Biennial report on exceptions

Bern Convention

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Introduction

Article 9 to the Bern Convention permits exceptions from the obligations accepted by Contracting Parties in pursuance of Articles 4 to 8. The possibility of derogating from the mentioned articles of the Convention is subject to two very clearly defined general conditions, and some non cumulative specific reasons, listed exhaustively in Article 9.

The two general conditions that must be met are:

a. that there is no other satisfactory solution; and

b. that the exception will not be detrimental to the survival of the population concerned.

These two conditions are mandatory and cumulative.

The specific reasons for which the exceptions may be granted are the following:

i. for the protection of flora and fauna;

ii. to prevent serious damage to crops, livestock, forests, fisheries, water and other forms of property;

iii. in the interests of public health and safety, air safety or other overriding public interests *(please, specify)*;

iv. for the purposes of research and education, of repopulation, of reintroduction and for the necessary breeding;

v. to permit, under strictly supervised conditions, on a selective basis and to a limited extent, the taking, keeping or other judicious exploitation of certain wild animals and plants in small numbers

vi. *falconry (falconry is dealt with separately)*

These specific reasons are mandatory and non cumulative.

According to Article 9§2, Contracting Parties shall report every two years to the Standing Committee on the exceptions made. The reports must specify:

a. the populations which are or have been subject to the exceptions and, when practical, the number of specimens involved;

b. the means authorised for the killing or capture;

c. the conditions of risk and the circumstances of time and place under which such exceptions were granted;

d. the authority empowered to declare that these conditions have been fulfilled, and to take decisions in respect of the means that may be used, their limits and the persons instructed to carry them out;

e. the controls involved.

Respondent details

Entity

Ministry of Environment of the Republic of Albania

APPENDIX I

EXCEPTIONS CONCERNING STRICTLY PROTECTED FLORA SPECIES (ART. 5 - APPENDIX I)

ALGAE

CHLOROPHYTA

Caulerpa ollivieri

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

PHYCOPHYTA

Cystoseira amentacea

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

Cystoseira mediterranea

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

Cystoseira sedoides

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

Cystoseira spinosa

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

Cystoseira zosteroides

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

Laminaria ochroleuca

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

Laminaria rodriguezii

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

RHODOPHYTA

Goniolithon byssoides

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

Lithophyllum lichenoides

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

Schimmelmannia schousboei

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

APPENDIX III

EXCEPTIONS CONCERNING PROTECTED FAUNA SPECIES (ART. 7 APPENDIX III)

According to article 7 of the Convention, any exploitation of wild fauna specified in Appendix III shall be regulated in order to keep the populations out of danger. Measures to be taken shall include:

i. closed seasons and/or other procedures regulating the exploitation;
ii. the temporary or local prohibition of exploitation, as appropriate, in order to restore satisfactory population levels;
iii. the regulation as appropriate of sale, keeping for sale, transport for sale or offering for sale of live and dead wild animals.

Exceptions to species listed in Appendix III concern the use of means of capture and killing specified in Appendix IV.

Vertebrates

AMPHIBIANS > ANURA

Bombinatoridae

All species of Amphibians not included in Appendix II (Alytes dickhilleni)

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No

All species of Amphibians not included in Appendix II (Bombina pachypus)

Is there a derogation concerning this species in your country?

Please select only one option

- ○ Yes
- ◉ No