



Strasbourg, 1st December 2023

T-PVS(2023)MISC

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

43rd meeting

Strasbourg, 27 November - 1 December 2023

Strasbourg

Opening of the meeting: 2.00 pm CET on Monday, 27th November 2023

**LIST OF DECISIONS
AND ADOPTED TEXTS**

*Document prepared by
the Secretariat of the Bern Convention*

PART I – OPENING

1. OPENING OF THE MEETING AND ADOPTION OF THE AGENDA

Relevant document: T-PVS/Agenda(2023)16 – draft agenda of 43rd Standing Committee

The Standing Committee:

1. Paid tribute to its former Chair, Mr Jón Gunnar Ottósson (2006-2010), who passed away in September 2023.
2. Welcomed its new observer, Youth and Environment Europe.
3. Was informed by its Chair of staff changes since the last meeting of the Standing Committee, with departures of Ms Ursula Sticker, former Secretary of the Standing Committee, Ms Nadia Saporito, Junior professional, and Ms Helena Orsulic, administrative assistant and the arrivals of Mr Michaël Nguyen, administrative and project officer, and Mr Mikaël Poutiers, new Secretary of the Bern Convention.
4. Adopted its agenda ([appendix I](#)).

2. CHAIRPERSON'S REPORT AND COMMUNICATIONS FROM THE DELEGATIONS AND FROM THE SECRETARIAT

Relevant documents: T-PVS(2022)31 - 42nd Standing Committee meeting report
T-PVS(2023)07 - Report of the April Bureau meeting
T-PVS(2023)16 - Report of the June extraordinary Bureau meeting
T-PVS(2023)25 - Report of the September Bureau meeting

The Standing Committee:

5. Took note of the meeting reports and the information presented.

2.1. Notification of denunciation by Belarus of the Bern Convention

The Standing Committee:

6. Took note of the denunciation by Belarus of the Bern Convention and that it will become effective as of 1st April 2024.

2.2. Reykjavík Summit and Council of Europe's work on biodiversity

Relevant document: [Reykjavik Declaration](#)

The Standing Committee:

7. Took note of the information provided by the Director of Democratic Participation, Mr Matjaž Gruden, on the 4th Summit of the Heads of State and Government of the Council of Europe (16-17 May 2023, Reykjavik) and the adopted Declaration entitled “United around our values” in which, for the first time ever, they have expressed strong political support for the protection of the environment as laid out in Appendix V to the Declaration “The Council of Europe and the environment”.
8. Was made aware that Appendix V referred directly to the Bern Convention and said that: “We consider the Convention on the Conservation of European Wildlife and Natural Habitats (the “Bern Convention”) a unique international instrument aimed at aligning national standards and practices in conserving wild flora and fauna and their natural habitats at pan-European level and beyond, providing the necessary tools to strengthen intergovernmental co-operation and giving an opportunity to civil society to engage with governments and bring to their attention concerns about threats to biodiversity and natural habitats and their detrimental consequences.”
9. Was informed that the Heads of State and Government decided to also initiate the “Reykjavik process” for strengthening the work of the Council of Europe in this field, with the aim of making the environment a visible priority for the Organisation and that they also encouraged the establishment of a new intergovernmental committee on environment and human rights (“Reykjavik Committee”).

10. Welcomed the fact that, consequently, the Committee of Ministers of the Council of Europe had decided to increase the ordinary budget allocated to the Bern Convention and the Reykjavik process by 500 000€ and took note that this budgetary increase will provide additional funds for operational activities, and will finance the salaries of the Secretariat, which until now have been mainly paid through voluntary contributions, ensuring therefore the sustainability of the team.
11. Was informed that an administrative reorganisation of the environment sector was also foreseen at the beginning of 2024 to strengthen the work on environmental protection and to increase cross-sectoral activities and that, as a consequence, the Secretariat of the Bern Convention, the Landscape Convention and the EUR-OPA Major Hazards Agreement will be transferred from DGII Democracy and Human Dignity to DGI Human Rights and Rule of law, within a new Directorate to be created, gathering other services dealing with environment and human rights, health and social rights, including the Council of Europe's development bank.

3. FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION

3.1. Financing of the Bern Convention

Relevant documents: T-PVS(2023)01 - Report of the 1st meeting of the *Ad hoc* Drafting Group of an Amending Protocol
T-PVS(2023)06 - Report of the 2nd meeting of the *Ad hoc* Drafting Group of an Amending Protocol
T-PVS(2023)11 - Report of the 3rd meeting of the *Ad hoc* Drafting Group of an Amending Protocol
T-PVS(2023)12 - Report of the 4th meeting of the *Ad hoc* Drafting Group of an Amending Protocol
T-PVS(2023)23 - Report of the 5th meeting of the *Ad hoc* Drafting Group of an Amending Protocol
T-PVS(2023)29 - Report of the 6th meeting of the *Ad hoc* Drafting Group of an Amending Protocol
T-PVS(2023)13 - Draft protocol to amend the Convention
T-PVS(2023)19 - Explanatory Report to the Amending Protocol
T-PVS/Inf(2023)14 - Considerations of the *Ad hoc* Drafting Group
T-PVS(2023)28 - Updated terms of reference of the *Ad hoc* Drafting Group
Financial scenarios
T-PVS/Inf(2023)15 - Voluntary Contributions 2023
Resolution No. 9 (2019) on the financing of the Bern Convention

3.1.1. State of elaboration of the Protocol amending the Bern Convention

The Standing Committee:

12. Was informed by the Chair of the *Ad hoc* Drafting Group of an Amending Protocol, Mr Charles-Henri de Barsac, of the state of preparation of the Protocol amending the Bern Convention. He stressed that members of the *Ad hoc* Drafting Group of an Amending Protocol had reached a consensus on the allocation of the resources to core activities, on the criteria for the entry into force of the Protocol and on the minimum and maximum contributions. He further informed the Standing Committee that discussions regarding the contribution rate of the EU were still on-going and that this issue should be addressed within a reasonable time frame.
13. Took note that, while welcoming the progress in the preparation of the Protocol, the EU and its Member States regretted the way the method of calculating the scale of financial contributions of Member States to the Council of Europe budget is applied to the EU in the context of the Bern Convention, due to potential double counting of EU Member States' population and Gross Domestic Product.

3.1.2. Procedure which led to the drafting of the Protocol

The Standing Committee:

14. Took note that the Secretariat reminded the Contracting Parties why the Standing Committee had engaged in the elaboration of a Protocol amending the Bern Convention and the procedure which had been followed. The Secretariat emphasised that Contracting Parties had been closely involved in every single step of the process of the development of the Protocol and that they had had the possibility to raise their concerns or even disagree with the development of the Protocol.
15. Reiterated its support to the procedure followed for the development of the Protocol amending the Bern Convention and observed that no Contracting Party raised any objection.

3.1.3. Procedure to be followed for the adoption of the Protocol

The Standing Committee:

16. Took note that the Secretariat informed the Contracting Parties of the procedure to be followed for the adoption of the Protocol stressing that once the Protocol, its Explanatory Report and a scale of financial contribution would have been approved by the Standing Committee, the Committee of Ministers of the Council of Europe would need to adopt the Protocol before it would be opened for signature and ratification.
17. Observed that no Contracting Party raised any objection regarding the procedure to be followed for the adoption of the Protocol. The EU and its Member States declared however that its agreement with the procedure did not have precedent value with regard to the appropriate procedure for establishing the scale of contributions nor for the content of the Protocol itself.

3.1.4. Next steps

The Standing Committee:

18. Was informed by the Secretariat that in 2024 the *Ad hoc* Drafting Group of an Amending Protocol would deal with the documentation of the Protocol namely the description of the functioning of the financial mechanism and the amendment of the Rules of Procedures of the Standing Committee in order to reflect the new financial responsibilities of the Standing Committee, and that the Secretariat would resume bilateral meetings between relevant Services of the European Commission and of the Council of Europe to explore options regarding the contribution rate of the EU.
19. Agreed to extend the mandate of the *Ad hoc* Drafting Group of an Amending Protocol and adopted its revised Terms of Reference with one amendment ([appendix II](#)).

3.2. Vision and Strategic Plan for the Bern Convention for the period to 2030 and contribution to the post-2020 global biodiversity framework

Relevant documents: T-PVS(2023)09 - Report of the 6th meeting of the Working Group
 T-PVS(2023)18 - 9th draft of the Strategic Plan
 T-PVS(2023)20 - Draft Recommendation on the implementation of the Strategic Plan
 T-PVS(2023)31 - Draft Terms of Reference for a Working Group on overseeing implementation of the Strategic Plan.

The Standing Committee:

20. Took note of the information of the Chair of the Working Group on developing a Vision and Strategic Plan for the Bern Convention for the period to 2030, Mr Jan Plesnik, concerning the work of the Group during 2023, as well as his recollection that the 42nd Standing Committee had urged that the Strategic Plan be adopted at its 43rd meeting.
21. Took note of the presentation of the independent consultant, Mr David E. Pritchard on the 9th draft of the Strategic Plan.
22. Took note of the presentation of the Secretariat on the Draft Recommendation on the implementation of the Strategic Plan.
23. **Adopted the Strategic Plan for the Bern Convention for the period to 2030** ([appendix III](#)).
24. **Also adopted, with some amendments, Recommendation no. 220 (2023) on the implementation of the Strategic Plan for the Bern Convention for the period to 2030** ([appendix III](#)).
25. **Also approved, with some amendments, the Terms of Reference for a Working Group on overseeing implementation of the Strategic Plan** ([appendix IV](#)).
26. Noting that this was a momentous occasion for the Bern Convention, thanked the members of the Group and particularly the Chairs, Mr Plesnik and his predecessor Mr Simon Mackown as well as the consultant Mr Pritchard and the Secretariat for their hard work over the last 3 years in bringing this project to fruition.

27. Instructed the Secretariat, supported by the Bureau, to outline a workplan for the Group and to launch a call for members at the beginning of 2024.

3.3. Case-file reflection: Assessment of incoming complaints

The Standing Committee:

28. Was informed that a reflection was ongoing due to the unsustainable number of case-files on the agendas of the Standing Committee and Bureau, and heavy workload of the Secretariat. Indeed, there were currently over 40 active cases which typically means at least 20 files on each Bureau meeting agenda, and the trend is showing that more new complaints arrive every year than current cases are closed. In order to be proactive and seek solutions, the Bureau had instructed the Secretariat to consider ways on how to better manage the number of new complaints being accepted into the Convention's system: an independent consultancy was now working on a possible mechanism to assess new complaints being received, and the Bureau would continue to oversee this exercise during 2024.
29. Welcomed these efforts, remarking that the case-file system was a flagship activity of the Bern Convention.

3.4. Rules of Procedure - Possible future modifications

The Standing Committee:

30. Was reminded by the Chair that the [Rules of Procedure](#) had been revised at the 42nd meeting to introduce, in particular, a vote by written procedure, but that, due to complexities in the use of the written procedure it would be advisable to consider further revisions to the Rules during 2024.
31. Was also made aware that the Rules of procedure would also need to be amended to reflect the new financial prerogatives of the Standing Committee once the Amending Protocol would enter into force.
32. Following the Chair's proposal, instructed the Secretariat, supported by the Bureau, to assess possible revisions to the Rules of Procedure in relation to the written procedure and any consequences of the Amending Protocol, as well as any other possible changes, and to bring proposals to the 44th Standing Committee.
33. Instructed the Secretariat to circulate the draft revision to Contracting Parties for their comments and suggestions prior to submitting the final draft for consideration of the Standing Committee, as Contracting Parties should be given sufficient time to consider the changes suggested and their implications.

PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

4. MONITORING OF THE IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION

4.1. Biennial reports 2021-2022 concerning exceptions made to Articles 4, 5, 6, 7 or 8

Relevant documents: Online table of reporting under the Bern Convention
Joint Note from the Secretariat of the Bern Convention and DG Environment on further instructions on reporting under Article 9 of the Bern Convention by EU MS

The Standing Committee:

34. Was reminded that Article 9.2 of the Bern Convention requests Parties to report on the exceptions made to Articles 4, 5, 6, 7 and 8, in the form of biennial reports. This year had marked the end of the 2021-2022 biennium, and so the request for reports of this period as well as any older unsubmitted reports had been sent out in March, with a reminder in September, and a deadline for the end of October.
35. Was informed that, to date, 30 Contracting Parties had submitted either a report via the Online Reporting System (ORS), or, for EU Member States, the Habides+ tool, and that, however, out of those, some reports were incomplete, and in the case of some of the EU Member States the full package of reports containing the Habitats biennial report and both Birds annual reports had not yet been submitted.
36. Took note of the call by the Chair towards all Contracting Parties, recalling that the submission of biennial reports was obligatory, to submit their reports for this period and any older unsubmitted reports, as well as

welcomed the planned assessment of the biennial reports in 2024 and the fact that the reports of EU Member States in Habides+ serve both reporting procedures under the Birds and Habitats Directives and the Bern Convention.

37. Was informed that the new version of the ORS which was being developed by the UNEP World Conservation Monitoring Centre (WCMC) was almost finalised and should be ready for launch next year. However, the Bern Convention questionnaires may not need to be immediately migrated as the next reporting cycle is not until 2025, so in the meantime the existing questionnaires would remain active in the current system throughout next year, unless indicated otherwise by the Secretariat. Contracting Parties which had contributed to the user surveys and simulations of WCMC were acknowledged.

PART III – MONITORING OF SPECIES AND HABITATS

5. MONITORING OF SPECIES AND HABITATS

5.1. Conservation of Birds & Illegal Killing, Trapping and Trade in Wild Birds (IKB)

Relevant documents: T-PVS(2023)26 – 3rd IKB Scoreboard Analysis
T-PVS/Inf(2023)09 – Suggested methodology and guidance for conducting socio-economic research into IKB

The Standing Committee:

38. Welcomed the presentation of Ms Claire Papazoglou, independent consultant, on the results of the 3rd IKB Scoreboard and its analysis report, who recalled that the Scoreboard was a self-assessment method for evaluating efforts to combat IKB.
39. Noted that the 3rd Scoreboard had run during 2023 and in total, 22 countries out of 54 had replied. Countries could self-assess themselves against 28 indicators belonging in 5 main areas of action. The main results had shown that countries that had participated had demonstrated a small improvement from one Scoreboard to the next, suggesting that the Scoreboard is effective at guiding action. The results of the analysis suggested that national legislation is the best performing area. In contrast, prosecution and sentencing was the area countries reported as worst performing, but they produced good opportunities for training.
40. Further noted that only 6 countries had set baselines for assessing progress against the Rome Strategic Plan goal of reducing IKB by 50% by 2030 and only half the countries reporting had a national IKB Action Plan or similar policy document.
41. Noted that funding for actions against IKB was very incoherently distributed: while EU countries had access to EU funds, many non-EU countries did not have access to funding even though this is highly needed.
42. Finally, took note of the need to offer training and communications in French for some countries in north Africa and the Middle east.
43. Thanked those countries which had participated and urged those which had not to do so, as the information could still be compiled at a later stage.
44. **Approved the 3rd IKB Scoreboard analysis report.**
45. Welcomed the presentation of Ms Papazoglou on the report prepared by Birdlife and already endorsed by CMS, on suggested methodology and guidance for conducting socio-economic research into IKB.
46. Noted that the document provides guidance for national governments to support the implementation of objective 1 of the Rome Strategic Plan, and specifically the identification and understanding of motivations behind IKB, using socio-economic studies. The actual guidance document explains different research methods that social scientists use, and key considerations that need to be taken into account when commissioning a social study and the different data collection methods.
47. Further noted that the document includes a step-by-step guide on how to conduct socio-economic research, a proposed format for preparing a report after conducting a socio-economic research and case study resources.
48. **Endorsed the report on suggested methodology and guidance for conducting socio-economic research into IKB.**

49. Took note of the information of the Secretariat that the next joint-meeting of the Bern Convention Network of Special Focal Points on IKB and the CMS Intergovernmental Task Force on IKB of Migratory Birds (MIKT) in the Mediterranean should take place in the second half of next year. A couple of tentative offers had been received from Contracting Parties to host the meeting in their country next year so the location should be confirmed soon. As was the case in 2022, the joint-meeting should be held back-to-back with the 8th meeting of the Bern Convention Group of Experts on Conservation of Birds.
50. Welcomed the update and encouraged an ongoing planning and fruitful cooperation with CMS MIKT during 2024.
51. Welcomed the call of the EU and its Member States to revive the action plans and follow-up on the Recommendations on the White-tailed sea eagle (2002), and the Osprey ([Recommendation No.186 \(2016\)](#)) on the implementation of a Plan for the conservation and recovery of the osprey in Europe and the Mediterranean region in particular). These two issues should be brought to the next meeting of the Group of Experts on the Conservation of Birds.

5.2. Amphibians and Reptiles: Group of Experts meeting & Conservation of Marine Turtles

Relevant documents: T-PVS(2023)27 – Report of the 11th meeting of the Group of Experts
T-PVS(2023)30 – Conservation of sea turtles nesting sites: a guidance tool

The Standing Committee:

52. Took note of the report of the 11th meeting of the Group of Experts on the Conservation of Amphibians and Reptiles held on 26th September 2023 presented by the new Chair of the Group of Experts, Ms Eliška Rolfová and, in particular, of the information provided by Parties on national activities and initiatives on the conservation of amphibians and reptiles.
53. Was informed about Parties' national measures to control the spread of *Batrachochytrium salamandrivorans* chytrid fungus (Bsal) and the need to strengthen international pressure against Bsal as well as improve communication.
54. Was also informed on the progress in developing the Important Herpetofauna Areas and endorsed the proposal to ask Parties to reply to the following questions in due time before the Spring Bureau meeting:
- Would it help your country in respect of biodiversity conservation to know what the Important Herpetofauna Areas are in your country? (at Global/European/National level)
 - If so, would it help if first a general analysis will be done at European level? (preferably on a 10 x 10km scale)
 - or do you need more information first to come to an answer?
55. Was reminded by Ms Céline Van Klaveren-Impagliazzo, Chair of the *ad hoc* working group for conservation of marine turtles, of the marine turtle's initiative and the work carried out by the group over the past years with a view to help Cyprus, Greece and Türkiye to implement Recommendations of the Standing Committee on pending case files and avoid new complaints against Contracting Parties on this matter.
56. Heard a presentation by Mr Ivica Trumbic, consultant, on the Guidance tool on the conservation of sea turtle nesting sites which had been finalised during the year, to help Mediterranean countries in their efforts to find solutions to conservation of marine turtle and human activity conflicts, through the use of a toolbox translating the findings and conclusions reported in the Guidance tool into practical steps.
57. **Endorsed the Guidance tool and invited Parties to make use of it ([appendix V](#))** and noted that the use of this Guidance Tool by the Contracting Parties and its results are without prejudice to the European Commission's position regarding infringement procedures (related in particular to Council Directive 92/43/EEC) and cannot affect it in anyway.

5.3. Action Plan for the Eradication of the Ruddy Duck

Relevant documents: T-PVS(2023)17 – Report of the Ruddy Duck Expert Meeting
 T-PVS(2023)24 – Eradication of the Ruddy Duck *Oxyura jamaicensis* in the Western Palaearctic: 2023 progress report on implementation of the 2021–25 action plan: Draft analytical report

The Standing Committee:

58. Took note of the report of the expert meeting on the implementation of the Action Plan for the eradication of the Ruddy Duck in the Western Palaearctic, 2021-2025, held online on 28th June 2023, and thanked all Contracting Parties who had replied to the reporting questionnaire shared in the first half of the year and particularly thanked Tier 3 countries for their efforts in eradicating the Ruddy Duck.
59. Appreciated the presentation of the technical expert of Wildfowl & Wetlands Trust (WWT), Mr Peter Cranswick, and took note of the outcomes of the progress review of the implementation of the Action Plan for the eradication of the Ruddy Duck in the Western Palaearctic 2021-2025 (T-PVS(2023)24). The Committee welcomed the progress in certain countries notably in the Netherlands and France, but noted with concern the absence of effective control in Germany.
60. While noting that implementation has improved, invited all Contracting Parties with sightings of Ruddy to step up their efforts to eradicate the species and save the endangered White-headed duck in Europe.

5.4. Conservation of Large Carnivores

The Standing Committee:

61. Welcomed the presentation of Mr Jochen Krebuehl, Nature Environment Foundation (Germany) who recalled that in May 2019 the Bonn “Lynx Expert Group” had established a network to discuss lynx conservation in continental Europe and issued recommendations which had been adopted by the Standing Committee ([Recommendation No. 204 \(2019\)](#)).
62. Noted that a follow-up meeting had been organised by the Alfred Toepfer Akademie für Naturschutz in the Nationalpark Harz in May 2023 where the “Lynx Expert Group” had formulated the “Linking Lynx” approach to coordinate and harmonise the conservation of the Carpathian lynx in west and central Europe. Linking Lynx aims to inform and facilitate all conservation projects in the realm of the Carpathian lynx and the activities foreseen include the development of several guiding documents:
- A Conservation Strategy for the autochthonous population in the Carpathian range;
 - Harmonised protocols for lynx reintroduction and reinforcement including sourcing of animals;
 - IUCN Guidelines for the conservation of the Carpathian lynx in West and Central Europe.
63. Encouraged Contracting Parties to strengthen their monitoring and management efforts to restore the different subpopulations of the Eurasian lynx, especially in those areas in which its extinction risk is becoming more serious.
64. Was informed of the ongoing international project LECA: Supporting the coexistence and conservation of Carpathian large carnivores, co-funded by the EU. The project would develop guidance for a harmonised system of monitoring of Carpathian populations of lynxes, wolves, and bears, as well as for addressing the issue of poaching and human-wildlife conflict. The recommendations would be scaled up towards the Alpine region and European level.
65. Was informed on an ongoing international project aiming for the establishment of the Dinaric Balkan Pindos Regional Platform on Large Carnivores. The signing of the MoU between the authorities of Albania, Bosnia and Herzegovina, Kosovo¹, North Macedonia, Montenegro, Serbia, Slovenia, Croatia, Bulgaria and Greece is underway in order to achieve closer cooperation, improved coordination and more effective policies and measures regarding the conservation and restoration of habitats of brown bear (*Ursus arctos*), Eurasian lynx (*Lynx lynx*, including the critically endangered sub-species *Lynx lynx balcanicus*) and wolf (*Canis lupus*) populations.

¹ All references to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

66. Noted that it would be kept informed of progress of the Linking Lynx Programme through the Bureau and invited to review and possibly endorse the relevant outcomes of the lynx expert working group.
67. Took note of the statement of Pro Natura, representing the NGOs, on their extreme concern with the recent decision of the Swiss government to cull a large proportion of the wolf population of Switzerland, their reminder that the Wolf is a strictly protected species under the Bern Convention, and their call for the Standing Committee to urge the Swiss Government to stop this mass-cull and instead enforce co-existence measures.
68. Also took note of the response of the Swiss authorities that, since 2020, the population of the Wolf had tripled in the country causing big problems for Alpine sheep and goat farms, which had pushed the Federal Council to enforce this decision.
69. Recalled that a complaint against this decision and its possible breach of the Bern Convention had been received and transferred to the Swiss authorities in November, and noted that said authorities would do their utmost to provide a response report in time for the Spring Bureau meeting.
70. Welcomed the information of EkoSvest that, in coordination with the Government of North Macedonia, they were in the process of preparing the National Action Plan for the Conservation of the Brown Bear (*Ursus Arctos*). This had been initiated by the need to respond to an increase of conflicts between the local population with brown bears in protected areas.
71. Welcomed the offer of the Bulgarian authorities who had recently been through a similar process to assist North Macedonia, and noted the call for other experts on large carnivores of the Bern Convention to assist in providing support and guidelines for creating the appropriate measures and adopting the Plan; as well as to include this issue in the next meeting of the Group of Experts on Large Carnivores.

5.5. Conservation of Habitats

5.5.1. Emerald Network of Areas of Special Conservation Interest

Relevant documents: T-PVS/Agenda(2024)01 - Preliminary agenda of the 2024 meeting of the Group of Experts on Protected Areas and Ecological Networks
T-PVS/PA(2023)07 - draft list of candidate Emerald Network Sites
T-PVS/PA(2023)08 - draft list of adopted Emerald Network Sites

The Standing Committee:

72. Took note that, as a result of a written consultation of Contracting Parties carried out between 28th June and 15th September 2023, the Emerald Network sites located on the territory of Belarus and of the Russian Federation had been suspended until further notice and removed from the Emerald Network tools.
73. **Adopted the updated list of officially nominated candidate Emerald Network sites and the updated list of officially adopted Emerald Network sites** in which the references to the sites located in Belarus and the Russian Federation had been removed ([appendix VI](#)).
74. Further encouraged Contracting Parties to step up their efforts for designating additional sites to not only increase the sufficiency of the network but also meet the targets on protected areas of the Kunming-Montreal Global Biodiversity Framework.
75. Thanked the authorities of Liechtenstein for their invitation to host the Group of Experts on Protected Areas and Ecological Networks in Vaduz on 17-18 April 2024 within the frame of the presidency of Liechtenstein of the Committee of Ministers of the Council of Europe
76. Invited the Group of Experts on Protected Areas and Ecological Networks to give priority to the clarification and possible further development of the Legal framework of the Emerald Network as well as on the post-2020 Strategic Workplan for the Emerald Network.

5.5.2. *European Diploma for Protected Areas*

Relevant documents: T-PVS/DE(2023)11 – Meeting report of the Group of Specialists on the European Diploma
 T-PVS/DE(2023)12 – List of the 2023 on-the-spot appraisal visits
 T-PVS/DE(2023)13 – List of areas which could benefit from an on-the-spot appraisal visit in 2024

The Standing Committee:

77. Was informed by the Chair of the Group of Specialists, Mr Jan Plesnik, of the outcomes of the annual meeting of the Group of Specialists on the European Diploma for Protected Areas which had taken place in-person on 2-3 March 2023 in Strasbourg.
78. Took note that the Group of Specialists had examined draft resolutions recommending the renewal of the Diploma of 7 areas and welcomed their formal adoption by the Committee of Ministers of the Council of Europe on 14th June 2023.
79. Took note that the Group of Specialists had supported the organisation of 7 on-the-spot appraisal visits. 5 of them had involved senior independent experts working with less experienced experts in order to enlarge the number of experts with capacity to carry out on-the-spot appraisal visits and to ensure the renewal of the pool.
80. Took note that the Group of Specialists had also started reflecting on the format and content of the 60th anniversary of the European Diploma to be celebrated in 2025. The anniversary would take the form of a meeting bringing together all the managers of the Diploma holding areas and aim to discuss transversal matters such as climate change, touristic pressure, and development of green energy infrastructures within or in the vicinity of Diploma holding areas.
81. Took note that the Committee of Ministers had decided that its Resolution concerning the revised regulations of the European Diploma for Protected Areas (Resolution CM/ResDip(2008)1) would no longer apply to the areas holding the Diploma located in Belarus and in the Russian Federation until further notice. As a consequence, 2 areas located in Belarus and 4 areas located in the Russian Federation had been removed from the list and map of the Diploma holding areas as well as from the Dashboard of the European Diploma.
82. Welcomed the announcement by the Delegate of Spain that the Sierra Nevada National Park would apply for the European Diploma and host the celebration event organised within the frame of the 60th anniversary of the European Diploma in 2025.

5.6. Reporting under Resolution No. 8 (2012) on the conservation status of species and habitats

Relevant documents: T-PVS/PA(2023)03 - Report of the 3rd meeting *ad hoc* Working Group on Reporting
 T-PVS/PA(2023)06 - Report of the 4th meeting *ad hoc* Working Group on Reporting

The Standing Committee:

83. Welcomed the progress in the preparation of the second reporting cycle.
84. Was informed that the *Ad hoc* Working Group on Reporting had examined 4 options for reducing the reporting workload and agreed to proceed with a full reporting format aligned with the EU reporting under Article 17 of the Habitats Directive but to report on a reduced number of features.
85. Supported the recommendation of the *Ad hoc* Working Group on Reporting that birds should be excluded from the checklists as it would be possible to obtain information from other sources such as the Pan European Common Birds Monitoring Scheme and that the habitats to be reported on should be limited to those where there was a 1:1 correspondence between Annex I in the Habitats Directive and Resolution No. 4 (1996) of the Bern Convention. It further took note that the reporting should cover the period 2019 – 2024 and would be due in January 2026.
86. Took note that the *Ad hoc* Working Group on Reporting had examined the amendments agreed on the format of the reporting under Article 17 of the EU Habitats Directive and discussed the extent to which these should be reflected in the format of the reporting under Resolution No. 8 (2012) and the consequences of the changes for Contracting Parties.
87. Encouraged non-EU Contracting Parties to carefully review their checklists of species and habitats by the end of January 2024 to ensure they relate to features occurring on their territories.

88. Invited the *Ad hoc* Working Group on Reporting to review as soon as possible the resources available from the Reporting Portal.
89. Stressed the importance of strengthening cooperation with the European Environment Agency and its European Topic Centre on Biological Diversity and Ecosystems and of providing sufficient financial resources for the development and maintenance of the tools used for the reporting.

PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

6. SPECIFIC SITES AND POPULATIONS

Relevant documents: T-PVS/Notes(2023)07 – Summary of open and possible case files
T-PVS/Notes(2023)08 – Summary of follow-up Recommendations
T-PVS/Inf(2023)02 – Register of Bern Convention's case-files

6.1. Open Files

- **2017/02: North Macedonia: Alleged negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Sites due to infrastructure developments - *on-the-spot appraisal***

Relevant documents: T-PVS/Files(2023)45 - Government Report
T-PVS/Files(2023)27 - Complainant Report
T-PVS/Files(2023)31 – Report of the on-the-spot appraisal
T-PVS(2023)22 - Draft Recommendation on the negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Network sites due to infrastructure and urbanisation developments

The Standing Committee:

90. Thanked the representatives of the government, complainant, Front 21/42, and other stakeholders who had taken the time to participate in the on-the-spot appraisal (OSA) which had taken place on 25-27 April 2023, notably representatives of the Ramsar Convention and UNESCO World Heritage Centre (WHC) acting as Observers. It also thanked the independent consultant Mr Andrej Sovinc for his presentation on the mission report and draft recommendations, taking note that the OSA had included several meetings with representatives of governmental authorities at State and municipal level, and with civil society organisations. Several field and site visits had also allowed for a good overview of the Ohrid and Galichica regions.
91. Also took note of the oral presentations of the authorities and the complainant Front 21/42 and of their written reports.
92. Took note of the statement of the European Commission who reminded that, as a candidate country, North Macedonia is expected to transpose and start implementing the relevant EU environment acquis. The application and implementation of the EU SEA and EIA Directives, as well as of the Habitats and Birds directives would be closely examined in the upcoming screening process in the context of accession negotiations. In that same context, the Commission services would be expecting to receive an almost complete site list ready for sufficiency assessment under the Natura 2000 Network context approximately 2 years ahead of accession. There is no doubt that the candidate Emerald site Lake Ohrid and Galichica NP would qualify as a Natura 2000 site. In that context as well, the draft Bern Recommendation would support North Macedonia in its efforts to advance and prepare for accession to the EU.
93. Took note that the government requested to remove points 1, 2, 7, 9, 10 and 11 from the Recommendation.
94. Noted that Austria, Luxembourg, Germany, as well as the complainant and independent expert supported retaining all 15 recommendations.
95. Noting and welcoming the eventual support of the authorities of North Macedonia to the 15 points of the draft Recommendation, welcomed the mission report and **adopted unanimously:**

Recommendation No. 221 (2023) on the negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Network sites due to infrastructure and urbanisation developments (North Macedonia), available in [appendix VII](#).

96. Extremely concerned with the situation on the ground as detailed in the mission report and the complainant's progress reports, urged the government of North Macedonia to start implementing the Recommendation without delay. In particular, it called for the central government to work more closely with the municipal

governments to ensure that they were taking decisions in line with the Bern Convention, as is their legal obligation.

97. Due to the ongoing urgent situation, asked for progress reports for the **Spring Bureau meeting in 2024**, where the government was asked to respond to the information of the complainant, and to report on any progress in implementing Recommendation No.221 (2023). **The File remains open.**

➤ **2013/1 - North Macedonia: Hydro power development within the territory of the Mavrovo National Park**

Relevant documents: T-PVS/Files(2023)45 - Government Report
T-PVS/Files(2023)57 - Complainant Report

The Standing Committee:

98. Thanked the authorities of North Macedonia and the complainant, Ekosvest, for their reports and oral presentations, and recalled that the focus of the case was on progress in implementation of [Recommendation No. 211 \(2021\)](#) on conservation measures within national parks in North Macedonia, including in relation to Mavrovo National Park and Lake Ohrid and Galichica National Park.

99. Took note of the activities presented by the government such as progress with regard to financing, in particular that the Ministry of Environment and Physical Planning (MoEPP) had provided part of the budget toward preparation of the Valorisation Study of Mavrovo National Park (NP), and that the Prespa-Ohrid Nature Trust (PONT) was involved in providing financial support for protected area management to NP Shar Mountain, and CSO grants for the river monitoring of the NPs of Mavrovo and Shar Mountain, as well as in negotiations to provide the budget for Mavrovo once its re-proclamation process has been completed. On this latter point, it was noted that a memorandum of cooperation between the key stakeholder organisations had been signed, and that the valorisation study for Mavrovo was in the process of preparation.

100. Noted that several projects were also ongoing or planned with the EU including trainings on management of Natura 2000 areas.

101. Was pleased to note that the Scientific Council at the Secretariat of the CMS had supported the adoption of the proposal to include the Eurasian lynx (*Lynx lynx*) in Appendix II and the Balkan lynx (*Lynx lynx balcanicus*) in Appendix I of the CMS. It recalled its statement under item 5.4 in that regard.

102. Also took note of the information of the complainant such as that the process to cancel the concessions for the two planned hydropower plants (HPPs) Zhirovnica 5 and 6 had been initiated by the government, a decision which was welcomed. However it also noted with concern that other HPP concessions had been simultaneously extended.

103. Also noted from the complainant that little progress had been achieved in other areas of the Recommendation such as the new Law on Nature, Water Law amendments, and the Balkan Lynx Conservation Action Plan.

104. Noted that the Energy Community Treaty Ministerial Council had adopted a decision (2021) on the Failure of North Macedonia to comply with the Treaty and transpose the Environmental Impact Assessment Directive (Directive 2014/52/EU).

105. Overall, welcomed some progress and willingness of the national authorities, but reiterated that more rapid progress was needed in certain areas such as to:

- immediately cancel HPP Ribnicka in Mavrovo NP;
- revoke all other small HPP concessions in Shar Mountain NP;
- speed up the proclamation of Mavrovo and ensure proper public consultations in all phases of the process;
- accelerate the adoption of the proposed Law on Water and Law on nature protection, which would ensure the development of a methodology for ecological flow, and effectuate a ban on hydropower plants and other infrastructure projects in protected areas;
- improve and ensure a regular coordination and consultation between State authorities and CSOs;
- And more broadly, ensure implementation of all points of Recommendation No. 211 (2021) within the soonest timeframes.

106. Also instructed both parties in their next reports to document progress in relation to each point of Recommendation No. 211 (2021). The case would next be discussed at the **Autumn Bureau meeting in 2024**, ahead of the 44th Standing Committee. **The file remains open.**

➤ **2016/4 - Montenegro: Development of a commercial project in Skadar Lake National Park and candidate Emerald site**

Relevant documents: T-PVS/Files(2023)44 - Government Report
T-PVS/Files(2023)59 - Complainant Report

The Standing Committee:

107. Took note of the reports of both parties and thanked the authorities of Montenegro and the complainant organisation, Greenhome, for their presentations.

108. Noted that no constructions were ongoing in Porto Skadar Lake and White village following inspections. It welcomed that the Management Plan for Skadar Lake National Park (NP) 2021-2025 had finally been adopted in August, with the Special Purpose Spatial Plan also on the horizon. It further took note of continued biodiversity monitoring at Skadar Lake NP.

109. Welcomed that measures to improve enforcement of existing laws as regularly called for appeared to be taking effect, in particular as regards illegal fishing. It noted the concerns of the government that an obstacle to good enforcement is the complex responsibilities of multiple institutions, and it encouraged the authorities to continue working towards effective solutions with all concerned stakeholders.

110. Took note of a suggestion of CEE Bankwatch Network for a mediation procedure.

111. Took note of the information of the complainant that still little meaningful progress in implementation of [Recommendation No. 201 \(2018\)](#) had been accomplished, and it reiterated its key concerns to the authorities of Montenegro, urging them to:

- abandon SLS Mihalovici and revoke all building permits for Porto Skadar Lake and White Village;
- develop and deliver a new spatial plan for the National Park ensuring that it comply with Recommendation No.201 (2018), and;
- initiate and establish efficient and effective methods of monitoring implementation of existing laws.

112. Announced that **the file remains open** and both parties are requested to provide updates for the **Autumn Bureau meeting in 2024**. Both parties should use the 12 points of Recommendation No. 201 (2018) as the basis for their reporting.

➤ **2016/5 - Albania: Presumed negative impact of developments on the Vjosa river including hydro-power plant development and Vlora International Airport**

Relevant documents: T-PVS/Files(2023)19 - Government Report
T-PVS/Files(2023)20 - Complainant Report
T-PVS/Files(2022)67 - Report of the on-the-spot appraisal
[Recommendation 219 \(2023\)](#) on the possible impacts of infrastructure and urbanisation developments particularly Vlora International Airport, on the Vjosa-Narta Protected Area
T-PVS(2023)08rev2 – Draft Revised Recommendation

The Standing Committee:

113. Was reminded that an on-the-spot appraisal (OSA) had taken place jointly with AEWA and CMS in September 2022, but that the mission report had not been finalised on time for the 42nd Standing Committee, thus the Committee had instructed the Bureau, once the report would be finalised in 2023, to submit the draft recommendation for adoption by an exceptional urgent procedure due to the pressing need to call for a halt to construction of Vlora International airport (VIA) in the Vjosa-Narta Protected Area. This had been done and on 5th September, [Recommendation No. 219 \(2023\)](#) on the possible impacts of infrastructure and urbanisation developments particularly Vlora International Airport on the Vjosa-Narta Protected Area (Albania) had been adopted. However, due to complexities in the written procedure, only the urgent aspect of the Recommendation on suspending construction had been adopted, with the rest of the text up for adoption during the present meeting.

114. Also took note that AEWA had adopted a similar recommendation to the revised draft on the table, modified to AEWA's competencies, in June 2023.
115. Thanked the independent consultant Mr Lazaros Georgiadis for his presentation on the OSA and draft revised Recommendation.
116. Took note of the oral presentations of the authorities of Albania, and of the complainant EcoAlbania, as well as their written reports.
117. Congratulated the Albanian government and all stakeholders involved on the declaration of Vjosa as a Wild River National Park.
118. Took note of new concerns regarding possible development of HPPs on the Shushica river, a key tributary of Vjosa, and of the Himara water abstraction project, but recalled that these issues fall outside the scope of the current draft Recommendation. Nevertheless, requested that the authorities report on these issues in their next report.
119. Took note of the statement of the European Commission which informed that, in its country report of 2022, it had outlined that Albania needed to significantly improve the quality of the EIA and its process, as well as improve the implementation of the EIA's findings during all stages of construction and operation.
120. Welcomed the mission report and adopted with several amendments the following revised Recommendation:

Recommendation No. 219 (5th September 2023, revised 1st December 2023) on the possible impacts of infrastructure and urbanisation developments particularly Vlora International Airport on the Vjosa-Narta Protected Area (Albania), available in [appendix VIII](#).

121. Extremely concerned that construction of the airport was continuing, urged the Albanian authorities to suspend construction of the airport in line with the Recommendation, as it has been found to violate international Conventions. It encouraged the authorities to work together with civil society and all relevant stakeholders to make progress on the other aspects of the Recommendation, and offered the support of the Convention's expertise.
122. Due to the ongoing urgent situation, asked for progress reports for the **Spring Bureau meeting in 2024**, where the government was asked to respond to the information of the complainant, and to report on any progress in implementing Recommendation no.219 (2023). **The File remains open.**

➤ **2020/09: Bosnia and Herzegovina: Possible negative impact of hydro-power plant development on the Neretva river**

Relevant documents: T-PVS/Files(2023)23 - Government Report
T-PVS/Files(2023)16 - Complainant Report

The Standing Committee:

123. Took note of the reports of both parties and thanked the representative of the authorities of Bosnia and Herzegovina and the complainant organisation, Center for Environment, for their presentations. It recalled that [Recommendation No.217 \(2022\)](#) on the possible negative impact of hydro-power plant development on the Neretva River had been adopted last year at the 42nd meeting.
124. Regretted the news confirmed by both parties that the construction of the Ulog dam and hydropower plant (HPP) continued and was not planned to be suspended as called for in point 7 of Recommendation No.217 (2022). In relation to the statement of the government that "Construction of HPP Ulog has not been halted as it falls outside of the scope of the protected area and construction of this plant does not jeopardize the natural values significant for declaration of a protected area", it recalled that the expert assessment of the site in October 2022 and unanimous support of the Contracting Parties of the Standing Committee to that assessment had taken a completely different position, stressing that the construction of this dam will cause irreparable damage in the region and along the river course.
125. Further took note that the Bjelimici and Glavaticvevo HPP projects still remain in the Spatial plan but pointed out that the Federal Ministry of Environment and Tourism had urged that development activities related to

hydropower facilities on the Neretva River have to be suspended until the end of the process regarding the Complaint No. 2020/9.

126. Furthermore pointed to the recent adopted Conclusion of the Government of the Federation of Bosnia and Herzegovina on reacting to impacts on the water and environment of the HPPs being developed on Neretva, thus demonstrating that the authorities were beginning to take notice of the likely negative consequences.
127. Acknowledging the political complexities in Bosnia and Herzegovina, encouraged authorities at all levels to work together, as the river system is not restricted by borders.
128. Further took note that concessions had still not been cancelled for the two phases of the hydroelectric system Gornja Neretva, and that the Upper Horizons HPP scheme was ongoing. It again urged the authorities to follow points 8, 10 and 13 of the Recommendation by cancelling or banning these projects.
129. Called for the authorities involved to speed up if possible the process of declaring Gornji tok Neretve as a protected area and adopted Emerald Network site (point 1). It also urged them and the relevant stakeholders to make use of the data which civil society is collecting during the Neretva Science Week and similar initiatives. It recalled that there is a data gap in this area, and therefore new data gathered should be systematically welcomed and exploited.
130. Welcomed that a focal point for Bosnia and Herzegovina had been assigned as called for in the Recommendation.
131. Again, called for a suspension of construction of the Ulog HPP and fulfilment of Recommendation No.217 (2022), encouraged better communication between authorities at different levels and NGOs, and requested that both parties provide update reports for the **Spring Bureau meeting in 2024**, and in particular to provide the state of play of the various HPP projects related to the complaint. **The file remains open.**

➤ **1995/6 - Cyprus: Akamas peninsula**

Relevant documents: T-PVS/Files(2023)58 - Government Report
T-PVS/Files(2023)41 - Complainant Report

The Standing Committee:

132. Took note of the reports of both parties and thanked the Cypriot authorities and the complainant organisation, Terra Cypria, for their oral presentations.
133. Noted progress in certain areas, such as the Memorandum of Understanding (MoU) that had been signed between the Department of Fisheries and Marine Research (DFMR) and the complainant last year and that it had been trialed at the beginning of the summer. It also noted that the complainant is to be actively involved in the protection of marine turtles in Cyprus.
134. Took note of the intervention of the European Commission which informed that, in 2023, it had continued the dialogue with the Cypriot authorities in the framework of the infringement procedure for failing to fulfil the obligations under Articles 4(4) and 6 of the Habitats Directive, in particular for failing to designate sites of community importance (SCIs) (for which the six-year deadline has expired) as special areas of conservation (SACs) and to establish the necessary conservation objectives and measures for these sites. The Commission also continued the dialogue with the Cypriot authorities in the framework of the infringement procedure regarding the systemic problem of bad application of Article 6(3) of the Habitats Directive.
135. Expressed serious concern that after so many years the majority of the thirteen points of Recommendation No. 191 (2016) were still not fully followed-up by the authorities and that according to interested actors the main threats remain. The Standing Committee urged the Cypriot authorities to step up efforts to implement all points of the Recommendation and asked the government to send the ongoing review of the legality of the road construction in Akamas National Forest Park as soon as it is finalised.
136. Referred to its newly adopted guidance tool on the Conservation of sea turtles nesting sites and encouraged both parties to make full use of it in their work.
137. Noted that **the file remains open** and both parties were invited to report to the **Bureau in Autumn 2024**.

➤ **2010/5 - Greece: threats to marine turtles in Thines Kiparissias**

Relevant documents: T-PVS/Files(2023)35 - Government Report
T-PVS/Files(2023)46 - Complainant Report
T-PVS/Files(2023)60 - Archelon Report

The Standing Committee:

138. Took note of the reports of both parties and of the NGO ARCHELON, and thanked both the authorities and MEDASSET, the complainant organisation, for their oral presentations.
139. Took note of the intervention of the European Commission who informed that in November 2023, in the framework of Case C-504/14 on the failure of Greece to take the required measures to avoid the disturbance of protected sea turtle (*Caretta caretta*) and deterioration of protected habitats in the area of Kyparissias, the Commission had addressed questions to national authorities (i.e. regarding authorising or tolerating building projects, authorising the development of access routes to beaches in the Kyparissias area, toleration of illegal free camping, absence of beach wardens). The Commission had also urged the Hellenic authorities to finalise and adopt the management plan for the area. The Commission continues to monitor closely the efforts of the Greek authorities to comply with the Court ruling C-849/19 to establish the necessary conservation objectives and measures (Special Environmental Studies for the issuance of Presidential Decrees and Management Plans for all Natura 2000 sites) for the whole Natura 2000 network. Finally, if the country does not take the necessary measures to comply with all the aspects of the Court ruling the Commission may further pursue the case and ultimately refer it back to the Court of Justice and request that fines be imposed.
140. Welcomed the recently issued (February 2023) national conservation targets for *Caretta caretta* (Government Gazette No. 1091/B/28.2.2023) in the form of a Ministerial Decision, where it is stipulated that the number of reproductive adults is set to 1,940 individuals, the number of reproductive females is set to 1,460 individuals and the number of nests/year is set to 3,800 with the overall target being the conservation of the species. In addition, the local conservation targets for *Caretta caretta* had been recently adopted (code GR2550005) by Ministerial Decision (government gazette B1807/22.03.2023). The Standing Committee would appreciate receiving progress reports on these targets.
141. Recalled that despite national authorities' initiatives (such as road blocking) and their commitment to monitor the area and continue with the implementation of the measure (environmental restoration study), the enforcement of relevant national laws was still low. In this context, it urged the national authorities to finalise their report on human activities on the beaches, and strictly enforce and implement the Presidential Decree's provisions. Competent authorities must ensure that the existing threats of the protected area such as light pollution, beach bars and beach furniture, extensive vehicular traffic, free camping, annual local Music Festivals, uncontrolled agricultural and fishing activities, the existing illegal constructions, and the constructions of buildings, are dealt with permanently. It welcomed the commitment expressed by the Ministry to monitor the area and continue the implementation of the environmental restoration study of the sand dunes. The Committee nevertheless urged the national authorities to fully implement Recommendation No. 174 (2014).
142. Acknowledged the complainant's ongoing concerns that a Management Plan for Thines Kiparissias had still not been adopted after a delay of 5 years and took note of the national authorities' statement that it is expected to be issued by the end of 2023. It urged the national authorities to step up their efforts to adopt a Management Plan within this timeframe which should address the threats referred to above.
143. Also requested that the national authorities ensure that the Management Unit of the Natural Environment and Climate Change Agency (NECCA/OFYPEKA) that is responsible for the site elaborates on ways to ensure the supervision and management of the protected area and the collaboration with local authorities and stakeholders, as soon as possible.
144. Referred to its newly adopted guidance tool on the Conservation of sea turtles nesting sites and encouraged both parties to make full use of it in their work.
145. Noted that **the file remains open** and both parties were invited to report to the **Bureau in Autumn 2024**.

➤ **2012/9 – Türkiye: Presumed degradation of nesting beaches in Fethiye and Patara SPAs**

Relevant documents: T-PVS/Files(2023)43 - Government Report
T-PVS/Files(2023)39 - Complainant Report

The Standing Committee:

146. Took note of the reports of both parties, thanked MEDASSET, the complainant organisation, for its oral presentation, but regretted the lack of participation of the Turkish authorities' in the discussion.
147. Acknowledged some limited progress by the authorities in the management and enforcement of regulations but noted that additional efforts were needed to adequately protect the area. It urged the Turkish authorities to complete the Management Plan for Fethiye rapidly and to step up their efforts to adopt the Management Plan for Patara as soon as possible. It also requested from the Turkish authorities to provide the necessary resources for the effective protection of the nesting beaches.
148. Requested that the next Government report include a comprehensive and updated action plan for implementation and enforcement of Recommendations No. 182 (2015) and No. 183 (2015), including a detailed timeframe for the implementation of all points of the Recommendations as well as an indication of how to measure the success of the actions identified. It encouraged the national authorities and the local authorities to reinforce their cooperation for a better implementation of the Recommendations.
149. Referred to its newly adopted guidance tool on the Conservation of sea turtles nesting sites and encouraged both parties to make full use of it in their work.
150. Noted that **the file remains open** and both parties were invited to report to the **Bureau in Autumn 2024**.

➤ **1986/8 - Greece: Recommendation No. 9 (1987) on the protection of *Caretta caretta* in Laganas bay, Zakynthos**

Relevant documents: T-PVS/Files(2023)36 - Government Report
T-PVS/Files(2023)47 - Complainant Report
T-PVS/Files(2023)61 - Archelon Report

The Standing Committee:

151. Took note of the reports of both parties and of the NGO ARCHELON, and thanked both the authorities and MEDASSET, the complainant organisation, for their oral presentations.
152. Welcomed the information that training of surveillance and scientific staff of the Natural Environment and Climate Change Agency (NECCA/OFYPEKA) on the main aspects of control in case of infringement and on drawing up on-the spot-appraisal reports, issuing certificates on violation and conducting environmental inspections, had started, but noted with concern the arguments from ARCHELON according to which the staff of NECCA/OFYPEKA did not seem to put in practice their new functions. It nevertheless acknowledged the ongoing cooperation between the local Management Unit and NGOs in responding to any reports of infringements by the latter.
153. Also took note of the intervention of the European Commission which informed that the Commission continues to monitor closely the efforts of the Greek authorities to comply with the Court ruling C-849/19 to establish the necessary conservation objectives and measures (Special Environmental Studies for the issuance of Presidential Decrees and Management Plans for all Natura 2000 sites) for the whole Natura 2000 network. The Commission had also decided to refer Greece to the Court of Justice of the European Union on 16 November 2023 for failing to restore the landfill on the island of Zakynthos within the Natura 2000 protected area. The Committee requested to be informed of the outcome.
154. Welcomed the adoption of conservation targets, which were recently adopted by a Ministerial Decision for the protection of *Caretta caretta* in Greece, clearly setting a target value of 940 nests/year in the area of Laganas Bay, a Natura 2000 protected area. In addition, Greece had recently issued (February 2023) the national conservation targets for *Caretta caretta* (Government Gazette No. 1091/B/28.2.2023) in the form of a Ministerial Decision, where it is stipulated that the number of reproductive adults is set to 1,940 individuals, the number of reproductive females is set to 1,460 individuals and the number of nests/year is set to 3,800 with the overall target being the conservation of the species. The Standing Committee would appreciate receiving progress reports on these targets.

155. Noted that, in the context of the illegal road constructions in the area, the offender had recently appealed to the Supreme Court, which had rejected the appeal. It requested the authorities to inform about the follow-up given to the decision taken by the Supreme Court.
156. Noted however the concerns of the complainant and of ARCHELON, in particular that illegal developments remained, beach wardens' presence on the nesting beaches was insufficient, the number of visitors exceeded the legal maximum allowances, marine traffic remained extremely high, and that speed limits were not respected by boats. It requested the authorities to work on these, in particular to ensure full implementation of measures by local stakeholders. In this context, the Committee invited the national authorities to use the opportunity of the proposed Specific Environmental Study (SES) for the protected areas of the Ionian Islands, including Zakynthos, accompanied by a draft of a new PD and a MP, to increase the protection of *Caretta caretta* in the area.
157. Referred to its newly adopted guidance tool on the Conservation of sea turtles nesting sites and encouraged both parties to make full use of it in their work.
158. Took also note that the complainant requested to mandate an on-the-spot appraisal. Noted that **the file remains open** and both parties were invited to report to the **Bureau in Autumn 2024**.

➤ **2019/5: Türkiye: Habitat destruction in Mersin Anamur Beach**

Relevant documents: T-PVS/Files(2023)56 - Government Report
T-PVS/Files(2023)42 - Complainant Report

The Standing Committee:

159. Took note of the reports of both parties, thanked MEDASSET, the complainant organisation, for its oral presentation, but regretted the lack of participation of the Turkish authorities' in the discussion.
160. As noted at the September Bureau meeting, was extremely concerned with the situation in Mersin Anamur Beach and strongly condemned the destruction of the beach area. It urged the Turkish authorities to halt phase II of the coastal development project and to ensure that no other coastal development projects extend to other areas of the beach. It also urged the Turkish authorities to act as requested by the Bureau in its September decision.
161. Requested information from the authorities on the mitigation measures put in place and what post-construction monitoring was foreseen, and to find preserved places in the vicinity where marine turtles can settle and nest in a safe environment.
162. More particularly, and in line with the complainants' concerns, requested the Turkish authorities to:
- Complete the rehabilitation and remove soil, trees, and concrete infrastructure put on the nesting beach for the "Beach Arrangement Project" Phases I and II;
 - Proceed with the full restoration of the Karaağaç section, to its natural state;
 - Prevent further unsustainable stone wall construction along the Dragon River that impacts on the nesting activity and habitat of the *Trionyx triunguis* turtles;
 - Provide location information of the "Beach Arrangement Project" including the coordinates of the area, length of the beach occupied, and distance from the shoreline;
 - Dismiss the zoning plan change in the Aquapark region affecting the nesting beach that is approved by the Municipality of Anamur and the Mersin Metropolitan Municipality;
 - Suspend the geothermal drilling license, which covers the nesting beach, until an EIA process by an independent scientific team evaluates its impact;
 - Return the densest nesting area between Dragon Rivulet, Mamure Castle, and the Pullu Forest Camp to its previous protection status which a new Circular in July 2023 reduced;
 - Allocate more staff or cooperate with a university to ensure efficient monitoring and caging;
 - Collaborate and communicate with the local NGOs on any issues related to this file.
163. Also acknowledged the complainant's ongoing concerns that violations of the national legislation to protect the sea turtles and nesting habitat continue to occur without any consequence for the perpetrators: sand

extraction from the beach, vehicles accessing the beach, light and sound pollution, and business expansions. It urged the national authorities to ensure that local authorities and local businesses comply with Turkish National law and the Bern Convention's Recommendation No. 66 (1998).

164. Referred to its newly adopted guidance tool on the Conservation of sea turtles nesting sites and encouraged both parties to make full use of it in their work.
165. **Decided to mandate an on-the-spot appraisal**, subject to the agreement of the Turkish authorities, and urged the Turkish authorities to halt any construction until then. Noted that **the file remains open** and both parties were invited to report to the **Bureau in Spring 2024**.

6.2. Possible Files

➤ 2001/4 - Bulgaria: Motorway through the Kresna Gorge

Relevant documents: T-PVS/Files(2023)21 - Government Report
T-PVS/Files(2023)22 - Complainant Report

The Standing Committee:

166. Thanked the authorities of Bulgaria and complainant "Save Kresna Gorge" coalition for their oral presentations, and for their multiple written reports sent during the year, appreciating the cooperation with the Secretariat of the Convention.
167. Took note of the information of the authorities that the Appropriate Assessment (AA) review had been finalised during 2023 based on methodology consulted by Jaspers and sent for comments to the European Commission in July and to Working Group 2 (WG2) on "Environmental Aspects" during a meeting in August. The results of the review had reconfirmed the conclusions of the 2017 EIA/AA Decision that G10.50 is the most environmentally preferable also in the light of the SSCOs for Lot 3.2. However it took note that agreement was not reached by the stakeholders of WG2 on the analysis.
168. Noted however, the complainants position that the review is not a legal document and their claim that the government had not started any legal procedure to revise the EIA/AA which had been found to violate the Habitats Directive and the Bern Convention.
169. Took note that development of mitigation measures on the existing road continued and should be finalised by March 2024.
170. Took note of the diverging information of the parties as to whether the construction of a roundabout near Kresna signals the start of the development of G10.50 or not. The government has insisted it did not predetermine the choice of the routing. It took note that a coalition of civil-society organisations had submitted a complaint in August to the European Commission concerning the construction works, citing violations of the procedures and requirements of Art. 6, para. 3 of Directive 92/43/EEC and of Art. 6, para. 2 of the same Directive.
171. Took into account that Working Group 3 on road safety and needs of local communities had started. Noted that there are conflicting positions of civil society on the matter.
172. Took note of the intervention of the European Commission which recalled that, following the adoption by Bulgaria of the SSCOs for the two Natura 2000 sites affected by the Struma motorway in October 2022, the Bulgarian authorities had reviewed the 2017 EIA/AA reports and sent them to the Commission in July 2023. The Commission services are discussing with the Bulgarian authorities the outcome of the review and its methodology, in light of the Commission observations made in 2019, and would keep monitoring the situation.
173. Recalled that point 10 of [Recommendation No.212 \(2021\)](#) called for a technical workshop to be held in Kresna.
174. Welcomed that, following a suggestion from the Secretariat, both parties had supported the idea of a Technical Workshop, which would aim to bring together a range of technically relevant stakeholders from Bulgaria but also across Europe and provide the opportunity to improve the relationship between the governmental and civil society stakeholders. The theme of the event should be to consider general transport and biodiversity challenges and best practices to resolve them and not to focus on the case-file.

175. Acknowledged the invitation of the Bulgarian authorities to the Standing Committee members and observers to participate in the workshop and to also take the opportunity during this event to become fully acquainted with the situation on the ground.
176. Took note of the complainant's request to open the file and government's preference to keep it as a possible file. Despite attempts to find a consensus, a vote was required, where 17 Parties (Austria, Bosnia & Herzegovina, Czech Republic, Denmark, Finland, Germany, Hungary, Iceland, Latvia, Liechtenstein, Luxembourg, Monaco, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom) voted in favour of opening the file, and 12 Parties (Albania, Armenia, Azerbaijan, Bulgaria, Croatia, Cyprus, Georgia, Greece, Moldova, North Macedonia, Poland and Serbia) voted against. With 58%, the 2/3 majority to open the file was not reached.
177. Recalled point 11 of Recommendation no. 212 (2021) and urged both parties to make stronger efforts to work together in a constructive way.
178. Noted the efforts of the authorities to implement all points of Recommendation No. 212 (2021) and urged them to continue without delay, and in particular to not start any construction on G10.50 until all relevant procedures under the Habitats and Birds Directives have been finalised.
179. Noted the suggestion that the EIA on all the alternatives, and the results of the Technical Workshop should be presented to the Standing Committee.
180. **Noted that the file remains possible** and that both parties were invited to present updates on the case and progress in relation to the Recommendation at the **Spring Bureau meeting in 2024**, as well as to continue the good collaboration with the Secretariat in terms of organising the Technical Workshop in April 2024.

➤ **2020/4: Armenia: The Amulsar gold mine project and its impacts on Emerald Network sites**

Relevant documents: T-PVS/Files(2023)15 - Government Report
T-PVS/Files(2023)07 - Complainant Report

The Standing Committee:

181. Took note of the reports of both parties and thanked the authorities of Armenia and the complainant CEE Bankwatch Network for their presentations. It recalled that the Bureau had decided to elevate this case to "possible file" at its last meeting in September due to the very concerning situation of the Amulsar gold mine and state of the Emerald Network in Armenia.
182. Took note of the information of the Armenian authorities that the legal processes had been correctly followed and thus there was no need for a new environmental and social impact study (ESIA) for the Amulsar gold mine as called for by the complainant. Also, noted that the process of establishing Jermuk National Park as a protected area was delayed due to prevailing state priorities and regional instability; and that the process of revising the Emerald network territory was ongoing and the secretariat would be notified, but that the preliminary findings suggested that the sufficiency of the sites would improve as target species and habitats would be prioritised.
183. Noted the concerns of the complainant that the mine had received financing from the Eurasian Development Bank with the Russian state as majoritarian owner and that in June, a meeting between the mining company and Deputy Prime Minister had discussed resumption of development of the mine, with no involvement of other stakeholders and no new ESIA foreseen. Also, noted that the negative environmental impacts of the mine would likely have transboundary implications.
184. Expressed its concern that the processes to drastically reduce the territory of the Emerald Network in Armenia including the protected area where the Amulsar mine is located were ongoing. It called for Armenia to consider very carefully this process, as such reductions in territory could be very detrimental for the sufficiency of the pan-European Network of Protected Areas. It recalled its Recommendations [No. 208 \(2019\)](#) and [No. 157 \(2011, revised 2019\)](#) regarding Emerald Network sites, and encouraged the authorities to remain in close contact with the Secretariat during this process and if need be to ask for technical assistance.
185. Was also concerned with the allegation of the complainant that public involvement in these important processes appeared to be neglected by the Armenian government, that a new Strategy would seem to allow a procedure to bypass public participation, despite its obligation by the Aarhus Convention, and that there had

been an unprecedented number of strategic litigations against public participation (SLAPPs) against independent experts, lawyers and journalists who opposed the project.

186. Took note of the request of the complainant to mandate an on-the-spot appraisal (OSA) to the site. However, due to the ongoing processes and assurances of the Armenian government, decided to postpone a decision on this until 2024: the Bureau should meanwhile be kept strictly informed of any updates.
187. In the meantime, reiterated the calls of the Bureau for the Armenian authorities to halt the construction of the gold mine which could negatively affect the habitats and species protected under the Convention, whether pertaining to an Emerald Network site or not, also highlighting the recent evidence of the reemerging presence of the Persian Leopard (*Panthera pardus tulliana*) which is critically endangered in the region, as well as other recent biodiversity findings. The Committee also invited the Armenian authorities to revise the existing ESIA for the gold mine, in light of the recent biodiversity findings, and expertise of the local scientific and civil community, and possible transboundary water impacts. Finally, they were asked to speed up the declaration process of Jermuk National Park.
188. Finally, welcomed the statement of the authorities that they were taking steps to involve CSOs more closely in the processes: urged strong efforts in this regard.
189. Announced that **the File remains Possible**, and both parties were invited to send progress reports to the **Spring Bureau in 2024** with information on the two separate issues of the Amulsar Gold mine, and the Revision of the candidate Emerald sites in Armenia.

6.3. Follow-up of Recommendations

- [Recommendation No.190 \(2016\)](#) on the conservation of natural habitats and wildlife, especially birds, in afforestation of lowland in Iceland

Relevant document: T-PVS/Files(2023)54 - Government Report

The Standing Committee:

190. Thanked the authorities of Iceland for the update report on the follow-up to [Recommendation no.190 \(2016\)](#) on the conservation of natural habitats and wildlife, especially birds, in afforestation of lowland in Iceland, recalling that AEWA was also involved in this case.
191. Took note of the generally good progress in implementing the Recommendation, in particular welcoming the single comprehensive land reclamation and forestry plan of 2022 “Land and Life – Strategy and Vision for Land Reclamation and Forestry until 2031” within which an Action Plan covering 2022-2026 is included which shall shape the priorities for government action in the coming years.
192. Invited the authorities to share Iceland’s progress in implementation of the Recommendation at the **Autumn Bureau meeting in 2025**, ahead of the following Standing Committee meeting.

- [Recommendation No. 95 \(2002\)](#) on the conservation of marine turtles in Kazanlı beach, Türkiye

Relevant documents: T-PVS/Files(2023)55 - Government Report
T-PVS/Files(2023)40 - Complainant Report

The Standing Committee:

193. Took note of the reports of both parties, thanked MEDASSET, the complainant organisation, for its oral presentation, but regretted the lack of participation of the Turkish authorities’ in the discussion.
194. Noted only limited progress in the implementation of [Recommendation No. 95 \(2002\)](#) and remained very preoccupied by the situation of sea turtles at Kazanlı beach.
195. More generally, requested full implementation of [Recommendation No. 95 \(2002\)](#) with no further delay, especially to implement the erosion control and the toxic waste removal.
196. Referred to its newly adopted guidance tool on the Conservation of sea turtles nesting sites and encouraged both parties to make full use of it in their work.

197. Invited both parties to report to the **Bureau in Autumn 2025** ahead of the following Standing Committee meeting.

The Standing Committee:

198. Regretting the lack of participation of the Turkish authorities' in the discussions during its 43rd meeting and observing the difficulties encountered by the Turkish authorities to improve the situation of their case files examined during this meeting, instructed its Chair to write to them to address the concerns of the Committee and offer its assistance.

PART V – COOPERATION AND COMMUNICATION ACTIVITIES AND PROGRAMME OF WORK 2024

7. INTERNATIONAL COORDINATION WITH OTHER MEAS AND ORGANISATIONS

The Standing Committee:

199. Took note of the statement by the Slovak Republic on the Fifth Meeting of Signatories (MOS5) of the Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard (*Otis tarda*) that had been held on 20-21 September 2023 in Bratislava, Slovak Republic.

200. Took note of the information provided by the Secretariat and expressed its appreciation of the continued international cooperation developed throughout the year with other MEAs and organisations such as the African-Eurasian Migratory Waterbird Agreement (AEWA), Birdlife international, the Convention on Biological Diversity (CBD), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Convention on Migratory Species (CMS), the European Commission, the European Environment Agency, Infrastructure and Ecology Network Europe (IENE), the International Union for the Conservation of Nature (IUCN), the Ramsar Convention, the United Nations' Environment Programme World Conservation Monitoring Centre (UNEP-WCMC), the United Nations Educational, Scientific and Cultural Organisation World Heritage Centre (UNESCO WHC) and Wildfowl and Wetlands Trust (WWT).

8. DRAFT PROGRAMME OF ACTIVITIES AND BUDGET FOR 2024

Relevant documents: T-PVS(2023)21– Draft Programme of Activities and budget for 2024
T-PVS/Inf(2023)17 – Calendar of meetings for 2024

The Standing Committee:

201. Took note that the level of voluntary contributions had decreased by 40% dropping from 446 000 euros in 2022 to 263 000 euros in 2023.

202. Took note of the statistics provided by the Secretariat highlighting the annual amounts of voluntary contributions, the annual number of voluntary contributors and how often Parties had paid a voluntary contribution since 2011.

203. Took note that 20 Contracting Parties had never paid a voluntary contribution and that there was therefore still a potential for improving the stability and level of the finances of the Convention if all Contracting Parties would regularly support the Convention according to their capacities.

204. Agreed on the suggested scale of voluntary contributions for 2024 as set in Resolution No. 9 (2019) and invited Parties to continue paying voluntary contributions and to provide the Secretariat with the necessary resources to support the delivery of the Strategic Plan of the Bern Convention for the period to 2030 and until the Protocol amending the Bern Convention and setting up a sustainable mechanism of mandatory financial contributions has entered into force.

205. Took note that the draft Programme of Activities for 2024 presented in document T-PVS(2023)21 considered two scenarios: 1) a conservative approach based on the 2023 allocation of the ordinary budget and relying mainly on voluntary contributions and, 2) an optimistic approach based on an increase of the ordinary budget foreseeing twice the current allocation for activities and swapping the funding of almost all staff from voluntary contributions to the ordinary budget.
206. Welcomed the increase of the ordinary budget of the Bern Convention supported by the Committee of Ministers on 22 November 2023 and **adopted the Programme of Activities for 2024 presented in the second scenario** ([appendix IX](#)).
207. Invited the Secretariat, in liaison with the Bureau, to reflect during 2024 on the preparation of a multi-year Programme of Activities aligned with the priorities of the Strategic Plan of the Bern Convention for the period to 2030.
208. **Took note of the provisional calendar of meetings** presented in document T-PVS/Inf(2023)17 ([appendix IX](#)) and invited Parties interested in hosting Groups of Experts in 2024 to inform the Secretariat.

9. STATES TO BE INVITED AS OBSERVERS TO THE 44TH MEETING

The Standing Committee:

209. Decided unanimously to invite the following States to attend its 44th meeting: San Marino, Egypt, the Holy See and Jordan.

PART VI – OTHER ITEMS

10. ELECTION OF CHAIR, VICE-CHAIR AND BUREAU MEMBERS

Relevant document: T-PVS(2022)29 – Rules of Procedure of the Standing Committee

The Standing Committee:

210. In accordance with Article 18(e) of the Rules of Procedure, reelected:
- Ms Merike Linnamägi (Estonia) as Chair;
 - Mr Carl Amirgulashvili (Georgia) as Vice-Chair;
 - Mr Andreas Schei (Norway) and Mr Claude Origer (Luxembourg) as Bureau members.
211. According to Rule 19 of the Rules of Procedure, acknowledged the automatic nomination of the previous Chair, Ms Jana Durkošová (Slovak Republic), as a Bureau member.

11. DATE AND PLACE OF THE 44TH MEETING

The Standing Committee:

212. Agreed to hold its next meeting during the week of 2nd December 2024 in Strasbourg (exact format of the meeting to be decided).

12. ADOPTION OF THE MAIN DECISIONS OF THE MEETING

The Standing Committee:

213. Adopted document T-PVS(2023)Misc.

13. CLOSING OF THE MEETING

The Standing Committee:

214. Closed the meeting.

Adopted texts

1. T-PVS/Agenda(2023)16 - Agenda
2. T-PVS(2023)28 - Updated terms of reference of the *Ad hoc* Drafting Group on an Amending Protocol
3. T-PVS(2023)20 - Recommendation on the implementation of the Strategic Plan (with link to T-PVS(2023)18 - Strategic Plan for the Bern Convention for the period to 2030)
4. T-PVS(2023)31 - Terms of reference for a Working Group on overseeing implementation of the Strategic Plan
5. T-PVS(2023)30 – Conservation of sea turtles nesting sites: a guidance tool
6. T-PVS/PA(2023)07 - list of candidate Emerald Network Sites & T-PVS/PA(2023)08 - list of adopted Emerald Network Sites
7. T-PVS(2023)22 - Recommendation on the negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Network sites due to infrastructure and urbanisation developments (North Macedonia)
8. T-PVS(2023)08rev2 – *Revised* Recommendation on the possible impacts of infrastructure and urbanisation developments particularly Vlora International Airport, on the Vjosa-Narta Protected Area (Albania)
9. T-PVS(2023)21– Programme of Activities and budget for 2024 & T-PVS/Inf(2023)17 – Provisional Calendar of meetings for 2024

Appendix I
- Agenda -
- T-PVS/Agenda(2023)16 -

PART I – OPENING

- 1. OPENING OF THE MEETING AND ADOPTION OF THE AGENDA**
- 2. CHAIRPERSON'S REPORT AND COMMUNICATIONS FROM THE DELEGATIONS AND FROM THE SECRETARIAT**
 - 2.1. Notification of denunciation by Belarus of the Bern Convention**
 - 2.2. Reykjavík Summit and Council of Europe's work on biodiversity**
- 3. FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION**
 - 3.1. Financing of the Bern Convention**
 - 3.1.1. State of elaboration of the Protocol amending the Bern Convention*
 - 3.1.2. Procedure which led to the drafting of the Protocol*
 - 3.1.3. Procedure to be followed for the adoption of the Protocol*
 - 3.1.4. Next steps*
 - 3.2. Vision and Strategic Plan for the Bern Convention for the period to 2030 and contribution to the post-2020 global biodiversity framework**
 - 3.3. Case-file reflection: Assessment of incoming complaints**
 - 3.4. Rules of Procedure - Possible future modifications**

PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

- 4. MONITORING OF THE IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION**
 - 4.1. Biennial reports 2021-2022 concerning exceptions made to Articles 4, 5, 6, 7 or 8**

PART III – MONITORING OF SPECIES AND HABITATS

- 5. MONITORING OF SPECIES AND HABITATS**
 - 5.1. Conservation of Birds & IKB**
 - 5.2. Amphibians and Reptiles: Group of Experts meeting & Conservation of Marine Turtles**
 - 5.3. Action Plan for the Eradication of the Ruddy Duck**
 - 5.4. Conservation of Large Carnivores**
 - 5.5. Conservation of Habitats**
 - 5.5.1. Emerald Network of Areas of Special Conservation Interest*
 - 5.5.2. European Diploma for Protected Areas*
 - 5.6. Reporting under Resolution No. 8 (2012) on the conservation status of species and habitats**

PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

6. SPECIFIC SITES AND POPULATIONS

6.1. Open Files

- 2017/2: North Macedonia: Alleged negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Sites due to infrastructure developments - *on-the-spot appraisal*
- 2013/1: North Macedonia: Hydro power development within the territory of the Mavrovo National Park
- 2016/4: Montenegro: Development of a commercial project in Skadar Lake National Park and candidate Emerald site
- 2016/5: Albania: Presumed negative impact of developments on the Vjosa river including hydro-power plant development and Vlora International Airport – *written procedure*
- 2020/9: Bosnia and Herzegovina: Possible negative impact of hydro-power plant development on the Neretva River
- 1995/6: Cyprus: Akamas peninsula
- 2010/5: Greece: Threats to marine turtles in Thines Kiparissias
- 2012/9: Türkiye: Presumed degradation of nesting beaches in Fethiye and Patara SPAs
- 1986/8: Greece: Recommendation No. 9 (1987) on the protection of *Caretta Caretta* in Laganas bay, Zakynthos
- 2019/5: Türkiye: Habitat destruction in Mersin Anamur Beach

6.2. Possible Files

- 2001/4: Bulgaria: Motorway through the Kresna Gorge
- 2020/4: Armenia: The Amulsar gold mine project and its impacts on Emerald Network sites

6.3. Follow-up of Recommendations

- [Recommendation No.190 \(2016\)](#) on the conservation of natural habitats and wildlife, especially birds, in afforestation of lowland in Iceland
- [Recommendation No. 95 \(2002\)](#) on the conservation of marine turtles in Kazanlı beach, Türkiye

PART V – COOPERATION AND COMMUNICATION ACTIVITIES AND PROGRAMME OF WORK 2024

7. INTERNATIONAL COORDINATION WITH OTHER MEAs AND ORGANISATIONS

8. DRAFT PROGRAMME OF ACTIVITIES AND BUDGET FOR 2024

9. STATES TO BE INVITED AS OBSERVERS TO THE 44TH MEETING

PART VI – OTHER ITEMS

10. ELECTION OF CHAIR, VICE-CHAIR AND BUREAU MEMBERS

11. DATE AND PLACE OF THE 44TH MEETING

12. ADOPTION OF THE MAIN DECISIONS OF THE MEETING

13. CLOSING OF THE MEETING

DRAFT PLAN FOR DISCUSSION OF THE AGENDA²

MORNINGS 9.00 am - 12.30 pm (CET)	AFTERNOONS 2.00 pm – 5.30 pm (CET)
MONDAY 27th November	
	<ol style="list-style-type: none"> 1. OPENING AND ADOPTION OF AGENDA 2. REPORT FROM CHAIRPERSON & COMMUNICATIONS <ol style="list-style-type: none"> 2.1 Notification of denunciation by Belarus of the Bern Convention 2.2 Reykjavík Summit and Council of Europe’s work on biodiversity 3. FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION <ol style="list-style-type: none"> 3.1 Financing of the Bern Convention <ol style="list-style-type: none"> <i>3.1.1 State of elaboration of the Protocol amending the Bern Convention</i> <i>3.1.2. Procedure which led to the drafting of the Protocol</i> <i>3.1.3 Procedure to be followed for the adoption of the Protocol</i> <i>3.1.4 Next steps</i> 3.3 Case-file reflection: Assessment of incoming complaints 3.4 Rules of Procedure: Possible future modifications
TUESDAY 28th November	
<ol style="list-style-type: none"> 3.2 Vision and Strategic Plan for the Bern Convention 4. MONITORING AND IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION <ol style="list-style-type: none"> 4.1 Biennial reports 2021/2022 5. MONITORING OF SPECIES AND HABITATS <ol style="list-style-type: none"> 5.1 Conservation of Birds & IKB 5.2 Amphibians and Reptiles: Group of Experts & Conservation of Marine Turtles 5.3 Action Plan for the Eradication of the Ruddy Duck 5.4 Conservation of Large Carnivores 	<ol style="list-style-type: none"> 5.5 Conservation of Habitats <ol style="list-style-type: none"> <i>5.5.1 Emerald Network of ASCIs</i> <i>5.5.2 European Diploma for Protected Areas</i> 5.6 Reporting under Resolution No. 8 (2012) on the conservation status of species and habitats 6. SPECIFIC SITES AND POPULATIONS <ol style="list-style-type: none"> 6.1 Open Files <ul style="list-style-type: none"> ➤ 2017/2: North Macedonia: Alleged negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Sites due to infrastructure developments - OSA ➤ 2013/1: North Macedonia: Hydro power development within the territory of the Mavrovo National Park

² Time slots are indicative only- certain agenda items may be reshuffled during the meeting when necessary.

MORNINGS 9.00 am - 12.30 pm (CET)	AFTERNOONS 2.00 pm – 5.30 pm (CET)
WEDNESDAY 29th November	
<p>6.1 Open Files (continued)</p> <ul style="list-style-type: none"> ➤ 2016/4: Montenegro: Development of a commercial project in Skadar Lake National Park and candidate Emerald site ➤ 2016/5: Albania: Presumed negative impact of developments on the Vjosa river including hydro-power plant development and Vlora International Airport – <i>written procedure</i> ➤ 2020/9: Bosnia and Herzegovina: Possible negative impact of hydro-power plant development on the Neretva river ➤ 1995/6: Cyprus: Akamas peninsula ➤ 2010/5: Greece: threats to marine turtles in Thines Kiparissias 	<p>Open Files (continued)</p> <ul style="list-style-type: none"> ➤ 2012/9: Türkiye: Presumed degradation of nesting beaches in Fethiye and Patara SPAs ➤ 1986/8: Greece: Recommendation No. 9 (1987) on the protection of <i>Caretta Caretta</i> in Laganas bay, Zakynthos ➤ 2019/5: Türkiye: Habitat destruction in Mersin Anamur Beach <p>6.2 Possible files</p> <ul style="list-style-type: none"> ➤ 2001/4: Bulgaria: Motorway through the Kresna Gorge ➤ 2020/4: Armenia: The Amulsar gold mine project and its impacts on Emerald Network sites
THURSDAY 30th November	
<p>6.3 Follow-up of previous complaints and Recommendations</p> <ul style="list-style-type: none"> ➤ Recommendation No.190 (2016) on the conservation of natural habitats and wildlife, especially birds, in afforestation of lowland in Iceland ➤ Recommendation No. 95 (2002) on the conservation of marine turtles in Kazanlı beach, Türkiye <p>7. INTERNATIONAL COORDINATION WITH OTHER MEAS AND ORGANISATIONS</p> <p>8. DRAFT PROGRAMME OF ACTIVITIES AND BUDGET FOR 2024</p> <p>9. STATES TO BE INVITED AS OBSERVERS TO THE 44TH MEETING</p>	<i>Possible continuation of unfinished business</i>
FRIDAY 1st December	
<p>10. ELECTION OF CHAIR AND VICE-CHAIR, AND BUREAU MEMBERS</p> <p>11. DATE AND PLACE OF THE 44TH MEETING</p> <p>12. ADOPTION OF THE MAIN DECISIONS OF THE MEETING</p> <p>13. CLOSING OF THE MEETING</p>	

Appendix II

- Updated terms of reference of the *Ad hoc* Drafting Group on an Amending Protocol - - T-PVS(2023)28 -

I. BACKGROUND

In 2019, the Standing Committee to the Bern Convention adopted [Resolution No. 9](#) on the financing of the Bern Convention and on initiating the establishment of a new system for obligatory financial contributions by Parties setting up an Intersessional Working Group on Finances entrusted with the drafting of proposals for amending the Convention and for a Partial Agreement.

After three years of operation, the Intersessional Working Group on Finances assessed the feasibility to establish an Enlarged Partial Agreement, prepared several financial scenarios in relation to the Enlarged Partial Agreement, drafted an amendment of the Bern Convention pursuant Article 16 of the Convention, prepared a financial simulation tool in relation to the amendment and reviewed other institutional, legal options.

On 19 October 2022, the Committee of Ministers ([CM/Del/Dec\(2022\)1446/9.1](#)) entrusted the Standing Committee to the Bern Convention to elaborate a protocol amending the Bern Convention. To achieve this task, the Standing Committee decided to set up an *Ad-hoc* Drafting Group of the Amending Protocol which will replace the Intersessional Working Group on Finances.

II. SCOPE

The *Ad-hoc* Drafting Group of the Amending Protocol will be entrusted with drafting a protocol amending the Bern Convention by creating a mechanism of compulsory financial contributions.

The *Ad-hoc* Drafting Group of the Amending Protocol is requested to:

- Draft a protocol amending the Bern Convention and creating a financial mechanism drawing on the work of the Intersessional Working Group on Finances with respect to the amendment of the Bern Convention pursuant Article 16 of the convention.
- Advise the Standing Committee to the Bern Convention on the threshold of ratifications to be achieved for the entry into force of the protocol.
- Recommend a scale of financial contributions to the Standing Committee drawing on the financial scenarios elaborated by the Intersessional Working Group on Finances with respect to the amendment of the Bern Convention pursuant Article 16 of the convention and the enlarged partial agreement, and taking into account the outcomes of the bilateral discussions between the relevant bodies of the European Commission and of the Council of Europe concerning the scale of contributions to be applied to the European Union.
- Design the functioning of the financial mechanism and elaborate the procedures which will regulate the financial mechanism.

III. COMPOSITION

The *Ad-hoc* Drafting Group of the Amending Protocol will comprise relevant representatives of Contracting Parties to the Bern Convention and may invite relevant third parties as deemed necessary.

The *Ad-hoc* Drafting Group will select one Chair from amongst its members.

IV. WORKING METHODS

The members of the *Ad-hoc* Drafting Group of the Amending Protocol will provide input through meetings, conference calls, written contributions to draft papers, reports, and other means as appropriate.

The working language will be English.

The *Ad-hoc* Drafting Group will determine its own meeting frequency. The *Ad-hoc* Drafting Group shall operate by online means.

The Bureau of the Standing Committee will review and evaluate the work of the *Ad-hoc* Drafting Group at the Bureau's meetings through the year.

The *Ad-hoc* Drafting Group of the Amending Protocol will report to the 44th Standing Committee to the Bern Committee.

In co-operation with the Chair, the Secretariat will coordinate and assist with the organisation and preparation of the agenda for the meetings of the *Ad-hoc* Drafting Group of Amending Protocol and any other support activities deemed necessary.

Appendix III

**- Recommendation on the implementation of the Strategic Plan
for the Bern Convention for the period to 2030 (including link to the Strategic
Plan (T-PVS(2023)18) -
- T-PVS(2023)20 -**



Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 220 (2023) of the Standing Committee, adopted on 1st December 2023, on the implementation of the Strategic Plan for the Bern Convention for the period to 2030:

The Standing Committee to 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 overall objective of the Convention to conserve wild flora and fauna and their natural habitats as stipulated in the Articles of the Treaty;

Recalling the success and longevity of the Bern Convention as a Treaty of the Council of Europe, having been ratified by 51 Contracting Parties and endured since 1979;

Recalling that in the decades since its establishment, the existence of multiple actors in the field of biodiversity has increased dramatically, and thus there is a greater need to form strategic partnerships and ensure more targeted activities;

Acknowledging the excellent cooperation already established over the decades with other biodiversity-related multilateral environmental agreements, the European Commission, and other organisations, both governmental and non-governmental;

Recalling [Resolution No. 7 \(2000\)](#) “on the medium-term strategic development of the Convention on the Conservation of European Wildlife and Natural Habitats”;

Welcoming the Kunming-Montreal Global Biodiversity Framework (GBF) which has been adopted in December 2022 by the Parties to the Convention on Biological Diversity (CBD) and recalling CBD COP.15 decision 15/13 paragraph 4 inviting the governing bodies of biodiversity-related conventions to, inter alia, coordinate their own strategies with the Kunming-Montreal Global Biodiversity Framework;

Welcoming the European Union (EU) Biodiversity Strategy for 2030 which has been adopted in May 2020;

Recognising the synergies with other global and regional biodiversity strategies as well as related strategies and plans in the field of climate change, sustainability, nature restoration, not least the UN Sustainable Development Goals to 2030;

Recalling the Vision for the Bern Convention for the period to 2030 adopted by the Standing Committee in 2021, which affirms that the Contracting Parties expect to see that “By 2030, declines in biodiversity are halted, leading to recovery of wildlife and habitats, improving the lives of people and contributing to the health of the planet.”;

Considering the commitment of the Heads of State and Government expressed in the Reykjavík Declaration to strengthen the work at the Council of Europe on the human rights aspects of the environment, including the political recognition of the right to a clean, healthy and sustainable environment in line with the United Nations General Assembly Resolution 76/300 "*The human right to a clean, healthy and sustainable environment*" and its prioritisation in the Programme and Budget for 2024-2027;

Taking into consideration that, following the adoption of the Strategic Plan for the Bern Convention for the period to 2030, the context, challenges and actions needed for the delivery of the plan may differ between individual Contracting Parties, but that overall success of the plan shall be based on the collective progress of the Parties;

Taking into consideration the important role that the Observers of the Convention (such as NGOs, international organisations, experts, scientists, academia) shall have in assisting the Contracting Parties in fulfilment of the goals and achievement of the related targets;

Recommends that Contracting Parties:

1. reflect and support relevant elements of the Vision³ and Strategic Plan⁴ to 2030 in and through national policies and related measures, including the National Biodiversity Strategies and Action Plans (NBSAPs), in relation to the conservation of wild flora, fauna and their habitats;
2. prior to each Standing Committee meeting, send an update to the Secretariat on any major national achievements regarding progress with the Strategic Plan such as in relation to point 1 of this Recommendation, the compilation of which will be made available to the Standing Committee for information;

Instructs the Secretariat to support the Working Group on overseeing implementation of the Bern Convention Strategic Plan to 2030 in undertaking its tasks to:

3. further advance technical work on the Monitoring & Evaluation Guide for the Strategic Plan, in particular indicators relating to the Emerald Network, including management planning and management effectiveness (taking into account, for example, the methodology for assessing management effectiveness of Natura 2000 sites developed by the European Commission), as support for the implementation of relevant targets in the Strategic Plan;
4. consider how the Strategic Plan is implemented through other instruments of the Bern Convention, including action plans and submit the Strategic Plan to all Bern Convention Groups of Experts / Working Groups for consideration on how they could contribute to its implementation;
5. undertake a midterm review of the Strategic Plan's progress in 2027 and, dependent on the outcomes of such a review, make proposals for consideration by the Standing Committee for any adjustments to the Plan and any intensification of efforts that may be needed;
6. in advance of the Plan's end-date in 2030, conduct a review of the Plan's implementation and progress, assessing its strengths, weaknesses, successes, and areas of required improvement, as a basis for potentially elaborating a new Strategic Plan for the succeeding decade, for consideration by the Standing Committee.

³ T-PVS(2021)14- <http://rm.coe.int/tpvs14e-2021-draft-vision/1680a43ffa>

⁴ T-PVS(2023)18- <https://rm.coe.int/tpvs18e-2023-strategic-plan-9th-draft-june-2023/1680ac6478>

Appendix IV

- Terms of reference for a Working Group on overseeing implementation of the Strategic Plan - - T-PVS(2023)31 -

I. BACKGROUND

At its 41st meeting in 2021, the Standing Committee adopted a [Vision for the Bern Convention for the period to 2030](#), and, at its 43rd meeting, it adopted a Strategic Plan for the Bern Convention for the period to 2030⁵. At the same meeting the Committee adopted Recommendation no. 220 (2023)⁶ on the implementation of the Strategic Plan for the Bern Convention for the period to 2030, which notably recommended to “convene as needed a Working Group on Strategic Plan matters in order to support implementation of the above tasks.” This was seen as particularly important for a number of reasons:

- A) some aspects of the Plan such as monitoring indicators require further elaboration;
- B) some linkages between the Plan and other instruments of the Bern Convention require further consideration;
- C) the need to conduct reviews of the Plan as well as to ensure its ongoing complementarity with other relevant international instruments and strategies.

Overall, the Strategic Plan is to be considered as a living process, and its implementation is a high priority of the Standing Committee, thus an overseeing body is deemed necessary to ensure its follow-up.

II. SCOPE

The objective of this Working Group will be to assist the Standing Committee in overseeing progress in implementation of the Strategic Plan to 2030, notably through the following tasks:

- further advancing technical work on the Monitoring Framework and indicators for the Strategic Plan, in particular indicators relating to the Emerald Network, including management planning and management effectiveness (taking into account for example the methodology for assessing management effectiveness of Natura 2000 sites developed by the European Commission), as support for the implementation of relevant targets in the Strategic Plan;
- considering linkages between the Strategic Plan and other instruments of the Bern Convention for implementation, including action plans;
- ensuring ongoing complementarity of the Strategic Plan with other relevant international instruments and strategies;
- providing proposals on how to translate priority goals of the Strategic Plan into the annual programme of activities of the Convention;
- increasing the visibility of the Strategic Plan;
- undertaking a midterm review of the Strategic Plan in 2027 and, if necessary, making proposals for the intensification of efforts where progress towards particular targets is considered insufficient, and for adjustments to elements of the Plan that may be needed in light of the findings of the review;
- in advance of the Plan’s end-date in 2030, conducting an analysis of the Plan’s implementation, assessing its strengths, weaknesses, successes, and areas of required improvement, as a basis for potentially elaborating a new Strategic Plan for the succeeding decade;
- providing any other necessary support and advice to the Secretariat and possible independent experts.

⁵ Strategic Plan for the Bern Convention for the period to 2030 - [T-PVS\(2023\)18](#)

⁶ [Recommendation no. 220 \(2023\)](#) on the implementation of the Strategic Plan

III. COMPOSITION

The Working Group will comprise experts of Contracting Parties to the Bern Convention, including Chairs of Groups of Experts established under the Bern Convention, as well as Observers, including other Conventions as appropriate.

The Working Group may call on additional expertise on an *ad hoc* basis.

The Working Group will select one Chair.

Membership of the Working Group will be reviewed by the Group as required.

Should the need arise, the Working Group may establish task teams to work on particular aspects of the strategy.

The Working Group shall continue to exist until the finalisation of the implementation of the Strategic Plan and of its review, in 2030, unless decided otherwise by the Standing Committee.

IV. WORKING METHODS

The Working Group members will provide input through meetings, conference calls, contribution to draft papers, and reports, participation in smaller task forces and other means as appropriate.

The working language will be English.

The Working Group will determine its own meeting frequency; however, it is expected to meet on a regular basis from 2024. The Working Group shall operate virtually unless otherwise agreed by the Working Group members.

The Bureau of the Standing Committee will review and evaluate the work of the Working Group at the Bureau's meetings.

The Working Group will report to the Standing Committee at its annual meeting.

In co-operation with the Chair of the Working Group, the Secretariat will coordinate and assist with the organisation and preparation of the agenda for the meetings of the Working Group and any other support activities and documents deemed necessary.

Appendix V

**- Conservation of sea turtles nesting sites: a guidance tool -
- [T-PVS\(2023\)30](#) -**

Appendix VI

- Updated list of officially nominated candidate Emerald Sites -

- [T-PVS/PA\(2023\)07](#) -

- Updated list of officially adopted Emerald Sites -

- [T-PVS/PA\(2023\)08](#) -

Appendix VII

- Recommendation on the negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Network sites due to infrastructure and urbanisation developments (North Macedonia) - - T-PVS(2023)22 -



Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 221 (2023) of the Standing Committee, adopted on 1st December 2023, on the negative impacts to Lake Ohrid and Galichica National Park candidate Emerald Network sites due to infrastructure and urbanisation developments (North Macedonia):

The Standing Committee to 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 Article 1, paragraph 2 of the Convention calls on Parties to give particular emphasis to endangered and vulnerable species, including endangered and vulnerable migratory species;

Recalling that Article 3 of the Convention provides that each Contracting Party shall take steps to promote national policies for the conservation of the habitats of wild flora, wild fauna and natural habitats, with particular attention to endangered and vulnerable species, especially endemic ones, and endangered habitats;

Recalling that Article 4, paragraph 1 of the Convention provides that each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild fauna species, especially those listed in Appendix II to the Convention;

Recalling that Article 4, paragraph 2 further stipulates that 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, paragraph 4 further states that Contracting Parties undertake to co-ordinate as appropriate their efforts for the protection of the natural habitats referred to in this article when these are situated in frontier areas;

Recalling that the Lake Ohrid (MK0000024) and Galichica National Park (MK0000001) have been officially nominated as candidate Emerald Network sites in 2011 in accordance with national legislation, and as such, are subject to [Recommendation No. 157 \(2011, revised in 2019\)](#) on the status of candidate Emerald sites and guidelines on the criteria for their nomination, requiring national authorities to “take the necessary protection and conservation measures in order to maintain the ecological characteristics of the candidate Emerald sites” until their full inclusion in the Emerald Network;

Recalling [Recommendation No. 208 \(2019\)](#) on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites;

Noting that the Lake Ohrid and Galichica sites, which as such constitute a UNESCO World Heritage Site, include other international and national protected areas, including a UNESCO Transboundary Man and Biosphere Reserve, a Ramsar Wetland of International Importance, a Monument of Nature corresponding to the IUCN Protected Area category III, a National Park corresponding to the IUCN Protected Area category II, and potential future Natura 2000 sites.

Noting the parallel processes of other multilateral environmental agreements operating in the area, notably the joint Reactive Monitoring Missions of the UNESCO World Heritage Centre, International Council on Monuments and Sites and International Union for Conservation of Nature in 2017 and 2020 and their recommendations;

Considering that the Ohrid and Galichica regions contain rare and endemic species and habitats of European importance that are conservation priorities and which North Macedonia has undertaken to protect;

Mindful of the need to balance the economic benefits gained from tourism in the region with ensuring that the fragile ecosystems of world importance are preserved for future generations;

Taking note of the report of the on-the-spot appraisal carried out by an independent expert on 25-27 April 2023 to which representatives of the Ramsar Convention and UNESCO World Heritage Centre were present as observers (document T-PVS/Files(2023)31), and pointing to supplementary subject-specific recommendations which have been included therein;

Recalling its [Recommendation No. 211 \(2021\)](#) on conservation measures within national parks in North Macedonia, including in relation to Mavrovo National Park and Lake Ohrid and Galichica National Park, the implementation of which is expected to continue and noting that the present Recommendation complements this text;

Recommends to the Government of North Macedonia to:

1. Establish the legal basis for the whole Ohrid Region World Heritage site to be declared as a protected area with locations such as the candidate Emerald Network Sites and biodiversity hotspots nested as special protected areas within this wider scope.
2. Establish a professional management body for the new World Heritage Site protected area, staffed with members of appropriate expertise and accorded in law with the power to make and execute management decisions.
3. Conduct an expert evaluation with a public consultation procedure of both the *Management Plan for the Natural and Cultural Heritage of the Ohrid Region 2020-2029* and the *Strategic Recovery Plan for Revitalisation of Ohrid Region natural/cultural values* to identify actual and potential weaknesses in their design and implementation, using the information gathered to upgrade each document.
4. In conjunction with the evaluation of the *Management Plan for the Natural and Cultural Heritage of the Ohrid Region 2020-2029*:
 - a) complete up-to-date spatial and urban planning documents to ensure that all future constructions in the Ohrid Region are aligned with Outstanding Universal Value, including those for which unmaterialised construction permits and other related permissions have already been issued; and
 - b) put in place an effective moratorium on all constructions, except for essential basic needs like wastewater infrastructure and emergency services, until Recommendations 3, 4a and 12 have been adequately completed.
5. Harmonise the legislation for urban planning and construction with nature protection laws to ensure that conservation of habitats and biodiversity are prioritised in protected areas and World Heritage sites, by placing stringent controls on definitions such as temporary buildings and urban equipment, by upgrading quality requirements for impact assessments in protected areas, and by eliminating potential weaknesses from overly extensive definitions of state importance that can allow construction of tourism development zones and hydropower facilities in the World Heritage site.
6. Establish a zero-tolerance policy for any new illegal constructions by streamlining the process for their removal in law, increasing the penalties for transgression of urban planning rules in World Heritage Sites, and reinvigorating the staffing, procedures and professional standards of relevant inspectorates.

7. Revise the proposed zoning concept as well as permitted and prohibited activities in the *Valorisation Study for Lake Ohrid* prior to the adoption of the *Law for re-proclamation of Lake Ohrid as a Monument of Nature*, as well as the *Draft Management Plan for Lake Ohrid*, to effectively address the actual threats, ensure protection and connection with Studenchishte Marsh and comply with international (IUCN) standards for protected areas.
8. Revise the proposed zoning and list of permitted and prohibited activities in the *Valorisation Study for Studenchishte Marsh* prior to the adoption of the *Law on Proclamation of Studenchishte Marsh as a Nature Park* and preparation of the *management plan* for the Marsh, to allow for the inclusion of a buffer zone covering the Gorica North area where new construction is not to be permitted, as well as to ensure connection with Lake Ohrid and compliance with international (IUCN) standards for protected areas.
9. Proceed to aligning each protected area in North Macedonia with the IUCN guidelines for 75% to be primarily managed for nature conservation, including by revision of permitted activities in line with the findings of this report, and establish a regular, annual mechanism for the delivery of state funds to protected areas for general management purposes.
10. Implement thorough monitoring of key species according to scientific principles throughout the World Heritage site, but particularly at biodiversity hotspots and core habitats, using the information to inform management decisions, national Red List classifications, and action plans for the conservation of endemic species.
11. Accelerate the procedures for the designation and full adoption of Emerald Network Sites and the establishment of a connected Network in accordance with the provisions of the Bern Convention and in cooperation with neighbouring countries.
12. Urgently upgrade and expand the system for the collection, treatment and maintenance of wastewater in the whole of the Lake Ohrid watershed with a priority for action at the vicinity of biodiversity hotspots such as Saint Naum Springs.
13. Ensure that provisions allowing for construction and agriculture in the Studenchishte Marsh are removed from the final version of the *Law on Proclamation of Studenchishte Marsh as a Nature Park*, spatial/urban planning documents, and management plans, with narrow exceptions for traditional mowing and small livestock populations for habitat maintenance and restoration purposes.
14. Relocate and reimagine current and planned visitor facilities and restaurants at Saint Naum Springs, in particular facilities at the proximity of the Strict Protection Zone (especially the Ostrovo restaurant) and put in place improved mechanisms to control visitor volumes and flow, including appropriate paid entry.
15. Design and implement, together with the interested public and NGOs, a comprehensive awareness-raising campaign on the importance, standards and methods of protecting the natural and cultural heritage throughout the Ohrid Region which should be recognised as a national treasure.

Appendix VIII

- Revised Recommendation on the possible impacts of infrastructure and urbanisation developments particularly Vlora International Airport, on the Vjosa-Narta Protected Area (Albania) - - T-PVS(2023)8rev2 -



Convention on the Conservation
of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 219 (2023) of the Standing Committee, adopted on 5th September 2023 and revised on 1st December 2023, on the possible impacts of infrastructure and urbanisation developments particularly Vlora International Airport, on the Vjosa-Narta Protected Area (Albania):

The Standing Committee to 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 Article 3 of the Convention provides that each Contracting Party shall take steps to promote national policies for the conservation of the habitats of wild flora, wild fauna and natural habitats, with particular attention to endangered and vulnerable species, especially endemic ones, and endangered habitats;

Recalling that Article 4, paragraph 1 of the Convention provides that each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild fauna species, especially those listed in Appendix II to the Convention;

Recalling that Article 4, paragraph 2 further stipulates that 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, paragraph 3 further provides 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;

Recalling that Article 4, paragraph 4 further states that Contracting Parties undertake to co-ordinate as appropriate their efforts for the protection of the natural habitats referred to in this article when these are situated in frontier areas;

Recalling its Recommendation No. 202 (2018) adopted on 30 November 2018 on the planned hydro-power plant developments on the Vjosa river (Albania);

Recalling that the Vjosa-Narta Protected Area has been officially nominated as a candidate Emerald Network site in 2005, in accordance with national legislation, and as such, it is subject to Recommendation No. 157 (2011, revised in 2019) on the status of candidate Emerald sites and guidelines on the criteria for their nomination, requiring national authorities to “take the necessary protection and conservation measures in order to maintain the ecological characteristics of the candidate Emerald sites” until their full inclusion in the Emerald Network;

Recalling Recommendation No. 208 (2019) on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites;

Considering other relevant international guidelines on birds and airport/biodiversity conflicts such as the African-Eurasian Migratory Waterbird Agreement (AEWA) Guidelines for Waterbird Monitoring, Commission Regulation (EU) No 139/2014 and International Civil Aviation Organization (ICAO) guidelines, processes and standards;

Recalling Albanian national and regional legislation aiming to protect habitats and species;

Considering that the Vjosa-Narta Protected Area and its surroundings host migratory species, waders and other rare land breeding species protected under the appendices of the Bern Convention, AEWA and Convention on Migratory Species (CMS) and aware of the foreseeable ecological impact of the airport project on this unique natural sanctuary;

Taking note of the report of the on-the-spot appraisal jointly held with the AEWA and CMS carried out by an independent expert on 29th August to 2nd September 2022 (document T-PVS/Files(2022)67);

Recommends to the Government of Albania to:

1. Suspend the construction of Vlora International Airport until a new and sufficient Environmental Impact Assessment (EIA) procedure is conducted, as well as a Proper/Appropriate Assessment.
2. Initiate a comprehensive Wildlife Monitoring Programme to investigate, analyse and make available detailed information on the presence and movements of avifauna (between breeding, roosting and feeding sites) and other important species, such as bats, for at least two, but preferably three years, in the complex of habitats around Narta Lagoon - Vjosa Delta – Karavasta Lagoon following, amongst others, the AEWA Guidelines on Waterbird Monitoring, and using modern tools such as bat detectors. Protected breeding land birds and open land sections used by birds of prey must be included in the monitoring, registering the critical habitats for these species. The use of agricultural fields by birds during the breeding, wintering and migration period should also be recorded for sites close to the four candidate airport areas. Include the peripheral agricultural or seminatural zones within the monitoring programme.
3. based on evidence from long-term comprehensive data and the Wildlife Monitoring Programme as described in point 2 of this Recommendation, carefully evaluate, if necessary, the alternative locations for the airport site by:
 - a. Assessing the environmental and safety risks in all alternative locations for the airport;
 - b. Considering the avoidance, minimisation and compensation options within the Mitigation Hierarchy.
4. Based on the results of the Wildlife Monitoring Programme from point 2 of this Recommendation, revise the existing EIA and create a draft Environmental Management Plan and Environmental Safety Management Plan for all alternative sites for the airport, evaluating the risks and safety for humans, birds and other biodiversity. Consideration should be given to other relevant processes and standards, such as Commission Regulation (EU) No 139/2014 and ICAO guidelines, processes and standards.
5. In relation to the aforementioned Wildlife Monitoring Programme for all candidate airport sites, taking into account instruments such as the Commission Regulation (EU) No 139/2014 and ICAO guidelines, processes and standards, organise a tender to attract the best expertise on bird and other wildlife strike prevention in order to maximise the assessment of both the conservation and safety risk.
6. Based on the data obtained by the Wildlife Monitoring Programme, adopt and implement an ecosystem approach, as advocated by the Convention on Biological Diversity (CBD), which mainstreams biodiversity into transport infrastructure planning and promotes the conservation and sustainable use of the environment in an equitable way.
7. In order to recognise the terrestrial, water and aerial corridors for wildlife at national level and avoid future infrastructure – biodiversity conflicts, update the National Transport Master Plan in parallel with a National Green Infrastructure Master Plan. To maximise their impact and promote alignment with other European mechanisms, relevant strategies and policies should also be considered when developing these plans, such as the Trans-European Transport Network (TENT), the Trans-European Nature Network (TEN-N) and the EU Green Deal, as well as:

- a. Recommendation No 25 (1991) of the Bern Convention on the conservation of natural areas outside protected areas proper; and
 - b. Article 10 of the EU Habitat Directive on ensuring the ecological connectivity and the coherence of the Natura 2000 Network.
8. Start an intensive capacity building programme on sustainable infrastructure development and biodiversity conservation. An international event such as a workshop or conference inviting experts and organisations from other parts of Europe and beyond could be a fundamental starting point.
9. Support the implementation of the idea of the Free European River of Vjosa in cooperation with Greece, considering:
 - a. The need to develop the River Basin Management Plan, ideally at cross-border level, including climate change adaptations and biodiversity conservation, in line with legal instruments such as the provisions of the EU Water Framework Directive 2000/60/EC, as applicable.
 - b. The initiative to create the Vjosa National Park (IUCN category II) including the Delta of Vjosa and the Narta Lagoon, in relation to the National Plan for Areas of National Importance;
 - c. The development of the Local Detailed Development Plan related to the areas of the Delta and Areas of National Importance, with full respect of, and priority toward, biodiversity conservation.
10. Build a deeper cooperation with the full spectrum of stakeholders who can be engaged in an informative, consultative, or collaborative way in infrastructure development projects. In particular, initiate collaborations with the most relevant NGOs, using their expertise to fulfil the needs and obligations for biodiversity conservation in Albania.
11. Following the Proposal of a post-2020 Workplan of the Evaluation on the 2011-2020 Emerald Network Workplan in Albania as part of the Cluster 4 of the West Balkan countries, and taking into account the lack of progress to submit an updated database, as well as the list of “typical” activities for Phase I of the workplan, efforts should be made to:
 - a. Develop a pilot project (full project which includes inventories and data collection), in cooperation with relevant NGOs and other stakeholders, for the complex of protected areas of Narta-Vjosa Delta-Karabasta in combination with point 2 of this Recommendation;
 - b. Create a first database submission (data collection, data recording and submission);
 - c. Use results and data from the proposed pilot project and Wildlife Monitoring Programme to identify key routes used by birds to move between the wetlands, and take these findings into account when drafting the Management Plan for "Nartë-Pishë Poro" protected area and developing the Vjosa River Basin Management Plan in the framework of the designation of the National Park of Vjosa River.

Appendix IX

- Programme of Activities and budget for 2024 -

- [T-PVS\(2023\)21](#) –

- Provisional Calendar of meetings for 2024 -

- [T-PVS/Inf\(2023\)17](#) –