><b>- Workshop tax incentive and other economic measures for habitat protection</b></p> <p style="text-align: right;">Strasbourg : 1 day</p> <p>The workshop will discuss appropriate measures regarding conservation of enhancement of habitat protection area and biological diversity through tax incentives and other economic measures.</p> <p>Travel and subsistence expenses for 15 experts:</p> <p>Travel and subsistence expenses for 2 consultants</p> <p><i>Participants</i> All Contracting Parties</p> <p><i>Observers</i> All observer states and qualified organisations active in this field</p>	<p>p.m.</p> <p>p.m.</p>
<b>5. Monitoring of sites and populations at risk and Emergencies</b>	
<p><b>5.1. On-the-spot visits</b></p> <p>On-the-spot visits, by independent experts designated by the Secretary General to examine threatened habitats and travel and subsistence expenses incurred by such experts to inform the Standing Committee or its groups of experts</p> <p><b>5.2. Sites at risk as a result of an emergency</b></p> <p>Fixed appropriation to cover expenses for reports, travelling of experts or Secretariat to areas under a particular environmental stress as a result of natural catastrophes or accidents caused by man. It includes assistance to areas under political or military conflict. It may cover training of specialists, aid to establish environmental monitoring. This chapter will be only used under instruction of the Bureau and will be paid both from Council of Europe or by voluntary contributions</p> <p>Fixed appropriation for consultant</p>	<p>4,500</p> <p>p.m.</p>
<b>6. Awareness and visibility</b>	
<p>Funds for the conception, the translation, the photocomposition and publication of technical documents, posters, brochures, stickers, postcards, making of buttons, other documents. It includes publication in Internet and conception and update of a Website.</p>	<p>20,000</p>
<b>7. Operational expenditure of the Standing Committee's Secretariat</b>	
<p>Fixed appropriation to cover travel expenses to attend the meetings of the Standing Committee and of the Bureau.</p> <p><b>7.1. Chairman's expenses</b></p> <p>Fixed appropriation to cover travel and/or subsistence expenses incurred by the Chairman or delegate T-PVS after consultation with the Secretary General.</p> <p>Expenses of the Chairman to attend the meetings of the Standing Committee</p>	<p>p.m.</p>

<b>7.2. Delegates of African states and of some delegates of Central and Eastern Europe</b>	
Travel and subsistence expenses incurred by the delegates of African states to attend the Standing Committee meeting or other meetings organised under its responsibility	7,500
Travel and subsistence expenses incurred by some delegates from Contracting Parties of Central and Eastern Europe (on a temporary basis and after decision of the Bureau) to attend the Standing Committee	11,300
<b>7.3. Travels of experts and Secretariat</b>	
Travel and subsistence expenses incurred by experts to attend meetings of special relevance under instruction from the Committee or the Chairman and Secretariat official journeys	12,000
<b>7.4. Meetings of the Bureau</b>	
Travel and subsistence expenses incurred by the three members of the Bureau to attend the Bureau meetings	5,000
<b>7.5. Full-time secretary</b>	40,000
<b>TOTAL</b>	<b>247,500</b>

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

The Council of Europe is expected to provide around 115,000 € for the implementation of the programme of activities. About 10,000 € will remain from the 2004 budget (from non-spent voluntary contributions). Parties are expected to provide with new voluntary contribution in 2005. A detailed report on 2004 expenditure will be presented to the Committee for information.



## Bern Convention Programme of Activities and Budget for 2005 (Summary)

in Euro

<b>1. Monitoring of the legal application of the Convention</b>	
1.1. Report on the implementation of the Convention in two Contracting Parties	6,000
<b>2. Conservation of natural habitats</b>	
2.1. Group of experts for the setting up of the Emerald Network of Areas of Special Conservation Interest	15,600
2.2. Pilot projects for the setting-up of the Emerald Network at national level in some states	22,000
2.3. Consultants	10,000
<b>3. Monitoring of species and encouraging conservation action</b>	
3.1. Invasive Alien Species	22,600
3.2. Invertebrate Conservation	10,000
3.3. Large Carnivores	32,300
3.4. Plant Conservation	6,000
3.5. Amphibians and Reptiles	22,700
3.6. Wildlife and wind power generation	[25,000]
3.7. Bird Conservation	p.m.
3.8. Conservation of Fish	[15,000]
<b>4. Habitat protection using tax incentives</b>	
	p.m.
<b>5. Monitoring of sites and populations at risk: Emergencies</b>	
5.1. On-the-spot visits	4,500
5.2. Sites at risk as a result of an emergency	p.m.
<b>6. Awareness and visibility</b>	
	20,000
<b>7. Strategic Development of the Convention</b>	
Meetings of the Select Group on the strategic development of the Convention	
<b>8. Operational expenditure of the Standing Committee's Secretariat</b>	
8.1. Chairman's expenses	p.m.
8.2. Delegates of African states and of some delegates of Central and Eastern Europe	18,800
8.3. Travels of experts and Secretariat	12,000
8.4. Meetings of the Bureau	5,000
8.5. Full-time secretary	40,000
<b>TOTAL</b>	<b>247,500</b>