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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

41<sup>st</sup> meeting

Strasbourg, 30 November - 3 December 2021

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**Meeting of the Bureau**

14-15 April 2021

(virtual meeting)

**- MEETING REPORT -**

*Report prepared by  
the Directorate of Democratic Participation*

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## 1. ADOPTION OF THE AGENDA

The Chair of the Standing Committee to the Bern Convention, Ms Jana Durkošová, opened the first annual meeting of the Bureau to the Bern Convention for 2021 taking place again online. She welcomed the members and thanked the Secretariat for the hard work in preparing the meeting and the documents, under the continuing uncertain circumstances surrounding the Covid-19 pandemic.

**Decision:** The meeting agenda was adopted with no amendments (appendix 1).

## 2. FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION

### 2.1. Inter-sessional working group on financing: state of play

The Chair of the Intersessional Working Group on Finances, Mr Jan Brojac, supported by the Secretariat, reported on the recent meeting of the Committee of Ministers Group of Rapporteurs on Education, Culture, Sport, Youth and Environment (GR-C) held on 18<sup>th</sup> March as well as the meetings of the Intersessional Working Group held on 3<sup>rd</sup> February and 31<sup>st</sup> March.

At the GR-C meeting, the deputies had been reminded that the Bern Convention had been the Council of Europe's regional contribution to the global efforts for the conservation of biodiversity and ecosystems for 42 years, and that the fight against environmental degradation and climate change was now a key priority of the Strategic Framework for the new Council of Europe quadrennial programme, making the Convention even more relevant and valuable. Deputies had been presented with the Draft Resolution on establishing an Enlarged Partial Agreement on the Fund for the implementation of the Bern Convention (EPA). 21 delegations had taken the floor and expressed general support for the work of the Convention and the importance of its sustained financing. 16 delegations had also supported the creation of an EPA as a sustainable solution. One delegation had proposed to change the title of the EPA so as not to refer to the Bern Convention. Several delegations had requested to be informed of the budget of the EPA and of the timeline for its setting up. The EPA would be on the agenda of the GR-C meeting scheduled for 1<sup>st</sup> July 2021.

The Intersessional Working Group on Finances had again discussed financial scenarios for the EPA, but moving from a perspective of multiple financial scales with different budgets and combinations of countries to indicative ranges of contributions for each country for a budget of €400,000 considering scenarios involving 20, 25 and 30 participating countries. It had however been stressed that these scenarios were very much linked to the number of committed countries, thus it had been reiterated that Contracting Parties should express their interest to join the EPA. So far, only eight Parties had expressed preliminary interest in joining the EPA. The Intersessional Working Group on Finances had also considered changing the title of the EPA and had proposed to remove the reference to the Convention but to keep the focus of the Convention. The Secretariat would submit the revised draft resolution to a forthcoming GR-C meeting.

The Intersessional Working Group on Finances had also initiated discussions on the amendment of the Convention by examining a tentative simulation tool considering four scales of contributions and a proposal for a revised text of the amendment. As participants in the Working Group representing EU member States did not have a mandate to discuss the amendment, no conclusion could be reached, and the European Commission would be invited to the 3<sup>rd</sup> meeting of the Working Group to contribute to the discussion.

**Decision:** The Bureau took note of the information provided and welcomed the outputs of the Intersessional Working Group on Finances regarding the elaboration of ranges of contributions which aimed to inform on the possible financial impact of Contracting Parties' participation in the EPA.

It further noted that the proposed change of the title of the EPA would not alter the genuine objective and scope of the initial proposal, thus it considered that this potential change remained within the mandate of the Working Group.

The Bureau acknowledged that further elaboration on the financial scenarios would only be possible subject to a more clear idea of the countries which would commit to the EPA and decided that the Secretariat on behalf

of the Chair should remind Contracting Parties to express their interest (or not) to join the EPA ahead of the next GR-C meeting.

## **2.2. Voluntary contributions received in 2021: state of play**

The Secretariat informed that a letter on behalf of the Chair had been sent out in January calling for voluntary contributions from Contracting Parties for the implementation of the programme of activities for 2021. Further, it reported on the situation of voluntary contributions received so far in 2021. Five countries had paid a voluntary contribution amounting to approximately €92,000 in total. In addition, voluntary contributions of three Contracting Parties were underway, totalling approximately €25,000. An earmarked voluntary contribution of approximately €44,000 for the funding of the creation of the Emerald Network Barometer and of two Emerald Network biogeographical evaluations was currently also under negotiation.

Taking stock of the voluntary contributions made in 2020, the Secretariat highlighted that the amount of voluntary contributions received in 2020 was almost double the amount received in 2019.

The Bureau stressed that these voluntary contributions are crucial for securing the basic business of the Convention – thus a reminder should be sent to Contracting Parties urging them to contribute as soon as possible, in line with the decision taken at the 40<sup>th</sup> Standing Committee to follow the same scale of suggested voluntary contributions for 2021 as set out in Resolution no.9 (2019).

**Decision:** The Bureau took note of the information and thanked the five Contracting Parties which had contributed to this point. In particular, it thanked the Contracting Parties for having made the voluntary contribution already at the beginning of the year which would allow for improved planning of activities for the rest of the year.

The Bureau asked the Secretariat to send out a new request on behalf of the Chair later in Spring reminding Contracting Parties to make a voluntary contribution and flagging certain activities which are in need of funding.

Finally, the Bureau thanked the Contracting Parties that had made a voluntary contribution in 2020 and urged all Contracting Parties to contribute in order to guarantee the efficient operation of the Bern Convention in 2021.

## **2.3. Report on the use of the resources from the Special Account of the Bern Convention**

The Secretariat informed the Bureau that the current balance on the Special Account amounts to approximately €248,000. It pointed out that, aside from staff costs and earmarked voluntary contributions, the Secretariat is prioritising spending funds from the ordinary budget of the Council of Europe ahead of voluntary contributions from the special account, as any underspend of the ordinary budget at the end of the year would be lost.

**Decision:** The Bureau took note of the information of the Secretariat.

## **2.4. Working Group on a Vision and Strategic Plan for the Bern Convention for the period to 2030: state of play**

The Secretariat informed the Bureau about the course and outcome of the 1<sup>st</sup> meeting of the Working Group on a Vision and Strategic Plan, the envisaged roadmap and the state of play of relevant documents.

The consultant David E. Pritchard, who was charged with assisting the Working Group in elaborating these texts, presented the elements that would be included in the draft vision and preliminary outline for the rest of the text (zero-draft) following the discussions with the Working Group and its Chair. As agreed at the Working Group meeting, the draft vision and preliminary outline would be submitted to the Working Group by the end of April for online consultation.

Noting the tight schedule for the completion of the tasks, the Bureau expressed its full approval for the work undertaken by the Working Group and the direction the draft documents were taking. It underlined the

great opportunity the development of the vision and strategic plan represented to promote key issues of the Convention and provide a pan-European tool. It pointed out the importance of including an emphasis on core values of the Council of Europe, in particular human rights and democracy in the vision of the Bern Convention. It further highlighted the necessity to identify appropriate and measurable indicators, choose the targets carefully, and harmonise reporting mechanisms where possible with other related processes. It was suggested to include a sort of interim monitoring, for example every three years, to make sure Contracting Parties were well on track.

**Decision:** The Bureau expressed its full approval for the work undertaken by the Working Group and the direction the draft documents were taking. The Bureau thanked the Working Group for its valuable contribution. It also thanked the consultant for the preparation of the Scoping Document and the presentation of the elements to be included in the draft vision and preliminary outline for the rest of the text (zero-draft).

## **2.5. Rules of procedure: Possible modifications**

As the wording of the Rules of Procedure of the Standing Committee tends to refer more towards holding physical meetings in Strasbourg, the Secretariat proposed an update of the Rules to include a more explicit mention of the possibility to use digital technologies for the work of the Standing Committee, taking into account the lessons learnt from the pandemic experience. Possible amendments could address procedural issues such as working methods, electronic voting, written consultations and remote participation.

Furthermore, with a view to possibly modifying working methods of the Secretariat, the Secretariat pointed out the burden represented by the task of needing to have the draft list of decisions available both in English and French on the morning of the last day of the Standing Committee. It highlighted that there is no legal procedural obligation to have the draft list of decisions available in both official languages before the end of the Standing Committee meeting, but that such a practice had rather evolved over time. In order to ensure sustainable and effective working methods, the Secretariat proposed several options including to consider shortening the text of the list of decisions, engaging a professional translator who could work over night, having the English version be interpreted by the interpreters during the meeting, or providing an official French translation of the list of decisions directly after the Standing Committee.

**Decision:** The Bureau welcomed the idea to revise and modernise the Rules of Procedures of the Standing Committee in order to take into account the lessons learnt from the pandemic experience and the opportunities offered by new technologies. It asked the Secretariat to develop, in close collaboration with the legal department of the Council of Europe, possible draft amendments of the Rules of Procedure that could be discussed at the Bureau meeting in September with a view to presenting them for discussion at the 41<sup>st</sup> Standing Committee.

Further, the Bureau supported the idea to consider simplifying the procedure of having the draft list of decisions available in both official languages on the last day of the Standing Committee and asked the Secretariat to explore possible ways forward.

## **3. IMPLEMENTATION OF THE PROGRAMME OF ACTIVITIES AND BUDGET FOR 2021**

### **3.1. European Diploma for Protected Areas: results of the meeting of the Group of Specialists and planning of the appraisal visits in 2021**

The Secretariat presented the results of the meeting of the Group of Specialists on the European Diploma for Protected Areas which had taken place by video-conference on 24<sup>th</sup> February 2021.

The Secretariat recalled that the 13 (11 ordinary and two exceptional) on-the-spot appraisal visits scheduled in 2020 had had to be postponed because of the Covid-19 pandemic. The Group of Specialists had therefore been unable to examine any on-the-spot appraisal visit report this year. To avoid a gap in the renewal of the Diploma, the Secretariat informed that the Group of Specialists had supported the extra-ordinary extension of the validity of the Diploma of 11 areas until 2024 through a unique resolution available in document [T-PVS/DE\(2021\)04](#) which should be submitted to the Committee of Ministers for possible adoption.

The Secretariat also reminded the Bureau that two draft resolutions renewing the European Diploma of the De Oostvaardersplassen Nature Reserve and of the Weerribben-Wieden National Park had been pending the agreement of the Dutch national and managing authorities since 2019. The Group of Specialists had agreed with the Dutch authorities on a revised wording of the conditions attached to the renewal of the Diploma of both areas as presented in document [T-PVS/DE\(2020\)11rev](#) and which should be submitted to the Committee of Ministers for possible adoption.

The Secretariat further informed that the Group of Specialists had agreed on a virtual scenario for continued monitoring of the European Diploma sites. The scenario would foresee two steps: online meetings with stakeholders and a visit in the field if the conditions allow. In case the field visit could not take place, the recommendations of the independent experts would be grounded on the outcomes and findings of the virtual meetings with the stakeholders and the European Diploma would be renewed for five years only.

The Group of Specialists had also supported a communication strategy drafted in liaison with the Directorate of Communication of the Council of Europe and proposed to use the corporate communication channels of the Council of Europe for raising the profile of the European Diploma.

Aside of the meeting of the Group of Specialists, the Secretariat further informed that the mandate of the members of Austria, Georgia and of the Czech Republic had come to an end and 3 new members of the Group of Specialists should be appointed as from 2022. In order to ensure a smooth running of the European Diploma until the health crisis abates, the Secretariat proposed that the mandate of the outgoing Chair, Mr Jan Plesnik (Czech Republic) be extended for the next two years. Furthermore, to ensure a balanced geographical representation in the Group of Specialists, the Secretariat suggested the appointment of members by Bulgaria and Switzerland.

Finally, the Secretariat informed the Bureau of the creation of a pool of independent pro bono experts to assist the Secretariat in monitoring the European Diploma for the next four years which would result from an open international call for tender.

**Decision:** The Bureau thanked the Secretariat and the members of the Group of Specialists on the European Diploma for Protected Areas for the significant outcomes of the meeting despite the pandemic. It specifically welcomed the structure of the document [T-PVS/DE\(2021\)05](#) summarising the annual reports on respective sites. This structure could be a pattern for reports within case-files too.

The Bureau welcomed the solution proposed to avoid a gap in the renewal of the European Diploma because of the postponement of the 2020 on-the-spot appraisal visits and endorsed the draft Resolution extending the validity of the Diploma of the 11 areas as presented in the document [T-PVS/DE\(2021\)04](#) and entrusted the Secretariat with the follow up on its possible official adoption by the Committee of Ministers.

The Bureau endorsed the draft Resolutions renewing the European Diploma to the De Oostvaardersplassen Nature Reserve and the Weerribben-Wieden National Park as presented in the document [T-PVS/DE\(2020\)11rev](#) and entrusted the Secretariat with the follow up on their possible official adoption by the Committee of Ministers.

The Bureau welcomed the virtual scenario for maintaining the monitoring of the European Diploma despite the travel restrictions and looked forward to seeing the results of the pilot phase.

The Bureau supported the proposal of the Secretariat to extend the mandate of the out-going Chair for the next two years and entrusted the Secretariat with liaising with the Delegates to the Bern Convention of Bulgaria and Switzerland for the appointment of two new members of the Group of Specialists as from 2022.

### **3.2. Illegal killing of birds: state of play (joint MIKT meeting, IKB Scoreboard and Rome Strategic Plan)**

The Secretariat informed that the joint meeting of the Bern Convention Network of Special Focal Points on the Eradication of Illegal Killing, Trapping and Trade in Wild Birds and the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT) of the Convention on Migratory Species (CMS), initially planned for October 2020 in Valencia, Spain, would be held virtually from 9<sup>th</sup> to 11<sup>th</sup> June 2021. The Spanish authorities remained keen to host an in-person joint Illegal Killing of Birds

(IKB) meeting and extended their invitation until the situation of the Covid-19 pandemic allows in-person meetings, hopefully in 2022.

This year, the Secretariat, in coordination with the CMS, would focus on the implementation of the Rome Strategic Plan, adopted by the 39<sup>th</sup> Standing Committee and in June 2020 by the MIKT Member States.

In preparation for the joint meeting in June, a consultative group meeting had been organised in March to discuss the immediate priorities for the implementation of the Rome Strategic Plan. The priorities identified focus on: the development of a baseline and methodology for assessing progress toward achieving the Rome Strategic Plan [Objective 1.1] and the assessment of national legislation addressing IKB in each MIKT country [Objectives 3, 4 and 5] in order to identify possible gaps and deficiencies but also good practices. Based on the assessment, legislative guidelines/a model law for addressing IKB and guidelines for sanctions and penalties would be developed. The Secretariat was currently coordinating with the CMS for the identification of possible consultants.

Finally, the Secretariat informed the Bureau that since the analysis of the 2<sup>nd</sup> Scoreboard had been presented to the Standing Committee in December 2020, few other submissions and clarifications from Contracting Parties had been received. An updated assessment of the 2<sup>nd</sup> scoreboard would be presented at the joint MIKT meeting in June.

**Decision:** The Bureau took note of the new date of the joint meeting with CMS/MIKT, preparatory actions for the implementation of the Rome Strategic Plan, and progress on the 2<sup>nd</sup> Scoreboard of IKB. The Bureau also stressed the importance of streamlining efforts to fight wildlife crime concerning birds and proposed that IKB should be a central element of the new Bern Convention Strategy.

### **3.3. Invasive Alien Species: state of play (Group of Experts meeting, texts on Communication and IAS, E-Commerce and IAS, Study on Alien Pathogens)**

The Secretariat recalled that the IAS meeting had been postponed last year and informed the Bureau that, this year, the IAS Group of Expert meeting would be held virtually on 6<sup>th</sup> July. The main issues to be discussed would be the continuing development of the three studies initiated in 2019 and follow-up to previous recommendations concerning IAS.

The three studies initiated in 2019 were the Guidance on Communication and IAS, the Guidance on E-commerce and IAS and the Study on Alien Pathogens and Pathogens spread by IAS. It was recalled that these three studies had already been presented as draft documents at the last Group of Experts meeting in 2019 and that the 40<sup>th</sup> Standing Committee had suggested to assess whether it was appropriate to enhance the studies with pandemic-related content.

The Secretariat informed the Bureau that two of the three consultants had confirmed their availability to work on new drafts which would be presented at the online Group of Experts meeting, with the aim of presenting the two documents for discussion and possible adoption at the 41<sup>st</sup> Standing Committee. For both studies (communication, e-commerce), it had been decided that references to the current pandemic would be relevant. Consequently, the Guidance on Communication and IAS would add a focus on online and digital action for remote communication, while the Guidance on E-commerce and IAS would see an updated analysis of the extent to which e-commerce is used as a pathway for the introduction of IAS. In addition, both studies would address any comments received by the Group of Experts.

In reference to the third study on Alien Pathogens and Pathogens spread by IAS, the Secretariat was in contact with the expert to discuss how to further elaborate the comments received by the Group of Experts. Considering the substance of the comments received and the limited availability of the consultant for further elaboration, the Secretariat didn't expect that a new draft of the Study would be ready to be presented at the upcoming IAS meeting.

**Decision:** The Bureau took note of 6<sup>th</sup> July 2021 as the date of the meeting of the Group of Experts on IAS and the preparatory work for the further elaboration of the three documents, two of which would be presented for discussion and possible adoption at the 41<sup>st</sup> Standing Committee.

The Bureau stressed the importance of IAS related issues in the next decade and the complementarity of the Bern Convention and the CBD on the matter. The Bureau also recommended to the Group of Experts on IAS to consider the costs associated with the spread of IAS in relation to the economy, to ecosystem services and to human health, and to reflect on the effects that nature has on fundamental human rights.

### 3.4. Amphibians and reptiles: Group of Experts meeting and Action Plan on Marine Turtles

The Secretariat informed the Bureau that the next meeting of the Group of Experts on the Conservation of Amphibians and Reptiles would take place virtually on 28<sup>th</sup> September 2021. One of the topics to be addressed at the meeting would be the follow-up to Recommendation No. 176 (2015) on the prevention and control of the *batrachochytrium salamandrivorans* chytrid fungus. A questionnaire for the reporting would be sent out to the Contracting Parties shortly.

Moreover, the Secretariat informed the Bureau of the current state of play of preparations for the initiative for the conservation of marine turtles, agreed upon at the 40<sup>th</sup> Standing Committee. It reported that the Oceanographic Institute of Monaco had kindly offered its institutional support.

For the development of this new initiative, the Secretariat suggested an initial phase during which meetings with relevant national stakeholders of the three Contracting Parties affected by the case-files (Cyprus, Greece and Turkey) could take place at national level in order to identify obstacles to the implementation of the recommendations of the Standing Committee and to set up a platform of exchange and collaboration. The following phase would consist of the actual drafting of the action plan/ guidelines. Considering the long history of the pending case files, the Secretariat highlighted the need to take a cautious and more gradual approach.

Furthermore, the Secretariat proposed taking a multidisciplinary approach to look at the issue in its complexity and not just from a conservation point of view. The Secretariat therefore suggested engaging not only a marine turtle conservation expert, but also an expert on Integrated Coastal Zone Management (ICZM) as well as an expert with mediator skills. The Secretariat pointed out that the process could benefit from a facilitated multi-stakeholder consensus building process which could eventually weave into the initiative a collaborative approach to decision-making that remains sustainable even after the initiative has ended.

During the discussion, it was suggested to trial meetings in one of the Contracting Parties affected by the case-files, enabling the experience gained throughout the process to be transferred to the meetings of the other Contracting Parties concerned. Should travel restrictions related to the COVID-19 pandemic persist, the meetings should be held online, despite the difficulty of interacting with others in a virtual environment. An outreach communication campaign could also be taken into account once the initiative had progressed.

It was also proposed to increase synergies with the Ramsar and Barcelona Conventions and that an official letter could be sent to the Permanent Representations of the Contracting Parties concerned to further strengthen the political support for the initiative.

The Secretariat recalled that, so far, only Monaco had offered financial support for the initiative with a voluntary contribution of €10,000. It stressed that more funding would be needed for the implementation of the initiative.

Finally, the Secretariat informed that it had made progress in identifying an expert on marine turtle conservation and that a call for expression of interest to participate in an *ad hoc* working group for the initiative had been sent to the Standing Committee.

**Decision:** The Bureau took note of the information provided and thanked the Secretariat for the good work in taking first steps for the development of the new marine turtles initiative. Recognising the ambitiousness of the initiative, it fully supported the ideas presented by the Secretariat for the development of the initiative, in particular that a multi-disciplinary and process-oriented approach would be beneficial.

### 3.5. Setting-up of the Emerald Network: state of play and work plan for 2021

The Secretariat informed the Bureau that, pending a voluntary contribution of Germany, the biogeographical evaluations of the list of Emerald Network sites of Belarus and Georgia were envisaged for this year.

The development of an online barometer to monitor the implementation of the Emerald Network by Contracting Parties and reflecting the indicators of the Emerald Network monitoring framework adopted in 2020 would also be funded by the voluntary contribution of Germany.

The Secretariat further informed that the Emerald Network tools would be further developed. As part of the automated reports generated by the Emerald Network Webapp designed last year, rules for detecting changes in national Emerald Network databases such as the surface area of sites, removal or additions of features to/from sites, modification of important attributes of features would be defined and criteria for assessing the extent to which these changes are acceptable or should be rejected and be further investigated would be set.

Regarding the strengthening of the legal framework of the Emerald Network, the Secretariat reported to the Bureau that as per the decision of the 40<sup>th</sup> Standing Committee, a consultation of the participants in the 2020 Group of Experts on Protected Areas and Ecological Networks and of Contracting Parties had been initiated in order to seek their views on how to build on the conclusions of the legal study presented in 2020.

In light of the outcomes of the consultation, proposals would be elaborated and presented to the 2021 meeting of the Group of Experts on Protected Areas and Ecological Networks.

**Decision:** The Bureau welcomed that Germany would provide a voluntary contribution to fund two biogeographical evaluation seminars and the development of the Emerald Network online barometer. It looked forward to the conclusions of the evaluations and to the launch of the Emerald Network barometer.

The Bureau took note of the planned IT developments and stressed the importance of the change reports for monitoring the evolvement of the Emerald Network.

The Bureau took note of the ongoing consultation on the legal framework of the Emerald Network. It encouraged all Contracting Parties and the participants in the Group of Experts on Protected Areas and Ecological Networks of last year to provide their insight on the way forward. It looked forward to the proposals which would be elaborated and presented to the 2021 meeting of the Group of Experts on Protected Areas and Ecological Networks.

### **3.6. Reporting under Resolution No. 8 (2012) on conservation status of species and habitats: complementary assessment of the reports submitted and display of the reporting outcomes**

The Secretariat informed the Bureau that a questionnaire had been elaborated in order to obtain feedback from the first reporting on the conservation status of species and habitats. The questionnaire would be targeting all non-EU Contracting Parties to the Bern Convention, both those which had reported and those which had not. The questionnaire would aim to identify the challenges faced by reporting countries, the obstacles faced by countries which did not report, possible improvements to be reflected in the reporting format so as to ensure the reporting exercise is beneficial to the reporting countries and encourage more countries to report. To this end, the questionnaire contains two parts. The first part concentrates on the experiences and problems encountered during the first reporting round. The second focuses on the requests/suggestions for the next reporting round in terms of scope and content.

The peculiarity of the survey is that interviews would be carried out with a view to fill in the questionnaires together with the representatives of Contracting Parties.

The results of the survey would be presented to the Group of Experts on Protected Areas and Ecological Networks.

The Secretariat further reported that, at the request of several Contracting Parties, national summary dashboards would be created in coordination with the European Environment Agency. The dashboards would aim to display a summary of data reported by Contracting Parties in the frame of the 6-yearly reporting under Resolution No. 8 (2012) for the period 2013-2018, grouped in various themes.

**Decision:** The Bureau welcomed the follow-up to the first reporting cycle on the conservation status of species and habitats and praised the innovative way in which the survey would be conducted. It recalled the importance



that all non-EU Contracting Parties participate in the survey to ensure the next reporting cycle is designed according to the expectations and needs of Contracting Parties. As the reporting is grounded on a Resolution of the Standing Committee it should not be considered as a voluntary exercise.

### **3.7. Pan-European Action Plan for the conservation of the Sturgeon: state of play**

The Secretariat informed the Bureau that a draft project proposal on the coordination of the implementation of the Pan-European Action Plan for the Conservation of the Sturgeon had been shared with DG Environment of the European Commission. The proposal was being updated following the comments provided.

**Decision:** The Bureau welcomed that the administrative obstacles to a joint CoE/EU programme were being resolved and looked forward to the conclusion of an agreement with DG Environment.

### **3.8. Action Plan for the eradication of the Ruddy Duck in Europe: state of play**

The Secretariat recalled that the Action Plan for the eradication of the ruddy duck in the Western Palearctic, 2021-2025, adopted at the 40<sup>th</sup> Standing Committee, foresees an annual reporting by all Contracting Parties. It informed the Bureau that a reporting questionnaire would be developed and sent out to Contracting Parties in due time, followed by a virtual expert meeting later in the year. It was hoped that the annual reporting would be undertaken in collaboration with Wildfowl & Wetlands Trust, co-host of the expert meeting held on 25<sup>th</sup> February 2020 and author of the review of progress and revised action plan for 2021-2025.

**Decision:** The Bureau took note of the information provided.

### **3.9. Biodiversity and Climate Change: state of play**

The Secretariat informed the Bureau that it was planned to hold a meeting of the Group of Experts on Biodiversity and Climate Change back to back with the Group of Experts on Protected Areas and Ecological Networks in October 2021.

It was foreseen to look into the progress in the implementation of [Recommendation No. 206 \(2019\)](#) on nature-based solutions and management of protected areas in the face of climate change.

**Decision:** The Bureau took note of the information provided.

### **3.10. Review of the European Plant Conservation Strategy: state of play**

The Secretariat informed the Bureau that, according to Planta Europa, the Review of the European Plant Conservation Strategy was in its final phase of proof reading and editing. It would be published shortly and presented on the Bern Convention website.

**Decision:** The Bureau took note of the information provided.

## **4. COMMUNICATION STRATEGY AND VISIBILITY OF THE CONVENTION**

### **4.1. World Forum for Democracy: state of play**

### **4.2. Communication Campaign: state of play**

The Secretariat, treating these points together, recalled that an awareness-raising campaign elaborated last year in connection with the World Forum for Democracy (WFD) and its theme “Can Democracy Save the

Environment”, had been transformed into a longer initiative in 2021 following the postponement of the WFD. In that regard, the Campaign, focusing on participatory nature conservation as well as the link between human rights and the environment, would be launched the following week (19 April) consisting of a new website called “Voices of Nature”, social media activities, and a press release. Moreover, the Campaign was considered a living initiative, i.e. it would continue to be developed throughout the year, and invited contributions from the Bern Convention network.

Linked to this, the WFD had transformed its postponed 2020 event into a year-long 2021 initiative of monthly online talks with different themes. April’s theme, “Environmental Action at Local Level” was closely linked to Bern Convention activities, thus an online Forum Lab entitled “The Nature of Biodiversity: Involving Local Stakeholders for Global Change” was scheduled on the occasion of Earth Day (22 April). It would involve two Bern Convention-related initiatives as well as two other speakers from the global perspective.

Finally, should the WFD be able to hold its traditional physical event in November, there may still be the opportunity for the Bern Convention to participate in one way or another.

**Decision:** The Bureau welcomed the communication campaign “Voices of Nature” which was about to be launched, in particular its showcasing of Bern Convention stakeholders who are making a difference for conservation on the ground, and its implication that the right to a healthy environment should be considered a fundamental human right. It encouraged the Bern Convention network to actively follow and contribute to this developing campaign.

It also endorsed the continuing good collaboration with the World Forum for Democracy, notably the online Forum Lab scheduled for 22 April, as well as the possibility of involvement in a physical event in November, should such an event go ahead.

## **5. MONITORING OF THE IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION (Biennial reporting, Online reporting system)**

The Secretariat informed that the questionnaire for the reporting cycle 2019/2020 should be released in the next months, with a deadline for the end of October ahead of the 41<sup>st</sup> Standing Committee. It recalled that EU member states could continue to report through the EU Eionet portal.

It also informed about communication with the World Conservation Monitoring Centre (WCMC) in relation to the establishment of a maintenance contract to improve the Online Reporting System (ORS): it was believed that the administrative obstacles were almost resolved and that the contract may be signed soon, hopefully before the release of the 2019/2020 questionnaire. Additionally, the Secretariat hoped to make several minor technical tweaks to the online questionnaire, to facilitate easier reporting for Contracting Parties.

Finally, as brought up at the last Bureau meeting and in line with the general movements to improve and harmonise reporting with other international legal instruments, the Secretariat was assessing different options for reporting assessments, including consultations with the European Commission and WCMC who undertake such reporting assessment exercises. The Bureau would be kept informed of developments.

**Decision:** The Bureau took note that the 2019/2020 reporting questionnaire should be released to Contracting Parties in the coming months, that a maintenance contract for the ORS was nearing completion, and of consultations regarding possible reporting assessments. It expressed its support of the idea to harmonise reporting with other institutions, if feasible.

## **6. IMPLEMENTATION OF THE CONVENTION: CASE-FILES**

The Secretariat, before informing on progress on individual case-files, brought to the Bureau’s attention a case-file system reflection which had been brought up at the last Bureau meeting, and was timely considering the other transitional processes going on (Working Group on a Vision, Intersessional Working Group on Finances, etc). It was also considered a necessary reflection given the amount of time of the Secretariat, Bureau

and Standing Committee that the case-files take, especially due to the fact that many case-files remain on the agenda for many years, or even decades.

Following a brief overview of different aspects which could be taken into consideration during a reflection, the Bureau supported the procedure and confirmed that it should be the body to take this process forward given its strong familiarity with the case-file management and its mandate to take administrative and organisational decisions between meetings of the Standing Committee.

**Decision:** The Bureau supported the need to undertake a reflection of the case-file system on how to ensure its continuing relevance, sustainability and visibility in the following years. It instructed the Secretariat to organise an extra-ordinary meeting of the Bureau by June 2021 to discuss in detail this issue.

### 6.1. Open files

- 2010/05: Greece: threats to marine turtles in Thines Kiparissias

**Decision:** The Bureau thanked the complainant for the report, as well as the update of the authorities which had arrived just before the meeting with their apologies of the delay due to internal restructuring.

The Bureau welcomed that a Ministerial decision was being prepared for the designation of conservation targets and took note of the developments in relation to the final drafting of Kyparissia Management Plan, which was expected to be adopted by March 2022 and the National Action Plan for the protection of marine turtles, currently submitted for public consultation and expected to be legally adopted as a Ministerial Decision in 2021. The Bureau noted the complainant's new concerns related to recent national law provisions (Art. 128 of Law 4782/2021) which are in contradiction with Recommendation No. 174 and pose a threat to the protected habitats and species in Kyparissia Bay. The Bureau also took note of the complainant's request to update the Special Environmental Study of 2014, develop a Management Plan in collaboration with the competent Management Agency, and implement the urgently needed management measures and regulations that are presently lacking.

The Bureau requested that the Greek authorities provide more information regarding the new law and its consequences on the protection of endangered species and habitats. Moreover, the Bureau asked the Greek authorities to report to the Bureau updates on the preparation of the management plan for Kyparissia Bay and the National Action Plan for the protection of marine turtles, supported by the EU LIFE Euroturtles project. The complainant was also invited to provide its views on the National Action Plan.

The Bureau also recalled the Bern Convention initiative, agreed upon at the 40<sup>th</sup> Standing Committee, to develop an action plan for the conservation of marine turtles with the goal of identifying holistic solutions for the long-standing (and any future) marine turtle case-files.

Finally, the Bureau instructed the Secretariat to liaise with the European Commission in relation to its related processes at this site.

The file remains open. The authorities were again urged to ensure strict mitigation measures ahead of the Summer 2021 tourism season, and both parties were invited to present updates to the next Bureau meeting in September 2021 following the nesting season and ahead of a further discussion at the 41<sup>st</sup> Standing Committee.

- 2012/09: Turkey: Presumed degradation of nesting beaches in Fethiye and Patara SPAs

**Decision:** The Bureau recalled that only the authorities had been requested to send an update, and thanked them for the detailed report. The Bureau welcomed the information on the preparation of the management plan and the destruction of illegal buildings in Patara as well as of the judicial proceeding aimed at regulating land registry records in Fethiye, which were all considered important steps toward a greater protection of the area.

The Bureau requested the authorities to share more information regarding the management plan prepared for Patara, specifying its content and clarifying whether this has already been adopted. It also reminded the authorities to provide information on the new hotel development in Fethiye and the additional houses built outside the summer house construction project in Patara, as reported by the complainant in August 2020, and include information on Environmental Impact Assessments in all cases. Additional clarifications were also required regarding the ongoing redetermination of the SPA's zoning in Patara. A timeline on the completion of the judicial proceeding aimed at regulating land registry records in Fethiye was also requested as well as a timeline for the demolition of illegal buildings. The authorities were further encouraged to develop and implement management plans for Fethiye.

The Bureau also recalled the Bern Convention action plan for the conservation of marine turtles which is in elaboration with the goal of identifying holistic solutions for the long-standing (and any future) marine turtle case-files.

The file is kept open. The authorities were again urged to ensure strict mitigation measures ahead of the Summer 2021 tourism season, and both parties were invited to present updates to the next Bureau meeting in September 2021 following the nesting season and ahead of a further discussion at the 41<sup>st</sup> Standing Committee.

- 2013/01: North Macedonia: Hydro power development within the territory of Mavrovo National Park: on-the-spot appraisal

**Decision:** The Bureau took note of developments in terms of preparations of the on-the-spot appraisal of which the mandate had been reiterated at the 40<sup>th</sup> Standing Committee. It also recalled that the Committee had urged that the mission should take place as soon as possible, by considering alternative online methods due to ongoing travel restrictions as a result of the pandemic. After negotiations between the Secretariat, national authorities and complainant, the terms of reference had been approved and allowed for virtual meetings with stakeholders and online desk research. This virtual aspect was scheduled to take place in May/June, and meanwhile the opportunity to hold the on-site part of the mission later in the year was being constantly reviewed.

The Bureau also took note that two independent experts, one for protected areas and hydrology and the second for large carnivores in the context of the Balkan lynx, were scheduled to be contracted to lead the mission.

The Bureau appreciated the good progress in organisation of the mission in spite of the pandemic restrictions, and particularly commended the national authorities and complainant for their excellent ongoing cooperation with the Bern Convention Secretariat. It supported the proposal to draft recommendations for the national authorities and for the Standing Committee's possible adoption even if the on-site aspect of the mission cannot take place. It looked forward to receiving the results of the mission at its Autumn meeting.

- 2016/04: Montenegro: Development of a commercial project in Skadar Lake National Park and candidate Emerald site

**Decision:** The Bureau thanked the complainant for the report, as well as the short update of the authorities which had arrived just before the meeting with their apologies of the delay due to the pandemic and internal restructuring.

The Bureau acknowledged certain positive developments such as the continuation of mapping and monitoring of the otter, early stages of the replacement of the Spatial Plan for Skadar Lake National Park, considerations of alternative routes for the Bar-Boljare highway, a new law on maritime safety, and general positive trends towards environmental issues from the new government.

It further welcomed the information of the authorities that better collaboration with civil society is foreseen: it encouraged better dialogue with the complainant as well as to make use of the scientific data and other resources which civil society can provide.

The Bureau also took note of the continuing concerns of the complainant, including that despite the positive initiatives, there are still many issues on the ground such as lack of enforcement of law, and of the information of the authorities that construction at Porto Skadar Lake and White village could legally continue.

The Bureau acknowledged that the authorities would send a more comprehensive report in progress on Recommendation 201 (2018) for the next Bureau meeting in September. It requested that they also reply in that report specifically to the concerns of the complainant. The complainant would also be invited to share any updates at the same meeting.

The Bureau also instructed the Secretariat to request to the European Commission and to the EU delegation in Montenegro for any relevant updates.

The file remains open.

- 1986/08: Greece: Recommendation No. 9 (1987) on the protection of Caretta Caretta in Laganas bay, Zakynthos

**Decision:** The Bureau thanked the complainant for the report, as well as the update of the authorities which had arrived just before the meeting with their apologies of the delay due to internal restructuring.

The Bureau took note of developments in relation to the National Action Plan for the protection of marine turtles, currently submitted for public consultation and expected to be legally adopted as a Ministerial Decision within 2021. The Bureau welcomed the national authorities' monitoring initiatives and encouraged them to continue their efforts for the enforcement of national law.

The Bureau also noted the complainant's on-going concerns about inadequate enforcement of the established protective management measures within the protected area as well as the timing needed to issue new management plans and the changes in the Greek governance model for the management of protected areas. The Bureau took note of the complainant's request to organise a new OSA.

The Bureau requested that the Greek authorities share an update on the implementation of the EU LIFE project, ensure strong mitigation measures against extreme touristic pressure on the beaches ahead of the summer season 2021 and enforce existing legislation. More information was also requested to the Greek authorities on the Management Plan and the new legislation, especially in reference to the plans for their enforcement and to explain what the new governance model for the management of protected areas entails. They were also requested to give an overview of the illegal constructions in the area and their possible threat to the eco-system, and to provide more information on the impact of the government's decision for the exploration and exploitation of hydrocarbon on Laganas bay.

Moreover, the Bureau asked the Greek authorities to clarify the timeline for the adoption of the Ministerial decision for the designation of conservation targets.

As to the request of the complainant to mandate an OSA and update Recommendation no. 9 (1987), the Bureau recalled the Bern Convention action plan for the conservation of marine turtles which is in elaboration with the goal of identifying holistic solutions for the long-standing (and any future) marine turtle case-files.

The file is kept open. Both parties were invited to present updates for the next Bureau meeting in September 2021, ahead of a further discussion at the 41<sup>st</sup> Standing Committee.

## 6.2. Possible files

- 2001/04: Bulgaria: Motorway through the Kresna Gorge: on-the-spot appraisal

**Decision:** The Bureau took note of progress in the organisation of the on-the-spot appraisal: the national authorities and Secretariat were close to finalising the terms of reference. The Bureau recalled the 40<sup>th</sup> Standing Committee decisions which had called for flexibility and alternative solutions as regards case-file appraisals, due to the ongoing restrictions of the pandemic, and supported the prospect to hold a first part of the mission in an online format, i.e. online meetings with all relevant stakeholders and online desk research of the independent expert.

The situation would continue to be reviewed as to whether the on-site part of the mission could take place later in the year, but with the situation very uncertain, no more time should be lost in launching the mission. The Bureau supported the proposal to draft recommendations for the national authorities and for the Standing Committee's possible adoption even if the on-site aspect of the mission cannot take place.

The Bureau further took note that the Secretariat was in the process of identifying an independent expert to lead the mission.

The Bureau also instructed the Secretariat to liaise with the European Commission in relation to the preliminary results of its mission, which was due to finish in March.

The Bureau thanked the national authorities for their collaboration to this point, encouraged a collective mission fully including all relevant stakeholders on the ground, and supported the initiation as soon as possible of those aspects of the mission which could be carried out online. At a minimum, and if circumstances would not allow for a physical mission in 2021, preliminary findings of the virtual part of the mission could be presented to the 41<sup>st</sup> Standing Committee. The Bureau looked forward to being informed of progress, as well as of general updates of the situation for its next meeting.

➤ 2019/05: Turkey: Habitat destruction in Mersin Anamur Beach

**Decision:** The Bureau thanked both parties for their detailed reports. It noted the positive development that the administrative court had decided to dismiss the appeal filed by the Municipality in relation to the construction of a Picnic Area in Karaağaç, expected that the fine should now be enforced and welcomed the decision to stop business expansion in the area. Rehabilitation work was thus scheduled soon and an on-the-spot appraisal (OSA) of a group of scientific experts had been mandated to establish the standards for the rehabilitation. The Turkish authorities were invited to share more details on the outcome of the OSA and the envisaged timeline for restoration activities and the demolishing of illegal constructions.

The Bureau was concerned with the additional violations reported by the complainants and noted that the same OSA would assess whether the second project on coastal development/beach arrangement can be implemented in compliance with Circular 2009/10 standards and stressed the importance of also complying with the Bern Convention and other international standards. The Turkish authorities were invited to share more details on the second project on coastal development/beach arrangement.

The Bureau further encouraged the Turkish authorities' efforts to enforce the relevant penalties on local businesses but also to raise awareness of these local stakeholders as to the conservation issues at stake, as there was evidently a lack of understanding and cooperation.

The Bureau also again urged the authorities to actively collaborate with the complainant organisations and other relevant local NGOs, in order to ensure a participatory and comprehensive approach to these issues.

The Bureau finally recalled the Bern Convention action plan for the conservation of marine turtles which is in elaboration with the goal of identifying holistic solutions for the long-standing (and any future) marine turtle case-files.

The file remains a possible file. Both parties were invited to present updates to the next Bureau meeting in September 2021 ahead of a further discussion at the 41<sup>st</sup> Standing Committee.

### 6.3. Complaints on stand-by

- 2014/03: Serbia: Presumed deliberate killing of birds & 2016/3: Alleged deliberate killing of birds of prey

**Decision:** The Bureau thanked the Serbian authorities for their continuing timely reporting and positively noted the submission of the Questionnaire of the Scoreboard to assess the progress in combating illegal killing, taking and trade of wild birds (IKB). It requested that the authorities clarify on whether the Rome Strategic Plan and the Nature Protection Programme referred to in their report has been officially adopted and recalled the request to clarify the information provided in July 2020 concerning poisoning as the cause of bird deaths, as the sources indicated in the report appeared to be contradictory.

The Bureau encouraged the authorities to actively collaborate with the complainant organisations and other relevant local NGOs, including the sharing of data in order to ensure a more comprehensive approach to IKB issues in Serbia.

The Bureau decided to reduce the monitoring of the complaint to an annual basis, and thus requested that both parties provide updated reports for the Bureau meeting in Spring 2022, including information on the Autumn migrations. The Serbian authorities were also invited to confirm or explain the four additional cases of bird shooting, trapping and poisoning reported by the NGO.

The Bureau further expressed concerns on the usage of Carbofuran in other Contracting Parties and suggested to discuss the issue at the next meeting of the Group of Experts on the Conservation of Wild Birds.

- 2014/08: Greece: Presumed large-scale exploitation and marketing of protected marine shelled molluscs

**Decision:** The Bureau thanked both the authorities and complainant for the update. The Bureau acknowledged the administrative sanctions that had been imposed between 2018 and 2021 to non-professionals for illegal fishing of protected molluscs and took note of the absence of infringements in the marketing and distribution sector during that period. It welcomed the initiation of a reform of the existing national sanctioning framework to enhance the effectiveness of the controls carried out for the observance of the provisions of the national and union fisheries legislation, including the provisions for the suppression of illegal trafficking and trade of protected species.

The Bureau noted, however, the complainant's continued concern that no efforts had been made by the authorities and that no recent data was available due to Covid-19 restrictions preventing the undertaking of field work.

The Bureau reiterated its concern for the situation of this fragile species and again requested the authorities to improve cooperation with local NGOs and experts, and to develop a timebound action plan. It also asked for the timeline of the reform process of the legal framework. Finally, it suggested that both parties could collaborate to design an awareness-raising campaign around this issue.

The Bureau decided to reduce the complaint to an annual monitoring and requested both parties to provide updated reports for the Bureau meeting in Spring 2022. The complaint remains on stand-by.

- 2015/02: North Macedonia: Possible impact of wind-farm developments on bats

**Decision:** The Bureau thanked the complainant for the update report and acknowledged the report of the authorities from November last year referring to this complaint, in which they referred back to previous reports shared with the Bureau and requested that the case be closed. The Bureau noted however the information of the complainant that the previous impact reports carried out had been incomplete (no collision/mortality survey) and irregular, and that the relevant NGOs had been left out of any discussions, and even blacklisted.

The Bureau took note again of the importance of the area for biodiversity, and reminded the national authorities that regular and comprehensive post-construction monitoring reports were expected - it requested

such a report for its next meeting. The Bureau also encouraged the authorities to improve collaboration with the civil society organisations which were experts in this field.

The Bureau instructed the Secretariat to liaise with Eurobats for any relevant information on this complaint.

The complaint remains on stand-by and would be discussed again at the next Bureau meeting.

- 2016/09: Georgia: Possible threat to “Svaneti 1” Candidate Emerald Site (GE0000012) from Nenskra Hydro Power Plant development

**Decision:** The Bureau thanked both the authorities and complainant for their timely and detailed reports.

It acknowledged the continued excellent cooperation and efforts that were being put into the development of the Emerald Network sites by the Georgian government. It welcomed in particular the implementation of the project “Mapping of Selected Freshwater Habitats on the Emerald Sites of Western Georgia” and the mapping of selected habitats on three sites of Eastern Georgia, as well as the development of the draft law on “Water Resources Management” and of three river basin management plans.

The Bureau also took note however, of the repeated concerns expressed by the complainant on the reduced scale and scope of the proposed Emerald Network sites, which exclude areas where hydropower plants are planned to be constructed, the lack of protection of large rivers and the lack of strategic planning for hydropower development in Georgia.

The Bureau also recalled that, as mentioned under Point 3.5 above, a biogeographical seminar for Georgia was envisaged for 2021, where the scope and sufficiency of sites would be evaluated.

The Bureau reminded that the authorities should follow [Recommendation No. 208 \(2019\)](#) of the Standing Committee on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites. It requested that the authorities update it on the mapping of freshwater habitats and on the evolvement of the Emerald Network in one year’s time. Depending on progress achieved and the results of the possible biogeographical seminar, the Bureau could then consider dismissing the complaint. The complaint remains on stand-by.

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

**Decision:** The Bureau acknowledged the information of the authorities from November 2020, and thanked the complainant for the updated report. It also recalled that an on-the-spot appraisal (OSA) in the context of open case-file 2013/1 concerning hydropower plant development in Mavrovo National Park is planned for the next months, and should take into account the two sites of this complaint.

The Bureau welcomed the information of the authorities that Lake Ohrid should be nominated onto the World Ramsar List, and that the GEF/IUCN project for initiating a Valorisation Study and Draft Management Plan for the Lake Ohrid Nature Monument is ongoing.

The Bureau however took seriously the claims of the complainant that, despite two monitoring missions of the UNESCO World Heritage Centre in 2019 and 2020 as well as its conclusions of 2017, little concrete progress has been made on the 17 recommendations, the area was at risk of being inscribed on the UNESCO List of World Heritage in Danger, and in general the natural values of Lake Ohrid and Galichica National Park were in a state of constant decline.

The Bureau requested that the national authorities respond comprehensively to the claims of the complainant of the situation on the ground as well as provide information on the 17 recommendations of UNESCO for its next meeting. Furthermore, pending results of the OSA and response of the authorities, the Bureau could consider elevating this complaint at its next meeting, which would bring it to the attention of the Standing Committee.



The Bureau also instructed the Secretariat to liaise with the secretariats of UNESCO and the Ramsar Convention to request information on their parallel processes.

- 2017/03: Serbia: Possible negative impact of a harbour's construction on the confluence of the Sava into the Danube

**Decision:** The Bureau thanked the Serbian authorities for their timely reporting but noted for the third consecutive meeting the lack of a report from the complainant.

It noted that the results of the feasibility study on the new harbour project location are still pending and requested the authorities to update it on the results of the study. It acknowledged that the location which had previously been envisaged for one of the variant solutions had been changed to a new location 12 km upstream from the originally planned location which does not encroach upon any environmental protection regime restrictions. It also took note of the other variant solution to expand the existing Port of Pancevo to a location which also would not violate any environmental protection regime.

The Bureau welcomed the developments and was pleased to see that measures are being undertaken to protect the area. The Bureau decided to revert to an annual monitoring and requested that it be kept updated on progress at its meeting in Spring 2022. It urged the complainant to send an update of the situation as it had been more than 24 months since a report had been received. Unless further concerns are expressed by the complainant by Spring 2022, the Bureau would consider dismissing the complaint. The complaint remains on stand-by.

- 2017/06: Iceland: Possible negative impact on Breiðafjörður Nature Reserve's authentic birch woods from new road infrastructure: on-the-spot appraisal

**Decision:** The Bureau took note of progress regarding the on-the-spot appraisal (OSA) mandated by the 40<sup>th</sup> Standing Committee to assess the situation at Breiðafjörður Nature Reserve as well as the general state of implementation of the Emerald Network at national level. The national authorities had not submitted any updates; however the complainant had shared a short report, pointing to the support of the Icelandic nature protection society (Landvernd) to the decision of the Standing Committee to hold an OSA.

The Bureau considered a draft terms of reference for the OSA, proposed several amendments, and mandated the Secretariat to consult these terms with the national authorities and complainant, and in particular to ascertain as to whether a part of the mission can take place online (virtual meetings and online desk research). If this would be agreed to by all parties, the Bureau supported at a minimum an online OSA to be held in the coming months, of which the preliminary results could be presented to the 41<sup>st</sup> Standing Committee. The potential to hold an on-site visit would continue to be reviewed during the year.

The Bureau also instructed the Secretariat to identify a possible independent expert to lead the mission, as well as relevant local and/or international organisations which should be involved.

Concerning the Emerald Network, the Bureau again strongly urged the Icelandic Ministry of the Environment and Natural Resources to release the list of a hundred possible proposed Emerald Network sites which had been pending since 2018, as well as provide a general report on Emerald Network implementation progress at national level. The Bureau was very concerned that Iceland was lagging the most out of any other country in terms of its commitment to the Emerald Network, and it also advised to request a meeting with high-level Ministry officials during the OSA.

The Bureau again called on the authorities to halt any road works until at least after the results of the OSA, and it requested to be kept updated on progress at its next meeting, or before if required.

- 2018/01: Ukraine: Presumed threat to Emerald site "Polonina Borzhava" (UA0000263) from wind energy development: on-the-spot appraisal

**Decision:** The Bureau took note of progress regarding the on-the-spot appraisal (OSA) mandated by the 40<sup>th</sup> Standing Committee to assess the situation at Emerald Network site “Polonina Borzhava” as well as the general state of implementation of the Emerald Network at national level. The complainant had shared a short report, proposing that online aspects of the mission could begin already in the Summer.

The Bureau noted that the national authorities had not commented specifically on the OSA, but had sent an updated database of Emerald Sites of Ukraine, which included 161 new proposed sites. They had also informed on the draft law on the Emerald Network, which was currently progressing through the parliamentary process. The Bureau welcomed these developments.

The Bureau considered a draft terms of reference for the OSA, proposed several amendments, and mandated the Secretariat to consult these terms with the national authorities and complainant, and in particular to ascertain as to whether a part of the mission could take place online (virtual meetings and online desk research). If this would be agreed to by all parties, the Bureau supported at a minimum an online OSA to be held in the coming months, of which the preliminary results could be presented to the 41<sup>st</sup> Standing Committee. The potential to hold an on-site visit would continue to be reviewed during the year.

The Bureau also instructed the Secretariat to identify a possible independent expert to lead the mission, as well as relevant local and/or international organisations which should be involved.

Concerning the specific site, the Bureau again urged the authorities to halt any works until at least after the results of the OSA, and to refer to [Recommendation No. 208 \(2019\)](#) on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites.

The Bureau encouraged the national authorities and complainant to cooperate effectively with the Secretariat in elaboration of the terms of reference and organisation of the mission, and requested that it be kept updated on progress at its next meeting, or before if required.

#### 6.4. Other complaints

- 2018/05: Ukraine: Alleged threats to the Emerald Network sites Skhidnyi Svydovets, Marmaroski ta Chyvchyno-Hryniavski Hory and Carpathian biosphere Reserve

**Decision:** The Bureau thanked both complainants for the reports as well as acknowledging information received from the Bruno Manser Fonds and Free Svydovets movement; the national authorities had informed of no new developments for this complaint.

The Bureau took note that, while no further development on the planned ski resort had been reported, neither had there been any progress on a strategic environmental assessment, environmental impact assessment or transboundary environmental assessment as the project may affect neighbouring countries. There were also reports from the complainants that the regional authorities maintained support for the project, while the State of Ukraine had approved a public cadastral map marking the location of the ski resort on the territory of valuable protected areas.

The Bureau also acknowledged that the European Parliament in its Resolution of 11<sup>th</sup> February 2021 on the implementation of the EU Association Agreement with Ukraine had urged Ukraine to combat illegal logging, including “in connection with the unlawful Svydovets ski resort project”. The Secretariat was instructed to reach out to the European Commission focal point for possible further information on this Resolution.

The Bureau urged the Ukrainian authorities to respond to the growing political and public awareness of this situation by taking decisions which comply with the national and international environmental frameworks, including to assure environmental assessments including transboundary assessments where necessary, and ensuring compliance with [Recommendation No. 208 \(2019\)](#) on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites.

The Bureau also recalled that in the framework of Complaint on stand-by 2018/1 (Polonina Borzhava), an on-the-spot appraisal was in preparation phase, and could potentially include a mandate to assess this complaint.

The Bureau urged the national authorities to respond to the concerns of the complainants as well as of the international community for its next meeting, and to provide an update on the status of the ski resort and of the environmental assessments which must be ensured. The complaint is moved to stand-by.

- 2018/06: Belarus: Presumed threats to Emerald Network sites Olmanskiye bolota (BY0000012) and Topila Bog (BY0000083)

**Decision:** The Bureau thanked both the authorities and complainant for their timely and detailed reports.

It acknowledged that the complainant had not detected any new facts of road construction or illegal mining sites in the territory of Olmanskiye bolota in 2020. It took note that the complainant had been informed by the Forestry Institutions that the construction of forest road no. 4 within the Emerald Network site Olmanskiye bolota had been cancelled. It noted, however, the complainant's concern that the 2019 survey of the habitats of wild animals transferred under protection in the Stolin district had been implemented outside the territory of Olmanskiye bolota.

The Bureau further acknowledged that the unauthorised open-pit mining of widespread mineral deposits within the boundaries of the Emerald Network site Olmanskiye bolota had been restored. Further, it welcomed the research carried out from 2018-2021 for the transformation of the reserve "Olmanskye mires", the development of an updated management plan for this reserve and of a joint management plan for the transboundary Ramsar site "Olmanskye mires – Perebrody". It also welcomed that the transfer under protection of 24 newly identified habitats of wild animals within the boundaries of the reserve "Olmanskye mires" was currently being developed.

The Bureau also recalled that, as mentioned under Point 3.5 above, a biogeographical seminar for Belarus was envisaged for 2021, where the scope and sufficiency of sites would be evaluated.

The Bureau decided to revert to an annual reporting and requested the authorities and complainant to provide an update for the Bureau meeting in Spring 2022. Depending on progress achieved and the results of the possible biogeographical seminar, the Bureau could consider dismissing the complaint.

- 2019/01: Ukraine: Possible negative effects of hydrocarbons extraction in four Emerald sites in Donetsk-Kharkiv region

**Decision:** The Bureau took note of the short update of the complainant and the brief information of the national authorities communicating that there had been no new developments for this complaint.

The Bureau was concerned with the limited information received from both parties in the past years, meaning it was difficult to take a concrete decision on this case. It requested comprehensive updates from both parties for its next meeting, and meanwhile urged the Ukrainian authorities to abide by national and international environmental frameworks including the necessity to carry out environmental assessments when planning new projects, and ensuring compliance with [Recommendation No. 208 \(2019\)](#) on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites.

The Bureau also recalled that in the framework of Complaint on stand-by 2018/1 (Polonina Borzhava), an on-the-spot appraisal was in preparation phase, and could potentially include a mandate to assess this complaint.

- 2019/02: Ukraine: Presumed threat to Emerald site Zatoky (UA0000214) from windfarm developments

**Decision:** The Bureau noted the short reports of both parties which both informed that there have been no new developments on this wind farm project.

The Bureau also considered with interest the suggestion of the complainant to consider this case in the context of general wind farm development across the Black Sea coast and its effects on birds and bats. Notably, the open file 2004/02 on wind farms in Balchik and Kaliakra (Bulgaria) was an example. The

Bureau also noted that windfarm as well as other renewable energy development is booming in Ukraine- it welcomed this green energy transition, but cautioned that these developments should not come at the expense of biodiversity.

The Bureau advised the Ukrainian authorities to use the available international guidelines on windfarms and nature, for example [Recommendation 109 \(2004\)](#) of the Standing Committee on minimising adverse effects of wind power generation on wildlife, [Recommendation 200 \(2018\)](#) on the windfarms planned near Balchik and Kaliakra and other wind farm developments on the Via Pontica route (Bulgaria), Bern Convention/Birdlife [report](#) on “Wind farms and birds: an updated analysis of the effects of wind farms on birds, and best practice guidance on integrated planning and impact assessment”, the recent [EU Guidance document](#) on wind energy developments and EU nature legislation (2020), and resources of the Energy Community Treaty.

The Bureau also took note that the Secretariat had begun a productive cooperation recently with the Energy Community Treaty which has extensive expertise on energy projects, especially in several of the non-EU Contracting Parties.

The Bureau requested that both parties send any updates for its next meeting in September. It also recalled that in the framework of Complaint on stand-by 2018/1 (Polonina Borzhava), an on-the-spot appraisal was in preparation phase, and could potentially include a mandate to assess this complaint.

The Bureau and Secretariat would also reflect on whether it would be appropriate and beneficial to look more deeply into the issue of wind energy (or renewable energy projects in general) and the effects on biodiversity, which were the subject of many case-files. A consultant, ad hoc working group or closer cooperation with a relevant organisation working on this subject were options.

➤ 2019/06: Denmark: Border fence construction between Denmark and Germany

**Decision:** The Bureau thanked the Danish authorities for the detailed report and regretted not receiving a report from the complainants. While once again recalling that linear barriers such as this fence can have negative effects on the migration of species, the Bureau acknowledged that the data presented by the authorities had confirmed a minimal or indeed no impact on the species protected by the Bern Convention.

In light of the details provided by the Danish authorities and considering the immediate actions taken to prevent injuries to local wildlife and that the fence doesn't represent a risk to the conservation of the strictly protected species under Appendix II of the Convention (such as the wolf), the Bureau decided to dismiss the complaint.

➤ 2020/01: Ukraine: Recognising Horbachykha as a protected area to save it from residential developments

**Decision:** The Bureau thanked the complainant for the update report and the national authorities for their response. It acknowledged information of the complainant that despite initial progress and cooperation with city authorities and the Ministry, in recent months the communication had faltered, and the situation had been made worse by city officials allegedly rezoning illegally 50% of the Horbachykha area from a “green zone” to “intended for development”.

The Bureau also noted the complainants concern over alleged judicial corruption and that the international community was the only avenue for a resolution; Birdlife International had been approached and the Bureau instructed the Secretariat to also make contact with the organisation.

The Bureau once again urged the Ukrainian authorities to forbid any development on this ecologically important zone, to prohibit any illegal change of zoning, and to strongly consider designating the territory as a Protected Area and Emerald Network site. The authorities were also encouraged to resume and maintain a good cooperation with the complainant organisation and other civil society.

It invited both parties to send any updates on the situation for the next Bureau meeting and as the situation appeared to be quite serious, the Bureau decided to elevate this to a complaint on stand-by.

- 2020/02: Ukraine: Logging threats to the Black Tysa River in Emerald Network site "Marmaroski ta Chyvchyno-Hryniavski Hory" (UA0000117)

**Decision:** The Bureau thanked the national authorities for the report, but noted the lack of a report from the complainant. It welcomed the changed rules in Ukraine related to logging, in particular in the Carpathian region, the necessity to undertake environmental assessments for small logging projects, and the Draft Strategy for forestry development until 2035 which is in development.

The Bureau however lacked information on the specific allegation of the complainant as to the developer undertaking illegal logging in the Emerald Network site, and requested that the authorities provide more specific information on these allegations.

The Bureau also recalled the European Parliament Resolution of 11<sup>th</sup> February 2021 on the implementation of the EU Association Agreement with Ukraine related to combatting illegal logging in Ukraine, which had been mentioned under the Other Complaint 2018/05. It requested that the authorities respond also to this Resolution, and instructed the Secretariat to contact the European Commission for possible further information on the Resolution.

These updates, as well as a new report from the complainant were requested for the next Bureau meeting in September.

- 2020/03: Ukraine: Presumed threat to Emerald Network site "Bugzkyi Gard National Nature Park" (UA0000040)

**Decision:** The Bureau thanked the complainant for the update report and the national authorities for their response. It acknowledged the information of the complainant that the situation of the expansion of the South-Ukraine electric power producing complex remains critical, especially with regard to flooding risks to numerous species, of which further research has been carried out.

The Bureau welcomed the communication of the authorities that, due to the sensitivity of the area and its classification as a protected site, negotiations at state level had recently led to the exclusion of the Tashlyk hydropower plant from the list of priority investment projects for the State.

The Bureau also took note of the information of the Secretariat that the European Investment Bank (EIB) had been contacted and had informed that the appraisal phase of the project had not yet been initiated. The Bureau instructed the Secretariat to follow-up with the EIB for its next meeting.

The Bureau requested that the authorities provide further information on the Tashlyk hydropower plant project and if it may still continue, in spite of the decision of the Cabinet of Ministers. It also requested updates from the complainant including more detailed maps and data for its next meeting in September.

- 2020/04: Armenia: The Amulsar gold mine project and its impacts on Emerald Network sites

**Decision:** The Bureau thanked the complainant for the timely report and noted the lack of a response from the national authorities.

It took note of the complainant's concern that there has been pressure to re-open the Amulsar gold mine and that still no appropriate assessment of the potential negative impacts of the gold mine project, especially affecting three candidate Emerald Network sites, had taken place. It also noted the complainant's concern about recent negative impacts of extensive forest fires on habitats and species.

The Bureau reiterated its recommendation to halt any developments that can negatively affect the habitats and species protected under the Convention, whether it pertains to an Emerald Network site or not, and once again asked the authorities for a report specifically responding to the issue of the gold mine.

The Bureau had already expressed concern at the expected large reduction in size of Emerald Network coverage in Armenia and again urged the authorities to clarify on when the revised list would likely be ready and submitted to the Secretariat. It asked the authorities to provide an update on its Emerald Network structure to the Group of Experts on Protected Areas and Ecological Networks meeting in October 2021.

The Bureau recalled that the obligations under the Emerald Network exist for both candidate and adopted sites. It reminded that the authorities should follow [Recommendation No. 208 \(2019\)](#) of the Standing Committee on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites, and that they should respect the genuine interest of the Emerald Network. It further encouraged the authorities to involve all relevant stakeholders in the process.

The Bureau decided to elevate the complaint to stand-by. Both parties were invited to submit reports for the Bureau meeting in September 2021.

### 6.5. New complaints

- 2020/06: Portugal: Presumed threat to Tagus Estuary Special Protected Area from a new airport

**Decision:** The Bureau thanked the complainant for the new complaint, and the Portuguese authorities for their detailed response. The Bureau noted the ecological value of the Special Protected Area at the centre of the complaint and that the construction of the airport could have negative effects on the migration of waterbirds. It also noted for the record that AEWA, the Ramsar Convention and the European Commission had also been contacted about this complaint.

The Bureau welcomed the information that the authorities are willing to expand the protected area and to fund migration studies, and asked the authorities to provide more information for its next meeting on the current status of the project, and when construction is planned to begin, as well as on the state of play of the study on potential disturbances on birds, which was meant to be carried out for a minimum of one year before construction.

The Bureau also requested that the authorities share any data available on the disturbance of the current military airport on avifauna, as well as on the foreseeable growth in flight traffic, flight heights and flight routes, etc.

In addition, the Bureau requested more in-depth information to facilitate its understanding of the issues identified and measures proposed. The Portuguese authorities were therefore requested to share the Environmental Impact Assessment (EIA) and any other relevant publicly available documentation related to the EIA procedure ahead of the Bureau meeting in September 2021.

The Bureau requested that the complainant also send any updates including on the procedures taking place with the Lisbon Administrative Court, as well as a response to the report of the authorities for the next Bureau meeting in September 2021.

The Secretariat was instructed to liaise with the secretariats of the European Commission, AEWA Ramsar Convention and Birdlife to request any relevant information on their parallel processes.

The complaint is moved to stand-by.

- 2020/07: France: Uncontrolled slaughter of badgers (*Meles meles*) in France

**Decision:** The Bureau thanked the complainant for the new complaint and the French authorities for their response. The Bureau took note of the concern of the complainant that population data of badgers at national level is low, and that hunting periods often continue illegally in Spring, when pregnant or juvenile badgers may be present in the underground setts.

The Bureau also took note of the authorities response that the main purpose of the hunting licenses is to reduce the risk of bovine tuberculosis to livestock, as well as other public safety issues related to crop yields and structural integrity, and that no other feasible alternatives exist. They denied any breach of the Convention.

The Bureau was satisfied with the response of the authorities, but it requested further information from them concerning the complainant's claim that badgers are sometimes hunted for eight months a year, including during periods of breeding, rearing and hibernation. The Bureau recalled Articles 7 and 8, and particularly the need to apply the precautionary principle when population data is inadequate and to use derogations only as a last resort, in order to lower the risk of local extirpation.

The Bureau enquired as to when had the last national population survey for badgers taken place, and encouraged the authorities to ensure that such surveys are ensured at reasonably regular intervals.

The Bureau requested that the authorities send this additional information for the Bureau meeting in Spring 2022, and it further reminded the authorities to submit the biennial report for the period 2017-2018, including an appendix for badgers if necessary, as well as for the period 2019-2020 once the questionnaire will be opened later this year.

➤ 2020/08: Bulgaria: Alleged threat to biodiversity due to draft amendment of hunting legislation

**Decision:** The Bureau acknowledged the new complaint received as well as the response from the government of Bulgaria. It took note that both parties concur that the proposed draft amendment to the Hunting and Game Protection Law of Bulgaria could lead to significant negative impacts on habitats and species across the country, as well as in neighbouring countries.

The Bureau was pleased to note that the Ministry of Environment and Water in their report informed that it had spoken against the proposed amendment because of these likely adverse consequences, and that the draft amendment had thus been withdrawn in October last year. Additional discussions were apparently taking place and involving the complainant organisation and other relevant NGOs.

As the complainant had not yet confirmed the information of the authorities, the Bureau decided to await their feedback, and possibly dismiss the complaint at its next meeting if the issue appeared to have been resolved.

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

**Decision:** The Bureau acknowledged the new complaint received as well as the response from the authorities of Bosnia and Herzegovina. It noted that the hydropower plants affect an Emerald Network site "Gornji tok Neretve", as well as potentially impact negatively on numerous habitats and species protected under the appendices and resolutions of the Bern Convention. It also recalled that at the time of the initial environmental impact assessment, the area had not had any protected area status.

The Bureau also considered the new information received just ahead of the meeting from both parties, informing that a District Court had annulled the screening decision from 13/04/2020 for the Phase I plants, and that the Ministry of Physical Planning, Construction and Ecology of the Republic of Srpska had issued a new decision to the developer that it must initiate a new environmental impact assessment.

The Bureau respected the decision of the District Court and new order of the Ministry, but it requested further information from the authorities as to whether the current construction permits would remain valid and if construction would thus continue. It reminded the authorities to adhere to [Recommendation No. 208 \(2019\)](#) on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites.

As well as the specific information requested above, the Bureau asked both parties to provide further update reports for its next meeting in September. The complaint is considered on stand-by.

- 2021/01: Turkey: Alleged threats to marine turtles due to a new coal-fired power plant at Sugözü Beach

**Decision:** The Bureau thanked the complainant and the authorities for their reports, especially in light of the shorter-than-usual deadline to respond given to the authorities due to the apparent urgency of the situation.

The Bureau expressed its strong concern that this important nesting site was being compromised also in view of the other cases-files concerning nesting beaches in Turkey, as well as the Bern Convention action plan for the conservation of marine turtles, which was in elaboration. The fact that it was a fossil fuel powered project on a Special Protected Area was also very regrettable, particularly in comparison to other complaints concerning renewable energy projects.

The Bureau recalled the importance to protect marine turtles in the Mediterranean and strongly regretted that the coal power plant construction appeared to be going ahead. If it was not too late, it urged the national authorities to consider halting the project.

Recalling that the increase in water and sand temperature may also affect other species, the authorities were requested to share more information with the Bureau concerning the mitigation measures to override the heating of water and sand.

The Bureau also requested that the Turkish authorities consider the possible negative effects of the power plant on other species including birds, and report to the Bureau any assessment done in this respect. Further, the Bureau asked the authorities to clarify the timeline for the power plant construction and the envisaged start of the operational phase.

Both parties were invited to report on nesting and population data on Sugözü beach prior to the start of the construction of the power plant.

The Secretariat was instructed to liaise with the secretariats of the Ramsar and Barcelona Convention to request any relevant information.

## 7. ANY OTHER BUSINESS

The Secretariat informed the Bureau that, in accordance with Art. 21 (1) of the Bern Convention, the United Kingdom had extended the Convention to the territory of Gibraltar through a declaration made on 18<sup>th</sup> December 2020.



## **Appendix I - Agenda**

### **1. ADOPTION OF THE AGENDA**

### **2. FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION**

#### **2.1. Inter-sessional working group on financing: state of play**

*[T-PVS(2021)01 - report of 1<sup>st</sup> meeting]*

#### **2.2. Voluntary contributions received in 2021: state of play**

*[Follow up table of the voluntary contributions received]*

#### **2.3. Report on the use of the resources from the Special Account of the Bern Convention**

#### **2.4. Working Group on a Vision and Strategic Plan for the Bern Convention for the period to 2030: state of play**

*[T-PVS(2021)02 – report of 1<sup>st</sup> meeting of 23 March]*

*[[T-PVS/Inf\(2021\)09](#) – Initial scoping document]*

#### **2.5. Rules of procedure: Possible modifications**

### **3. IMPLEMENTATION OF THE PROGRAMME OF ACTIVITIES AND BUDGET FOR 2021**

*[[T-PVS/Inf\(2021\)11](#) – Calendar of 2021 meetings]*

*[[T-PVS\(2020\)07](#) - Programme of Activities and budget for 2021]*

#### **3.1. European Diploma for Protected Areas: results of the meeting of the Group of Specialists and planning of the appraisal visits in 2021**

*[[T-PVS/DE\(2021\)06](#) – Meeting report]*

*[[T-PVS/DE\(2020\)21](#) – Draft Resolutions on the Renewal of the European Diploma]*

*[[T-PVS/DE\(2021\)02](#) - Scenario for virtual on-the-spot appraisal visits]*

#### **3.2. Illegal killing of birds: state of play (joint MIKT meeting, IKB Score board and Rome Strategic Plan)**

#### **3.3. Invasive Alien Species: state of play (Group of Experts meeting and of texts on Communication and IAS, E-Commerce and IAS, Study on Alien Pathogens)**

#### **3.4. Amphibians and reptiles: Group of Experts meeting and Action Plan on Marine Turtles**

*[Draft workplan]*

#### **3.5. Setting-up of the Emerald Network: state of play and work plan for 2021**

#### **3.6. Reporting under Resolution No. 8 (2012) on conservation status of species and habitats: complementary assessment of the reports submitted and display of the reporting outcomes**

#### **3.7. Pan-European Action Plan for the conservation of the Sturgeon: state of play**

#### **3.8. Action Plan for the eradication of the Ruddy Duck in Europe: state of play**

#### **3.9. Biodiversity and Climate Change: state of play**

#### **3.10. Review of the European Plant Conservation Strategy: state of play**

#### 4. COMMUNICATION STRATEGY AND VISIBILITY OF THE CONVENTION

##### 4.1. World Forum for Democracy: state of play

##### 4.2. Communication Campaign: state of play

#### 5. MONITORING OF THE IMPLEMENTATION OF THE LEGAL ASPECTS OF THE CONVENTION (Biennial reporting, Online reporting system)

#### 6. IMPLEMENTATION OF THE CONVENTION: CASE-FILES

*[T-PVS/Notes(2021)1 – Summary of open and possible case files]*

*[T-PVS/Notes(2021)2 – Summary of complaints on stand-by]*

*[T-PVS/Notes(2021)3 – Summary of other complaints]*

*[T-PVS/Inf(2021)05 – Register of Bern Convention's case-files]*

##### 6.1. Open files

- 2010/05: Greece: threats to marine turtles in Thines Kiparissias

*[T-PVS/Files(2021)47 – Government Report]*

*[T-PVS/Files(2021)32 – Complainant Report]*

- 2012/09: Turkey: Presumed degradation of nesting beaches in Fethiye and Patara SPAs

*[T-PVS/Files(2021)28 – Government Report]*

- 2013/01: North Macedonia: Hydro power development within the territory of Mavrovo National Park: on-the-spot appraisal

*[T-PVS/Files(2020)18 – Terms of Reference of the OSA]*

- 2016/04: Montenegro: Development of a commercial project in Skadar Lake National Park and candidate Emerald site

*[T-PVS/Files(2021)46 – Government Report]*

*[T-PVS/Files(2021)17 – Complainant Report]*

- 1986/08: Greece: Recommendation No. 9 (1987) on the protection of Caretta Caretta in Laganas bay, Zakynthos

*[T-PVS/Files(2021)48 – Government Report]*

*[T-PVS/Files(2021)19 – Complainant Report]*

##### 6.2. Possible files

- 2001/04: Bulgaria: Motorway through the Kresna Gorge: on-the-spot appraisal

*[T-PVS/Files(2021)01 – Draft Terms of Reference of the OSA]*

*[T-PVS/Files(2021)36 – Government Report]*

- 2019/05: Turkey: Habitat destruction in Mersin Anamur Beach

*[T-PVS/Files(2021)29 – Government Report]*

*[T-PVS/Files(2021)27 – Complainant Report]*

### 6.3. Complaints on stand-by

- 2014/03: Serbia: Presumed deliberate killing of birds & 2016/3: Alleged deliberate killing of birds of prey

*[[T-PVS/Files\(2021\)10](#) – Government Report]  
[[T-PVS/Files\(2021\)22](#) – Complainant Report]*

- 2014/08: Greece: Presumed large-scale exploitation and marketing of protected marine shelled molluscs

*[[T-PVS/Files\(2021\)49](#) – Government Report]  
[[T-PVS/Files\(2021\)35](#) – Complainant Report]*

- 2015/02: North Macedonia: Possible impact of wind-farm developments on bats

*[[T-PVS/Files\(2020\)69](#) – Government Report]  
[[T-PVS/Files\(2021\)34](#) – Complainant Report]*

- 2016/09: Georgia: Possible threat to “Svaneti 1” Candidate Emerald Site (GE0000012) from Nenskra Hydro Power Plant development

*[[T-PVS/Files\(2021\)16](#) – Government Report]  
[[T-PVS/Files\(2021\)12](#) – Complainant Report]*

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

*[[T-PVS/Files\(2020\)69](#) – Government Report]  
[[T-PVS/Files\(2021\)37](#) – Complainant Report]*

- 2017/03: Serbia: Possible negative impact of a harbor’s construction on the confluence of the Sava into the Danube

*[[T-PVS/Files\(2021\)11](#) – Government Report]  
[[T-PVS/Files\(2021\)XX](#) – Complainant Report]*

- 2017/06: Iceland: Possible negative impact on Breiðafjörður Nature Reserve’s authentic birch woods from new road infrastructure: on-the-spot appraisal

*[[T-PVS/Files\(2021\)XX](#) – Government Report]  
[[T-PVS/Files\(2021\)24](#) – Complainant Report]  
[[T-PVS/Files\(2021\)02](#) – Draft Terms of Reference of the OSA]*

- 2018/01: Ukraine: Presumed threat to Emerald site “Polonina Borzhava” (UA0000263) from wind energy development: on-the-spot appraisal

*[[T-PVS/Files\(2021\)41](#) – Government Report]  
[[T-PVS/Files\(2021\)18](#) – Complainant Report]  
[[T-PVS/Files\(2021\)38](#) – Draft Terms of Reference of the OSA]*

### 6.4. Other complaints

- 2018/05: Ukraine: Alleged threats to the Emerald Network sites Skhidnyi Svydovets, Marmaroski ta Chyvchyno-Hryniavski Hory and Carpathian biosphere Reserve

*[[T-PVS/Files\(2021\)41](#) – Government Report]  
[[T-PVS/Files\(2021\)21](#) – Complainant Report]  
[[T-PVS/Files\(2021\)26](#) – 2<sup>nd</sup> Complainant Report]*

- 2018/06: Belarus: Presumed threats to Emerald Network sites Olmanskiye bolota (BY0000012) and Topila Bog (BY0000083)
 

*[[T-PVS/Files\(2021\)14](#) – Government Report]*  
*[[T-PVS/Files\(2021\)25](#) – Complainant Report]*
- 2019/01: Ukraine: Possible negative effects of hydrocarbons extraction in four Emerald sites in Donetsk-Kharkiv region
 

*[[T-PVS/Files\(2021\)41](#) – Government Report]*  
*[[T-PVS/Files\(2021\)30](#) – Complainant Report]*
- 2019/02: Ukraine: Presumed threat to Emerald site Zatoky (UA0000214) from windfarm developments
 

*[[T-PVS/Files\(2021\)41](#) – Government Report]*  
*[[T-PVS/Files\(2021\)20](#) – Complainant Report]*
- 2019/06: Denmark: Border fence construction between Denmark and Germany
 

*[[T-PVS/Files\(2021\)09](#) – Government Report]*  
*[T-PVS/Files(2021)XX – Complainant Report]*
- 2020/01: Ukraine: Recognising Horbachykha as a protected area to save it from residential developments
 

*[[T-PVS/Files\(2021\)42](#) – Government Report]*  
*[[T-PVS/Files\(2021\)33](#) – Complainant Report]*
- 2020/02: Ukraine: Logging threats to the Black Tysa River in Emerald Network site "Marmaroski ta Chyvchyno-Hryniavski Hory" (UA0000117)
 

*[[T-PVS/Files\(2021\)43](#) – Government Report]*  
*[T-PVS/Files(2021)XX – Complainant Report]*
- 2020/03: Ukraine: Presumed threat to Emerald Network site “Bugzkyi Gard National Nature Park” (UA0000040)
 

*[[T-PVS/Files\(2021\)44](#) – Government Report]*  
*[[T-PVS/Files\(2021\)23](#) – Complainant Report]*
- 2020/04: Armenia: The Amulsar gold mine project and its impacts on Emerald Network sites
 

*[T-PVS/Files(2021)XX – Government Report]*  
*[[T-PVS/Files\(2021\)13](#) – Complainant Report]*

## 6.5. New complaints

- 2020/06: Portugal: Presumed threat to Tagus Estuary Special Protected Area from a new airport
 

*[[T-PVS/Files\(2021\)03](#) – Complaint form + [Annex](#)]*  
*[[T-PVS/Files\(2021\)31](#) – Government Report]*
- 2020/07: France: Uncontrolled slaughter of badgers (*Meles meles*) in France
 

*[[T-PVS/Files\(2021\)04](#) – Complaint form]*  
*[[T-PVS/Files\(2021\)39](#) – Government Report + [Annex1](#) + [Annex2](#)]*

- 2020/08: Bulgaria: Alleged threat to biodiversity due to draft amendment of hunting legislation

*[[T-PVS/Files\(2021\)05](#) – Complaint form]  
[[T-PVS/Files\(2021\)15](#) – Government Report]*

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

*[[T-PVS/Files\(2021\)06](#) – Complaint form + [Annex I](#) + [Annex II](#) + [Annex III](#)]  
[[T-PVS/Files\(2021\)40](#) – Government Report]*

- 2021/01: Turkey: Alleged threats to marine turtles due to a new coal-fired power plant at Sugözü Beach

*[[T-PVS/Files\(2021\)08](#) – Complaint form]  
[[T-PVS/Files\(2021\)45](#) – Government Report]*

## **7. ANY OTHER BUSINESS**

## **Appendix II – List of participants**

### **CHAIR**

Ms Jana DURKOŠOVÁ, Senior State Advisor, Division for Nature and Landscape Protection, Ministry of the Environment, Slovak Republic

### **VICE-CHAIR**

Ms Merike LINNAMÄGI, Senior officer, Nature Conservation Department, Ministry of the Environment, Estonia

### **BUREAU MEMBERS**

Mr Carl AMIRGULASHVILI, Head of Biodiversity and Forestry Policy Department, Ministry of Environmental Protection and Agriculture, Georgia

Mr Jan PLESNIK, Adviser to Director in foreign affairs, Nature Conservation Agency (NCA CR), Czech Republic

Mr Øystein STØRKERSEN, Principal Advisor, Norwegian Environment Agency, Norway

### **OTHER PARTICIPANTS**

Mr Jan BROJAC, Senior Officer, International Relations Department, Ministry of the Environment of the Czech Republic; Chair of the Inter-Sessional Working Group on Finances of the Bern Convention

Mr Dave PRITCHARD, Independent Consultant for the Working Group on a vision and strategic plan for the Bern Convention for the period to 2030

## **SECRETARIAT**

### **Council of Europe / Directorate of Democratic Participation F-67075 STRASBOURG CEDEX, France**

Mr Gianluca SILVESTRINI, Head *ad interim* of the Department for Culture, Nature and Heritage

Ms Ursula STICKER, Secretary of the Bern Convention

Mr Marc HORY, Bern Convention Project Manager

Ms Nadia SAPORITO, Bern Convention Junior Project Officer

Mr Eoghan KELLY, Bern Convention Project Assistant

Ms Helena ORSULIC, Bern Convention Secretarial Assistant