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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

33rd meeting
Strasbourg, 3-6 December 2013

**FOLLOW-UP
OF CASE FILES**

REPORT BY THE EUROPEAN UNION

*Document prepared by
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European Commission*

FOLLOW-UP OF CASE FILES (JULY 2013)

1. File open - Cyprus: Akamas Peninsula

The Commission has received extensive additional scientific information both from the CY authorities and the CY NGOs. The Commission is currently analysing the data to determine whether the SCI has been (on the basis of scientific evidence) sufficiently designated or not.

2. File open – Bulgaria: Wind farms in Balchik and Kaliakra – Via Pontika

The Commission is analysing the reply of the Bulgarian authorities to the reasoned opinion and considers its next steps.

3. File open – France: Habitats for the survival of the common hamster (*Cricetus cricetus*) in Alsace (France)

Information about the implementation of the EU Court of Justice ruling:

In June 2011, the Court of Justice ruled that France has infringed EU Law (Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora) by failing to establish measures to strictly protect the hamster (case C-383/09).

The hamster population in Alsace is declining due to deteriorating habitat conditions. A good indicator of the population is given by the spring counts carried out according to a protocol pursuant to which ONCFS agents count the hamster burrows in the winter cereal and the alfalfa fields every year in April so as to estimate the population level.

Only 319 hamsters were counted in 2013 compared to 309 in 2012 and to 460 in 2011. Moreover, only 13 municipalities are currently concerned by hamster presence while they were 19 in 2012 and 23 in 2011. Even though the number of hamsters is stabilized compared to last year, given the number of hamsters reintroduced, these figures confirm the need for rapid and appropriate action by the French authorities.

Several bilateral meetings took place in Brussels during which the French authorities presented their planned enforcement measures to be set up, in cooperation with the regional authorities of Alsace. The Commission monitors closely the progress achieved in implementing them.

4. Possible file – Greece: Threats to marine turtles in Thines Kiparissias

The Greek authorities in their reply to the reasoned opinion provided an Action Plan (and associated timetable) with various measures that need and will be taken. Among these measures we can find the establishment of a temporary protection regime until a definitive one is granted, as well as the establishment of a steering committee (composed of local and national authorities and specialized NGOs). The COM will monitor the progress achieved in implementing the various measures of the Action Plan before deciding on the next step.

5. Complaint in stand-by: Possible spread of the American mink (*Neovison Vison*) in Poland

The European Commission is not in a position to provide comments on the case, provided that there is no EU legislation on invasive alien species.

6. Complaint in stand-by – Croatia: Impact of a project for the regulation of the Danube River on the river's biodiversity

The Commission is aware of the planned regulation projects of the Drava and the Danube rivers in Croatia, which are also closely followed by the Ramsar Convention. Commission Services have urged the Croatian authorities to ensure compliance of the carried works with the EIA Directive, Water Framework Directive and the Habitats Directive. No recent update has been provided to the Commission on the status of these projects.

FOLLOW-UP OF CASE FILES (MARCH 2013)

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

In the context of the Bystroe case, the European Commission has been involved in financing the preparation of two reports aiming to facilitate the implementation of the Espoo and Aarhus Conventions in Ukraine. The first report was finalized in 2010 and Ukraine approved it during the Espoo MOP (June 2011).

Following the report's outcomes, the European Commission funded a second project, i.e. *"Support to Ukraine to implement the Espoo and Aarhus Conventions – follow-up activities"*. This project started in October 2011 and ended in November 2012. The EU is ready to provide further assistance, subject of request by Ukraine.

Based on the results of the second project, Ukraine prepared a draft law on Environmental Impact Assessment in Transboundary Context. The parliamentary elections in Ukraine, which took place in October 2012, impeded the adoption of this draft law. Ukraine claims, however, that the law will be adopted by the end of 2013.

2. Cyprus: Akamas Peninsula

The Commission received new scientific data both from the Cypriot authorities and NGOs. The information shows controversies in its conclusions. Hence, the Commission services are assessing the results and attempt for the best solution to resolve the case.

3. Bulgaria: Wind farms in Balchik and Kaliakra – *Via Pontika*

The Commission is still analysing the reply of the Bulgarian authorities to the reasoned opinion.

4. Greece: Threats to marine turtles in Thines Kiparissias

The Greek authorities replied to the Commission's Reasoned Opinion. The Commission services are assessing the information and afterwards decide on the follow-up.