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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

44th meeting

Meeting of the Bureau

18-19 March 2024
(Strasbourg)

- MEETING REPORT -

*Document prepared by
the Secretariat of the Bern Convention*

1. OPENING OF THE MEETING & ADOPTION OF THE AGENDA

The Chair of the Standing Committee to the Bern Convention, Ms Merike Linnamägi, opened the first ordinary meeting of the Bureau of the Standing Committee to the Bern Convention for 2024.

1.1. Statement by Mr Rafael Benitez, Director of Social rights, Health and Environment

Mr Rafael Benitez, Director of Social Rights, Health and Environment, welcomed the Bureau members to Strasbourg. He recalled that the Bern Convention Secretariat moved from Directorate General II - Democracy and Human Dignity to Directorate General I - Human Rights and Rule of Law as part of a new Directorate of Social Rights, Health and Environment, which he has the honour to lead, and a new Department of the Reykjavík Process and the Environment.

1.2. Adoption of the agenda

The Chair presented the agenda to the Bureau members.

Decision: The meeting agenda was adopted with two additional items under item 7. "Any other items" (See Appendix I).

2. REPORT FROM THE SECRETARIAT

2.1. Follow up to the Summit of the Heads of State and Government of the Council of Europe on 16-17 May 2023 in Reykjavík, Iceland

- **Creation of the Department on the Reykjavík process and the Environment / Directorate of Social rights, Health and Environment**

Mr Benitez recalled that a restructuration of the Secretariat was decided as a follow-up to the Reykjavík Summit to increase cross-sectorial cooperation and ensure better quality of work on the protection of the environment. As of 1st January 2024, the Secretariat of the Bern Convention and of the Landscape Convention, together with the EUR-OPA Major Hazards Agreement, joined a new Department on the Reykjavík Process and the Environment, in the new Directorate of Social rights, Health and Environment. The Bureau members met with the Head of this new Department, Ms Tanja Kleinsorge.

- **Involvement of the Bern Convention in the Reykjavík process**

Mr Benitez informed the Bureau of the current state of affairs of the Reykjavík process, in particular the setting up by the CoE Secretary General of an Inter-secretariat Task Force on the Environment involving all sectors of the Organisation. The Task Force had met three times in the last two months and had carried out a stocktaking survey of existing activities, planned activities, and proposals for new activities including the Bern Convention. The Task Force had also proposed elements for the elaboration of a Council of Europe Strategy on the Environment, on the basis of the strategic objectives agreed in Reykjavík. These elements also included proposals for guiding principles, focus areas and possible future activities. This Strategy and related action plan could be elaborated in the second half of 2024 by an intergovernmental Multidisciplinary Group on the Environment (GME) if the Committee of Ministers so decides.

Decision: The Bureau took note of the information and asked Mr Benitez to be kept informed of the outcome and of the coming phases. It stressed the importance of the Bern Convention within the current priorities of the Council of Europe.

2.2. Staff turnover

The Secretariat informed the Bureau of staff changes in the Bern Secretariat. Ms Marta Medlinska, administrator, joined the team on 1st January; Ms Irina Spoidal, temporary administrative assistant, on 1st

March for a three-month contract; and Mr Mark Barlow, administrative assistant, on 11th March. The Secretariat also introduced Mr Riccardo Priore, new Secretary of the Florence Landscape Convention as of 1st January, to the Bureau. Finally, it was recalled that Mr Eoghan Kelly, current Project Officer, would be leaving the Secretariat as of 30th April 2024, at the end of his current temporary contract.

Decision: The Bureau took note of the information. It thanked Mr Kelly for his commitment and contribution to the work of the Bern Convention and welcomed Ms Medlinska, Ms Spoiola, and Mr Barlow in their new roles within the Secretariat. It also congratulated Mr Priore for his nomination as Secretary of the Florence Landscape Convention and was convinced that this would reinforce cooperation between the secretariats of the two conventions. The Bureau was pleased with the reinforcement of the Secretariat to effectively support the program of the Bern Convention and hoped this will remain sustainable.

3. FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION

3.1. Draft Protocol amending the Bern Convention – state of play

Mr Benitez recalled the importance of ensuring the budgetary sustainability of the Bern Convention. In this respect he underlined the positive momentum for the environment generated by the 4th Summit and the Reykjavik Declaration which had led to a Committee of Ministers' decision to increase by €500k the Ordinary Budget allocated to the Bern Convention and the Reykjavik process on the environment. He noted that this favourable momentum would be maintained in the years ahead and stressed that the budgetary sustainability of the Bern convention was to be found in the Ordinary Budget which was the budgetary key stone of the Organisation. He also underlined the importance of pursuing the voluntary contributions as a complement to the Ordinary Budget and means to develop activities further.

Regarding the work on an Amending Protocol, Mr Benitez recalled that no other CoE convention had a mandatory conventional financial mechanism and that putting in place such a mechanism could create a deleterious precedent and interfere with the overall funding system of the Council of Europe including possible EU contributions. In this respect he noted that the contribution rate which the EU was ready to accept (2.5% of the total budget) was not in line with Resolution (94)31 of the Committee of Ministers of the Council of Europe on the method of calculating the scales of member States' contributions to Council of Europe budgets. He recalled that there were ongoing negotiations with the EU regarding financial contributions to CoE conventions and activities and that an internal political and coherent approach would have to be ensured. He also underlined that the Amending Protocol may require many years to enter into force and this would create budgetary uncertainty and convey the paradoxical signal that there should be less interest on the Ordinary Budget to finance the Bern Convention.

In light of the above, Mr Benitez strongly recommended to put on hold the work on the Amending Protocol.

The Bureau highlighted that the current increase of the ordinary budget for 2024 and upcoming years was a very positive message, but that the contracting parties expected a long-term solution on sustainable financing of the Bern Convention mechanism. It recalled the various steps in this direction, in particular the decision taken by the Committee of Ministers on 19 October 2022 to entrust the Standing Committee to the Bern Convention to elaborate a protocol amending the Bern Convention. It also recalled the mandate given by the Standing Committee at its 43rd meeting (27 November – 1st December 2023) to continue in the work (through its Ad-hoc Drafting Group of the Amending Protocol) of drafting such a protocol creating a mechanism of compulsory financial contributions.

Decision: The Bureau took note of the information and advice provided by Mr Benitez, but recalled that it was bound by the mandate received from the Committee of Minister in October 2022 to prepare a draft Protocol amending the Bern Convention, setting up a mechanism of compulsory financial contributions, and the mandate received from the Standing Committee at its 43rd meeting (December 2023) to move ahead with the work on a possible Amending Protocol.

3.2. Voluntary contributions received in 2023 and 2024: state of play

The Secretariat informed the Bureau of the state of voluntary contributions received at the end of 2023 in light of the contributions of Belgium, Croatia, France, the Republic of Moldova, Norway and the United Kingdom provided after the 43rd Standing Committee.

The Secretariat also reported that in 2024 only Estonia had paid a voluntary contribution so far, and that a letter signed by the Chair of the Standing Committee calling for voluntary contributions would soon be addressed to Contracting Parties.

Decision: The Bureau acknowledged the amount of the voluntary contributions received in 2023 and thanked the Parties which had managed to mobilise resources between the meeting of the Standing Committee and the end of the year.

The Bureau welcomed that a general call for voluntary contributions would be addressed to Contracting Parties and encouraged them to continue providing voluntary contributions based on the amounts suggested in Resolution No. 9 (2019).

3.3. Report on the use of the resources from the Special Account of the Bern Convention

The Secretariat recalled that the ordinary budget of the Bern Convention had been substantially increased and that the programme of activity was relying less on voluntary contributions than in the past years. Nevertheless, the uncertainty about the funding of the Reykjavik Process could still challenge the resources from the ordinary budget allocated to the Bern Convention.

The Secretariat informed that the meeting of the National Focal Points on the Conservation of Sturgeons scheduled on 10-11 June 2024 and the activity on large carnivores were expected to be funded from the Special account. Furthermore, two staff positions were still funded with voluntary contributions.

Decision: The Bureau took note of the information provided.

3.4. Rules of Procedure – initial discussion on possible future modifications

The Secretariat listed the following elements to be considered for possible inclusion in a revised version of the Rules of Procedure:

- clarifications on the written procedure;
- reference to possible extra-ordinary meetings of the Standing Committee with consequences such as the fact that there should be no need to proceed with elections of the Chair, vice-chair and Bureau members and to admit again observers;
- possibility to revoke the status of observer if it is seen that that observer was inactive for a long time in the Standing Committee;
- clarification on the length of the term of office of the Chair, Vice-Chair and other members of the Bureau, for example: 2 years, renewable once as in other CoE conventions;
- consideration of [Resolution CM/Res\(2021\)3](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods;
- any other possible issue that may appear at the time of drafting the revised Rules of Procedure.

Decision: The Bureau thanked the Secretariat for this initial list, instructed it to draft revised Rules of Procedure for examination at one of its forthcoming meetings and noted that the reasonable timeline for adoption by the Standing Committee was its 45th meeting in December 2025.

3.5. Working Group on overseeing implementation of the Strategic Plan

The Secretariat recalled that the 43rd Standing Committee had adopted the Convention's [Strategic Plan to 2030](#), while also adopting [Recommendation no.220 \(2023\)](#) on the implementation of the Plan, and agreeing to launch a new Working Group to oversee this implementation, with new [Terms of Reference \(ToR\)](#). The Secretariat had duly launched a call for membership of this Group in February and the first

introductory online meeting would be held on 10th April, where the agenda would be to discuss and agree on the workplan for 2024 including priority tasks for the Working Group members, consultant and Secretariat to work on during this year. The draft Workplan as it stands proposes working on objectives 1-5 of the ToR.

The draft Workplan also proposes to have a 2nd meeting of the Working Group in the second half of the year, to discuss and evaluate the work done, and to propose next steps to the 44th Standing Committee. Furthermore, in order to mainstream elements of the Strategic Plan across the various activities of the Convention, representatives of the Working Group would be encouraged where possible to attend such meetings of, for example, Groups of Experts; and likewise, Chairs of other Groups of the Convention would automatically be invited to join the Strategic Plan Working Group meetings.

Decision: The Bureau took note of the information provided.

3.6. Case-file reflection: Prioritising new complaints and facilitating the closure/dismissal of case-files

Decision: This item was postponed to a later meeting.

4. IMPLEMENTATION OF THE PROGRAMME OF ACTIVITIES AND BUDGET FOR 2024

4.1. European Diploma for Protected Areas: results of the meeting of the Group of Specialists (20-21 February 2024) and planning of the appraisal visits in 2024

The Secretariat informed the Bureau of the outcomes of the meeting of the Group of Specialists on the European Diploma which had taken place on 20-21 February 2024 in Strasbourg.

The Group of Specialists had examined the findings of on-the-spot appraisal visits to 7 areas. The Group of Specialists had supported the renewal of the European Diploma of these 7 areas and agreed on the terms of the draft Resolutions presented in document T-PVS/DE(2024)03.

The Group of Specialists had examined the application for the European Diploma of the Sierra Nevada National Park in Spain and considered that it was meeting the criteria of the European Diploma.

As part of the celebrations of the 60th anniversary of the European Diploma to be celebrated in 2025, the Group of Specialists had supported the revision and update of a publication on the highlights of the European Diploma which had been produced for the 50th anniversary.

The Group of Specialists had appreciated the proposal to renew the experience of a round table with the managers of all the Diploma holding areas which would aim to discuss transversal matters such as climate change, touristic pressures, and the development of green energy infrastructures within or in the vicinity of Diploma holding areas.

Finally, a communication campaign on the achievements of the European Diploma during the past 60 years and its contribution to human wellbeing and to human rights protection would be designed.

Decision: The Bureau took note of the information provided. It welcomed the application for the European Diploma of the Sierra Nevada National Park and the preparation of the celebrations of the 60th anniversary of the European Diploma.

The Bureau endorsed the draft Resolutions renewing the European Diploma of 7 areas as reflected in document T-PVS/DE(2024)03 and mandated the Secretariat to submit them to the Committee of Ministers for formal adoption.

4.2. Emerald Network: work plan for 2024 and preparation of the Group of Experts on Protected Areas and Ecological Networks (Vaduz, 17-18 April 2024)

The Secretariat informed the Bureau that the Group of Experts on Protected Areas and Ecological Networks would take place on 17-18 April in Vaduz in Liechtenstein within the frame of the presidency of Liechtenstein of the Committee of Ministers of the Council of Europe.

The Group of Experts would pursue its reflection on whether to strengthen or complement the legal framework of the Emerald Network, discuss options for identifying targets in the post-2020 Emerald Network Strategic Workplan, and examine the opportunity to amend the Emerald Network Standard Data Form.

Decision: The Bureau thanked the authorities of Liechtenstein for offering to host the meeting of the Group of Experts on Protected Areas and Ecological Networks and looked forward to the outcomes of the discussion on the legal framework of the Emerald Network and on the targets of the post-2020 Emerald Network Strategic Workplan.

4.3. Kresna technical workshop in line with Recommendation No. 212 (2021): “Challenges & opportunities for the conservation of reptiles and large carnivores during linear infrastructure development in South-East Europe” (22-24 April 2024): State of play

The Secretariat recalled that the 43rd Standing Committee had endorsed the initiative of the Bulgarian government, complainant of case-file 2001/04 and the Secretariat to hold a technical workshop in Kresna in 2024, as provided for in [Recommendation No. 212 \(2021\)](#). Preparations were advancing well, with an excellent cooperation of the parties, and the involvement of several Infrastructure & Ecology Network of Europe (IENE) independent experts in the fields of reptiles, large carnivores and engineering. On 12-13 March a preparatory field visit had been held with representatives of the parties, local experts, IENE experts and the Secretariat- allowing for a good understanding of the situation on the ground.

The Workshop itself would take place on 22-24 April in a hybrid format allowing for an enlarged participation of stakeholders, and invitations had been sent out to the Parties & Observers of the Standing Committee, to relevant Bulgarian experts & institutions, and to the IENE network. Further information of the Workshop would appear on its dedicated [webpage](#).

Decision: The Bureau welcomed the preparations for the Technical Workshop in Kresna, and congratulated the parties for their cooperation and commitment. It once again encouraged Standing Committee participants to attend the Workshop, and looked forward to hearing the results during one of its next meetings.

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

The Secretariat reminded the Bureau that the *Ad hoc* Working Group on Reporting should complete the preparation of the reporting by the end of the year and that it would meet online on 30th April 2024. A second meeting was foreseen in the autumn.

The *Ad hoc* Working Group on Reporting should agree on the draft checklists of species and habitats reviewed in the light of the outcomes of a consultation of non-EU Contracting Parties in which 10 countries had taken part.

Based on the reporting format considered by the Working Group last year which reflected on the revised reporting format of the EU reporting under Article 17 of the Habitats Directive, the *Ad hoc* Working Group should agree on whether fields should be optional or mandatory, on possible validation rules and on how this could impact the outputs of the reporting.

The *Ad hoc* Working Group on Reporting would also discuss different approaches for assessing whether the list of IAS of Union concern could be relevant for non-EU Contracting Parties and whether the list should be complemented to become a pan-European list of IAS.

Decision: The Bureau took note of the information provided and acknowledged that it was crucial that non-EU Contracting Parties engaged in the *Ad hoc* Working Group on Reporting so as to ensure their priorities were taken into account. Therefore, the Bureau encouraged all non-EU Contracting Parties to actively participate in the preparation of the reporting. The Bureau looked forward to the outcomes of the meeting of the *Ad hoc* Working Group on Reporting.

4.5. Group of Experts on the Conservation of Birds and IKB

The Secretariat recalled that this year the next joint meeting of the Bern Convention and CMS MIKT on Illegal Killing, Taking and Trade of Wild Birds, would be held back-to-back with the Group of Experts on the Conservation of Birds meeting. Türkiye had now confirmed its invitation to host these meetings and the exact location and dates were to be confirmed, though it would likely take place during the first weeks of October. Further information would appear on the dedicated meeting [webpage](#).

The Secretariat also informed that the task of uploading the 3rd IKB country scoreboards from those countries who had given permission to do so onto the dedicated [webpage](#) would commence soon.

Decision: The Bureau welcomed the invitation of Türkiye to host the next joint meeting of the Bern Convention and CMS MIKT on Illegal Killing, Taking and Trade of Wild Birds, back-to-back with the Group of Experts on the Conservation of Birds meeting. It also thanked the CMS MIKT Secretariat for the ongoing cooperation.

The Bureau also took note of the information that the 3rd IKB country scoreboards would shortly be available online.

4.6. Large Carnivores

The Secretariat recalled that the 43rd Standing Committee had mandated an activity or meeting related to large carnivores during 2024 following an interest from Parties- in light of this, an opportunity to cooperate with the [Dinaric-Balkan-Pindos Large Carnivore Initiative](#) which is holding a networking meeting in Bulgaria on 11-13 June had arisen. This Platform targets 10 countries in south-east Europe. The meeting should allow the exchange and promotion of best practices and networking amongst the countries of the region where large carnivores issues are becoming high on the agenda, while on the other hand, facilitating a discussion and overview of progress on relevant Bern Convention recommendations (e.g. [Recommendation No. 162 \(2012\)](#) on the conservation of large carnivores populations in Europe requesting special conservation action, [Recommendation No. 163 \(2012\)](#) on the management of expanding populations of large carnivores in Europe, [Recommendation No. 173 \(2014\)](#) on hybridisation between wild grey wolves (*Canis lupus*) and domestic dogs (*Canis lupus familiaris*)). In order to prepare the discussions, questionnaires may be sent out to the relevant Parties in collaboration with the Platform Secretariat.

In terms of financing, travel costs for a representative of each Bern Convention Contracting Party in the region, as well as potentially extending this to other Parties from outside of the region, could be envisioned. In that regard, it was informed that a similar initiative was being organised for the Caucasus countries in Tbilisi in September, thus inviting a representative from that region to exchange practice could be considered.

The Bureau was also reminded that the CMS COP 14 in Samarkand had adopted the Listing Proposal for the Eurasian Lynx (submitted by North Macedonia, Uzbekistan, Bosnia Herzegovina, and Albania) and the related Concerted Action Proposal (submitted by the IUCN SSC Cat Specialist Group and the Secretariat of the Carpathian Convention). Accordingly, the Balkan Lynx was listed in Appendix I of CMS. In that regard, conservation guidelines were being prepared with the aim of having them endorsed by the Range States and Conventions.

The Secretariat informed that it had been involved in the 1st joint conference of the Alpine and Carpathian Conventions for the exchange of practices on management of large carnivores (6 - 8 March 2024, Brdo pri Kranju, Slovenia). Information from all the countries of both regions had been presented in terms of population size and status, monitoring regimes, legal framework behind the management policy and practice. There was a great diversity of approaches across the regions, and at times within the countries. The Alpine region's well-established coordination of monitoring was a clear advantage in terms of reliability and comparability of obtained data and could serve as a good example for the Carpathian region and beyond. The added value of peer learning had been stressed by researchers, policy makers and practitioners.

The Bureau was informed of the European Commission proposal made public on 20 December 2023 to change the protection status of wolves from 'strictly protected' (Appendix II of the Bern Convention) to

'protected' (Appendix III) based on new data on increased populations and impacts. This proposal still needs to be endorsed by the EU Council before possible submission to the Bern Convention Standing Committee for decision.

The Bureau also considered that, depending on the discussions on the Recommendations at the meeting in Bulgaria in June, and also depending on other large carnivore activities during the year, it could be envisioned to call an online meeting of the Group of Experts on Large Carnivores to discuss these issues and recommend next steps to the 44th Standing Committee.

Decision: The Bureau welcomed that the Secretariat would collaborate with the Dinaric-Balkan-Pindos Large Carnivore Initiative to hold a meeting on large carnivores in Bulgaria on 11-13 June.

The Bureau also welcomed the outcome of the CMS COP14 where the Balkan lynx had been included in Appendix I of the CMS: it looked forward to hearing about progress in the elaboration of conservation guidelines which could be eventually submitted to the Standing Committee for possible endorsement.

The Bureau took note of the information of the 1st joint conference of the Alpine and Carpathian Conventions for the exchange of practices on management of large carnivores.

The Bureau took note of the European Commission proposal to change the protection status of wolves under the Bern Convention and requested the Secretariat to inform it if the situation evolves.

Finally, in light of the numerous large carnivore initiatives taking place this year, the Bureau instructed the Secretariat to consider if an online meeting of the Group of Experts on Large Carnivores would be useful, during the second half of the year.

4.7. Important Herpetofauna Areas

The Secretariat recalled that there is no recognised map of the most important areas for reptiles and amphibians in Europe while defining such IHAs is of great importance, in particular for directing conservation action, ensuring sufficient site safeguards, raising stakeholders' awareness of biodiversity and ascertaining whether sufficient conservation attention is being given to key biodiversity hot spots. This is why a questionnaire was sent to all Parties to the Bern Convention. 17 replies were sent back. A large majority of respondents considered that it would help their country in respect of biodiversity conservation to know what the important herpetofauna areas are in their country (70,58%) and that a first general analysis be done at Europe level (preferably on a 10 x 10 km scale) (76,5%).

Decision: The Bureau requested the Secretariat to move forward on this issue on the basis of the replies received to know what the important herpetofauna areas are in Bern Convention parties.

4.8. Reinforcing the collaboration between the Group of Experts on Amphibians and Reptiles and the Group of Experts on invasive alien species

The Secretariat explained that the online meeting scheduled with the Chair of the Group of Experts on Amphibians and Reptiles and the Chair of the Group of Experts on invasive alien species was postponed twice and, consequently, didn't take place yet.

Decision: This item was postponed to a later meeting.

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

The Secretariat recalled that, as it was the intermediate year of the biennial reporting cycle, there would be no new report launch this year, just a reminder sent to Contracting Parties to complete their reports if not already done so. This year, it was also planned to follow-up more individually with the countries which do not regularly submit their biennial reports, recalling that this is an obligation, and checking if there is a reason behind the lack of reporting.

Decision: The Bureau took note of the information of the biennial reports, supported the Secretariat approach, and reminded the Contracting Parties that these reports are obligatory within the Convention's text.

6. IMPLEMENTATION OF THE CONVENTION: CASE-FILES

6.1. Open files

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

Decision: The Bureau thanked both parties for their reports.

It strongly regretted that construction of the airport continued despite the Standing Committee adopting [Recommendation No. 219 \(2023\)](#) which called for suspension of construction of the airport until a new and sufficient Environmental Impact Assessment (EIA) procedure is conducted, as well as a Proper/Appropriate Assessment. According to the complainants, the airport was due to be operational in early 2025.

The Bureau took note of the information of the authorities on monitoring of the effects of construction on the habitats and species.

The Bureau also took note of the several ongoing national court cases that the complainant is engaged in.

It took note of the information that the preparation of the Management Plan for the National Park continues and may be finalised in March.

It recalled the 43rd Standing Committee's request to the authorities to respond to the information of the complainant on construction of the Himara Municipality water supply system, which consists of full diversion of water from the Shushica river. As this is a key tributary of the Vjosa and may affect its integrity as a Wild River National Park, the Bureau again asked the authorities to provide information on this in their next report.

The Bureau reiterated the Standing Committee's decision urging the Albanian government to respect and implement without delay Recommendation No. 219 (2023), and to collaborate closely with the complainant and other relevant stakeholders on nature conservation issues.

Both parties were requested to submit their progress report for the Bureau meeting in Autumn 2024, by reporting on each point of the Recommendation and giving updates on the court cases.

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

Decision: The Bureau thanked both parties for their reports.

It took note of the information of the government that a habitat map for North Macedonia was being developed, which would help to better support the planning process in the country and advance the assessment of potential environmental impacts caused by development projects. It welcomed this step, and asked for clarity on when the mapping would be finalised.

The Bureau was concerned by the information of the complainant that the government appeared to be ignoring [Recommendation no. 221 \(2023\)](#) during various procedures such as the amending of existing laws or development of new laws, noting that, among other issues, processes seemed to continue in a non-transparent way, vague definitions could allow unsustainable projects to go ahead, and illegal constructions continued to be legalised.

The Bureau recalled that North Macedonia had international legal obligations to the Bern Convention which it was failing to fulfil if it did not make efforts to implement the Recommendation which had been adopted by all Contracting Parties.

The Bureau also took note that a further joint World Heritage Centre/IUCN/ICOMOS Reactive Monitoring mission to the World Heritage property ‘Natural and Cultural Heritage of the Ohrid region’ would take place during the week of 25 March. It looked forward to seeing the results of the mission once published.

The Bureau reiterated the decision of the 43rd Standing Committee for the government, in close collaboration with relevant civil society to start implementing Recommendation 221, and to cancel developments which negatively affect the nature in the Lake Ohrid and Galichica protected areas.

Both parties were requested to submit their progress reports for the Bureau meeting in Autumn 2024, detailing progress to each point of Recommendation 221.

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

Decision: The Bureau thanked both parties for their reports.

The Bureau was extremely concerned with the situation in Mersin Anamur Beach and reiterated its strong condemnation of the destruction of the beach area. It urged the Turkish authorities to halt phase II of the coastal development project and to ensure that no other coastal development projects extend to other areas of the beach.

The Bureau reiterated its request to be sent information from the authorities on the mitigation measures put in place and what post-construction monitoring was foreseen.

More particularly, and in line with the complainants’ concerns, the Bureau requested the Turkish authorities to:

- Complete the rehabilitation and remove soil, trees, and concrete infrastructure placed on the nesting beach
- Perform an assessment for the restoration status of Karaagac Beach
- Stop illegally taking sand from the beach
- Install permanent barriers to prevent illegal vehicle access to the beach
- Allocate more staff and/or work with a university to ensure efficient monitoring and caging
- Collaborate and communicate with the local NGOs for ongoing and future changes.
- Prevent further stonewall construction along the Dragon River that results in irreversible damage to the habitat and severely impacts the nesting activity and habitat of the *Trionyx triunguis* turtles
- Cancel the geothermal drilling license, which covers the nesting beach, until an EIA process by an independent scientific team evaluates its impact
- Retain the previous protection status of the densest nesting area between Dragon Rivulet, Mamure Castle, and the Pullu Forest Camp, which has changed with a new Circular that was published in the Government Official Gazette dated 29 July 2023 (number 32263) and further limits the protected area
- Publish the official sea turtle nest numbers marked by the Nature Conservation and National Parks official for each section of the Anamur nesting beach (for the past 5 years and future years)

The Bureau also acknowledged the complainant’s ongoing concerns that violations of the national legislation to protect the sea turtles and nesting habitat continue to occur without any consequence for the perpetrators: sand extraction from the beach, vehicles accessing the beach, business expansions, and light and noise pollution. It urged the national authorities to ensure that local authorities and local businesses comply with Turkish National law and the Bern Convention’s [Recommendation No. 66 \(1998\)](#).

The Bureau welcomed that both parties agree for an on-the-spot appraisal to be held in the summer 2024, and urged the Turkish authorities to halt any construction until the results of the OSA.

Both parties were requested to submit their progress reports for the Bureau meeting in Autumn 2024.

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

Decision: The Bureau thanked both parties for their reports, noting that there had been few updates to inform on since the last reporting period.

It nevertheless took note with concern that construction of the Ulog hydropower plant (HPP) continued, as did that of the Upper Horizons HPP project, and that concessions for the hydroelectric system Gornja Neretva had still not been cancelled.

The Bureau welcomed the information of the complainant that the final report of the 2nd Neretva Science Week had been officially published, and that preliminary findings of the 3rd study were also available.

The Bureau reiterated the call of the 43rd Standing Committee for the authorities of Bosnia and Herzegovina to respect and implement [Recommendation No. 217 \(2022\)](#), including by suspending construction of Ulog HPP, cancelling concessions for the hydroelectric system Gornja Neretva, and halting other planned HPP projects such as the Upper Horizons project, until the valuable Gornja Neretva area has received an appropriate nature protection. It also recalled that the Neretva River system is a key resource not just for Bosnia & Herzegovina but for the wider region, and irreparable harm was being done.

Both parties were requested to submit their progress reports for the Bureau meeting in Autumn 2024, detailing progress on each point of the Recommendation, as well as any other relevant updates.

6.2. Possible files

- 2001/04: Bulgaria: Motorway through the Kresna Gorge

Decision: The Bureau thanked both parties for their reports.

It took note of the information of the government that a meeting held with DG Environment and DG Regio in February had outlined the next steps in relation to construction of the Struma motorway, including urgent maintenance and safety works, construction of the eastern lane outside of the gorge, assessments notably on alternative routes outside of the gorge, and requirements to respect the European Commission's recommendations.

It also took note of the complainant's concerns that the government was trying to fast-track an agreement with the Commission in order to start construction works in April, without producing any new EIAs.

The Bureau also welcomed the information of the Secretariat that progress in organisation of the Technical Workshop in Kresna is going well, and that both parties are demonstrating a constructive spirit. It noted that an exploratory field trip had taken place 12-13 March, with the Workshop confirmed for 22-24 April in the town of Sandanski with a field visit to the Kresna gorge area. The meeting would take place in a hybrid fashion and invitations for participation and submission of abstracts had already been launched in mid-February. The Bureau reiterated the invitation of the Bulgarian authorities during the last Standing Committee to Parties and observers to participate in the workshop and take the opportunity to become acquainted with the situation on the ground.

The Bureau reiterated the 43rd Standing Committee's decision, notably that construction on G10.50 should not start before all relevant procedures under the Bern Convention and European Commission have been finalised and it echoed the complainant's proposal that any solutions take into account the outcomes of the Technical Workshop.

The Bureau also instructed the Secretariat to ask the European Commission focal point to the Bern Convention if they had any updates to share.

The Bureau encouraged an ongoing good collaboration between the parties, the Secretariat and the IENE independent experts for the Workshop.

Both parties were requested to submit their progress reports including progress in the implementation of [Recommendation 212 \(2021\)](#) and feedback on the Workshop, for the Bureau meeting in Autumn 2024.

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

Decision: The Bureau thanked both parties for their reports.

It took note of the information of the government that a study had been conducted in the area of Amulsar which would allow evaluation of the recent biodiversity findings in the area. The collected data was currently being processed with the results expected by the end of February. The Ministry had also informed that the Amulsar gold mine was still non-operational.

On the other hand, the Bureau noted the increasing concerns of the complainant that there were signs that the mine could resume its operations soon, such as the Armenian government obtaining a stake in the project, and the work on infrastructure repair, equipment purchasing, and worker recruitment already having started. It also noted that Armenian CSOs and local residents had published a statement listing their many environmental and social concerns of the project.

The Bureau was also concerned with the allegations of smear campaigns and strategic lawsuits against public participation (SLAPPs) against environmental activists. On that issue, the Bureau remarked that the Parliamentary Assembly of the Council of Europe had adopted in January 2024 [Resolution 2531 \(2024\)](#) and [Recommendation 2267 \(2024\)](#) on “Countering SLAPPs: an imperative for a democratic society”, the latter of which recommended that the Committee of Ministers of the Council of Europe “adopts a bold recommendation on countering the use of SLAPPs following CDMSI proposals”; and “encourages and monitors the prompt and effective implementation by the member States of the guidelines set forth by the recommendation, including the wide range of safeguards mechanisms and remedies therein”.

It also noted that the revision of the Emerald sites was almost finalised with the next step being a presentation of the results to CSOs in the second half of March. In the meantime, the Ministry would undertake the update of the database of the Emerald Sites. The Bureau encouraged them to ensure strong public participation, and to finalise the database and share with the Secretariat as soon as possible.

The Bureau was concerned that despite the promises of the Armenian authorities during the 43rd Standing Committee meeting, fundamental actions such as involving relevant civil society in these important processes was still being neglected. It once again urged the government to hold meetings with the complainant and other relevant stakeholders.

The Bureau reiterated the 43rd Standing Committee decision, notably that the Armenian government halts the construction/operation of the gold mine until national and international obligations have been fulfilled, instructs the investor to revise the ESIA for the gold mine, speeds up the declaration process of Jermuk National Park, and crucially, involves more closely the Armenian CSOs and concerned local communities in processes related to both the gold mine and the revision of the Emerald Network.

It also recalled that the Standing Committee had postponed a decision on mandating an on-the-spot appraisal (OSA) pending improved efforts of the authorities during 2024. Both parties were requested to submit their progress reports for the Bureau meeting in Autumn 2024, and, depending on progress, the Bureau would decide whether to recommend to the 44th Standing Committee to mandate an OSA in order to assist the concerned stakeholders and evaluate the situation on the ground.

6.3. Complaints on stand-by

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

Decision: The Bureau thanked the authorities of Greece for their report but noted the lack of a report once more from the complainant.

The Bureau took note that ten violations regarding the illegal fishing of the species *Lithophaga lithophaga* had been recorded and sanctions (fines, withdrawal of fishing permits and confiscation of products) imposed, and that no violations regarding the illegal fishing of the species *Pinna nobilis* had been recorded. It also noted that the Directorate-General of Fisheries of the Ministry of Rural Development & Food had not imposed any sanctions on the traffic and illegal trade of protected marine shelled molluscs in the areas under its jurisdiction. The Bureau acknowledged that the inspections of fishery activities from ‘fishing to retail’ were being reinforced by the Ministry of Rural Development & Food. It also noted with satisfaction that the stakeholders had discussed future ways to protect fan mussels on Lesbos Island and Amvrakikos Bay and hoped that the complainant’s proposals would be adequately considered.

Considering the ongoing lack of complainant updates for several years, the lack of/ limited number of recorded illegal fishing of *Pinna nobilis* and *Lithophaga lithophaga*, the apparent lack of traffic and illegal trade of protected marine shelled molluscs in the areas under the jurisdiction of the Directorate-General of Fisheries of the Ministry of Rural Development & Food, and the further reinforcement of inspections and willingness of both parties to seek cooperation, the Bureau congratulated the authorities on their efforts, decided to **dismiss the complaint**, but encouraged them to continue a close monitoring of the situation.

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

Decision: The Bureau thanked both parties for their reports. It noted for the record that, in the title of the case-file, the word “candidate” had been removed as the Svaneti 1 Emerald Network site had been adopted since the beginning of the case.

It took note of the position of the authorities that the case has been resolved as all procedures have been correctly followed and compensatory sites have been designated. It also noted the procedure related to the development of the National Energy Policy document and Integrated National Energy and Climate Plan with involvement of civil society, and that the Energy Community Treaty had provided feedback.

It also took note of the ongoing concerns of the complainant that the hydropower project is likely to resume in 2024 following political statements, that local communities are still against the project, and that procedures have not been participatory or transparent.

The Bureau congratulated certain progress of the authorities, but remained concerned with the situation and agreed that it was too soon to dismiss the complaint. It remarked that national policy documents are soon to be adopted which may provide clarification on these nature protection issues.

It also encouraged the authorities to intensify the work on identifying sites for protection of freshwater habitats & species, as rivers still remained by and large unprotected.

Both parties were requested to submit their progress reports for the Bureau meeting in Spring 2025.

The complaint remains on stand-by.

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

Decision: The Bureau thanked both parties for their progress reports.

The Bureau noted that the SEA procedure concerning the location of a new Lisbon airport was almost finalised, but that the preliminary findings had provided a negative opinion towards the Montijo site,

and that this, coupled with the recent expiry of the EIS for that site, meant it was unlikely that that site would be chosen. The SEA has instead favoured two other sites, although the analysis was not finalised. Following the finalisation of the SEA report, a decision would be made by the Portuguese government.

The Bureau, welcoming the preliminary findings of the SEA, requested both parties to submit their progress reports:

- for its meeting in Autumn 2024 if the SEA will be finalised before then;
- for its meeting in Spring 2025 if that is not the case.

The complaint remains on stand-by.

- 2021/2: Norway: Alleged threat to birds and protected sites due to the proposed construction of windfarms 2021/2 withdrawal of the element of Havsul

Decision: The Bureau thanked both parties for their reports.

The Bureau noted that the Norwegian Ministry of Energy had upheld the approval of the Norwegian Water Resources and Energy Directorate's (NVE) of the Haram Wind power plant monitoring program, with a minor adjustment. The Bureau welcomed the authorities sharing of the 2022 findings of the monitoring program, noting that data from 2023 was not available yet and that the final results were expected in 2025.

The Bureau noted with concern that there may have been many more birds killed from collisions than had been demonstrated by the monitoring results collected so far, and it suggested that the results may be weather dependent, so punctual mitigation measures such as increasing the visibility of the turbines and stopping them in particularly poor meteorological conditions could be considered. The Bureau invited the authorities to consider measures that would increase the monitoring accuracy, e.g. increasing the frequency of dog searches and introducing cameras monitoring the situation around the turbines. The Bureau also encouraged the parties to cooperate in gathering and analysing the results of the monitoring programme and bird migration, to which the extensive experience of the complainant could bring an added value.

The Bureau encouraged the authorities to share further available findings of the monitoring program at the next Bureau meeting. Further data on bird migration was also requested, if available.

Both parties were requested to submit their progress reports for the Bureau meeting in Spring 2025.

The complaint remains on stand-by.

- 2021/05: Germany: Habitat loss in Baden-Württemberg threatening the conservation of *Tetrao urogallus*

Decision: The Bureau thanked both parties for their reports.

The Bureau acknowledged the adoption of the new Action Plan 2023-28 for the conservation of *Tetrao urogallus* and its funding provisions. The Bureau noted positive trends in the Capercaillie occurrence and habitats restoration, and cooperation with civil society, commended the efforts and strongly encouraged the authorities to continue in the same spirit.

The Bureau acknowledged the high priority given to the expansion of wind energy and – noting the complainant's concerns over the impact of developing wind power plants in the habitat of the species – stressed that climate mitigation measures should not be prioritised at the detriment to biodiversity protection, but rather go hand in hand.

In their next report the authorities were requested to share information on the state of play of wind energy infrastructure expansion, data available on the *Tetrao urogallus* population, including nesting and hatching, and the results of the research on predator-related mortality.

Both parties were requested to submit their progress reports for the Bureau meeting in Spring 2025.

The complaint remains on stand-by.

➤ 2021/06: France: Conservation of the Western hazel grouse (*Tetrastes bonasia rhenana*)

Decision: The Bureau thanked both parties for their reports.

The Bureau took note of the information that the scientific study on the *rhenana* subspecies was finalised (but not published yet) with the findings from new samples of Pyrenean grouse and that, according to this study, no group is characterised by a unique combination of haplotypes and that it is therefore not possible to assign the three populations, Jura, Vosges and Pyrenees, to one of the three supposed subspecies *rhenana*, *rupestris* or *styriaca*. The Bureau also took note that actions such as the restoration of the silvo-cyenegetic balance compatible with the presence of the hazel grouse and the implementation of silvicultural practices favourable to the species in forest areas will start to be implemented in 2024 in the context of the life Programme “Biodiv’Est”.

It noted with concerns that the round-table that it invited the French authorities to organise with their German, Luxembourgish and Belgian counterparts, with a view to sharing knowledge and experiences on genetic studies and to identify concrete actions for the hazel grouse conservation was not held in 2023. Even though it noted that such a meeting was now scheduled for the end of 2024, the Bureau strongly encouraged the French authorities to organise it as early as possible in 2024, inviting their German, Luxembourgish and Belgian counterparts as well as representatives of civil society, including the complainant and scientists having proven competence for this species. All participants in this round-table should actively contribute to it so that they produce a common report resulting from the conclusions of the discussions, that each party agrees on.

The Bureau also took note of the renewed concerns by the complainant, in particular the referring by the authorities to persons with a lack of experience in the specificities of the hazel grouse, when there are experienced specialists in hazel grouse in France and in neighbouring countries. According to the complainant, the taxonomic status of *Tetrastes bonasia rhenana* as a subspecies has been revised and confirmed by several of the most respected bird taxonomists in Central Europe over one century repeatedly. Its justification as a valid subspecies has never been doubted by a single taxonomist working on it.

The Bureau was concerned with the continued lack of clarity on the existence of the sub-species and opposing views between the authorities and the complainant on this matter. Considering the high risk to see a sub-species – if it exists – disappear, it once again urged the French authorities to apply the precautionary principle and to undertake all efforts to preserve the population in the Vosges. The Bureau also endorsed the complainant’s request that real hazel grouse specialists from France or abroad verify if at least some of the alleged records (mentioned in the action plan PRA G linotte) elsewhere in the Vosges mountains are valid and that, if hazel grouse are found and confirmed anywhere in these mountains, an immediate decision be taken if such remnants have a chance of mid-term survival where they are, or better should be captured to start the ex situ-mission.

Both parties were requested to submit their progress reports for the Bureau meeting in Spring 2025, along with a short report on the outcome of the meeting mentioned above.

The complaint remains on stand-by.

➤ 2022/01: Serbia: Alleged habitat destruction in the area of Novi Sad due to proposed infrastructure constructions

Decision: The Bureau thanked both parties for their reports.

The Bureau took note of the information on the EIA review and revision, acknowledged the consent of the Ministry of Environmental Protection to the project holder subject to complying with specific environmental protection measures and took note of the lack of irregularities observed during the inspection of the area concerned. The Bureau noted the long-standing process of constructing the bridge, giving way to the Public Company believing no alternative solutions were needed.

The Bureau acknowledged the complainant's explanation of the controversies linked to the General Urban plan for the City of Novi Sad until 2030 and its implications. The Bureau regretted that the georeferenced data had been disregarded by the authorities.

The Bureau expressed its concern over the alleged irregularities in the process of adoption and implementation of the urban plan concerning the area in question. The Bureau was also concerned with the allegations of mistreatment of environmental activists, possibly amounting to smear campaigns and strategic lawsuits against public participation (SLAPPs) against them. On that issue, the Bureau remarked that the Parliamentary Assembly of the Council of Europe had adopted in January 2024 [Resolution 2531 \(2024\)](#) and [Recommendation 2267 \(2024\)](#) on "Countering SLAPPs: an imperative for a democratic society", the latter of which recommended that the Committee of Ministers of the Council of Europe "adopts a bold recommendation on countering the use of SLAPPs following CDMSI proposals"; and "encourages and monitors the prompt and effective implementation by the member States of the guidelines set forth by the recommendation, including the wide range of safeguards mechanisms and remedies therein".

The government report still did not provide detailed data on the potential impact of the proposed infrastructures on relevant species, and only referred to the bridge-bypass around Novi Sad with access roads, not to the embankment in the water floodplain, the Bureau noted once more that the authorities' response failed to address specific concerns. The actual, cumulative impact on protected species and habitats of the developments in the area concerned, as well as potential mitigation and compensatory measures remained unclear. The authorities were requested to complement the information in a clear and succinct manner in its next report, failing which the status of the case could be elevated to a possible file.

Both parties were requested to submit their progress reports, focusing on the sum of all the developments and their potential impact on the protected species and habitats, for the Bureau meeting in Spring 2025.

The complaint remains on stand-by.

- 2022/02: Austria: Alleged violation of the Convention in relation to deliberate killing of *Lutra lutra*

Decision: The Bureau thanked both parties for their reports.

The Bureau reiterated its strong concern about the deliberate killing of *Lutra lutra* in Carinthia. It recalled that *Lutra lutra* is protected under Appendix II of the Bern Convention. It also recalled that the conservation status of *Lutra lutra* is unfavourable in the alpine region in Austria, despite claims from the Austrian authorities that the population in Carinthia has developed positively since 2017.

The Bureau is concerned with the fact that the prohibition to kill is lifted near fish ladders (to, according to the Austrian authorities, maintain a population density of otters that is sustainable for fish stocks in Carinthia) and in this case is even permitted in European protected areas in which the otter is designated as a protected asset, in national parks and in biosphere reserves, while the complainant refers to studies which demonstrate that otters don't pose a threat to stable ecosystems and healthy fish populations.

The Bureau is also concerned with the fact that the prohibition to use trapping devices which are not selective can be lifted in certain cases, in contradiction with Appendix IV of the Bern Convention.

The Bureau however took note that after expiry of the current Ordinance (15 December 2024), it is anticipated by the authorities that Conibear traps will no longer be permitted in Carinthia as from 2025 as part of the exemption to the closed season for otters and thus for capturing otters on land.

The Bureau nevertheless requested clarification from the authorities on the reasons why conibear traps are used (and not other devices) and why such exceptions to the provisions of the Convention, in compliance with the strict terms and conditions spelt out in Article 9, with regards to *Lutra lutra*, are allowed, in particular the reason given by the authorities in their latest report on health and safety. It also asked to be informed on the proportion of animals which are killed or captured, and the purposes of this, and, if this is done for the protection of wild fauna and flora, to specify what species are aimed to be protected. In the absence of such clarification, the Bureau will consider the possibility

to elevate the status of the complaint to a possible file and present it to the 45th meeting of the Standing Committee in 2025.

Both parties were requested to submit their progress reports for the Bureau meeting in Spring 2025.

The complaint remains on stand-by.

➤ 2022/03: Norway: Wolf Culling Policy in Norway

Decision: The Bureau thanked both parties for their reports.

The Bureau took note of the concluded proceedings at the national level by the Supreme Court judgement sustaining the 2020 decision of the authorities on the culling of wolf inside the wolf management area. The Bureau also noted the quotas for culling of wolves in 2023–2024, which from the government’s point of view complied with national regulations and the Convention.

The Bureau thanked the authorities for the data on the Norwegian part of the Southern Scandinavian wolf population, noticing that despite its overall increase during the reference period, a decrease over the last five years was significant (30%), especially considering the small number of individuals. Bearing in mind an unsatisfactory conservation status of the species in the region, this was worrisome.

The Bureau noted the complainants’ concern over viability of the Norwegian and indeed the South-Scandinavian wolf population, both in terms of their overall size and genetic diversity. The Bureau reiterated that the wolf management area was proportionately rather limited (5% of the territory) and stressed with great concern that removing about two thirds of the population was a very aggressive policy.

The Bureau encouraged the authorities to reconsider their approach of pre-emptive culling to a very restricted population target, and instead to apply proven prevention methods, especially livestock protection, and to raise awareness of the role of the wolf in nature and social acceptance of the species. The Bureau also suggested that the authorities partake in international exchanges on best practice in management of large carnivores (see agenda item 4.6).

Both parties were requested to submit their progress reports including information on the state of the wolf population and cooperation with the Swedish authorities on wolf management for the Bureau meeting in Autumn 2024.

Considering the worrying situation, the Bureau decided to elevate the status of the complaint to a **possible file**, ensuring that it would also feature on the agenda of the 44th Standing Committee.

➤ 2022/04: Montenegro: Hydropower plant development on Emerald Network site Komarnica (ME000000P)

Decision: The Bureau thanked both parties for their reports.

Most notably, it remarked that the new EIA related to the Komarnica hydropower plant (HPP) had still not been finalised and thus no decision had yet been taken- the deadline for the EIA was 21st September 2024.

It took note of the complainant’s concerns that this project remains within strategic energy plans of Montenegro, and the worry that due to climate change and increasing drought, hydropower energy will become less and less reliable.

The Bureau welcomed the information of the complainant that research expeditions are taking place along the Komarnica river, and encouraged ongoing efforts, as well as joint ventures and data sharing between the government and NGOs.

It supported the statement of the UNESCO World Heritage Centre (WHC) from its meeting in September 2023, where it had urged the Montenegrin authorities to ensure that potential impacts of the Komarnica HPP on the Outstanding Universal Value of Dragišnica and Komarnica Nature Park are assessed during the evaluation of the EIA, and it mirrored the same call for the Komarnica Emerald Network site. The Bureau also instructed the Secretariat to request that the WHC share any relevant information they may have.

The Bureau also reminded the Montenegrin 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 the EIA was expected not before the end of September, both parties were requested to submit their progress reports, notably on the results of the EIA, for the Bureau meeting in Spring 2025.

The complaint remains on stand-by.

- 2022/06: Serbia: Possible negative impact of mining activities in Bosilegrad and in the Homolje Mt region

Decision: The Bureau thanked both parties for their reports.

The Bureau acknowledged the validity of relevant permissions in the Bosilegrad Municipality granted to several business entities, and the results of the inspection in the area. The Bureau noted that no authorisation for the exploitation of mineral deposits in the Homolje area had been given but expressed a strong concern with regard to the procedure of granting licences in the region and the implications of the further exploration activities. Overall, the Bureau noted the EIA framework in place but regretted that the report did not provide clear information on the requirements for granting the expansion of the exploitation of mineral raw materials and flotation infrastructure. The Bureau invited the authorities to share information on the possible impact of the mining activities in the areas concerned, including EIA results. This dimension was not addressed in the respondent's report, while the complainant expressed a strong concern about the risks to the potentially affected species and habitats. The Bureau again urged the Serbian authorities to reject possible proposals for the expansion of mining activities in fragile natural environments.

The Bureau requested also a clear account of the exact current activities at and near the mine, including transporting of mining waste and water quality in the vicinity of the mine.

The Bureau was also concerned with the allegations of threats to activists and journalists involved in monitoring the situation, possibly amounting to smear campaigns and strategic lawsuits against public participation (SLAPPs) against environmental activists. On that issue, the Bureau remarked that the Parliamentary Assembly of the Council of Europe had adopted in January 2024 [Resolution 2531 \(2024\)](#) and [Recommendation 2267 \(2024\)](#) on "Countering SLAPPS: an imperative for a democratic society", the latter of which recommended that the Committee of Ministers of the Council of Europe "adopts a bold recommendation on countering the use of SLAPPs following CDMSI proposals"; and "encourages and monitors the prompt and effective implementation by the member States of the guidelines set forth by the recommendation, including the wide range of safeguards mechanisms and remedies therein".

The Bureau encouraged the authorities to pursue cooperation with their Bulgarian counterparts in the framework of assessing the mines' environmental impact transnationally and identifying optimal solutions.

The Bureau asked again the Secretariat to consider the possibility of organising an event to allow for sharing of expertise and to provide assistance to the parties on these issues and requested the Secretariat to liaise with the Espoo Convention, the European Commission and the Energy Community Treaty to exchange information on their parallel processes.

The Bureau, remarking that two other Serbian mining case files were on the agenda of its meeting in Autumn 2024, requested both parties to submit their progress reports for that meeting, where it would consider if one or more of those complaints should be elevated to a possible file, thus bringing it/them on the agenda of the 44th Standing Committee. The authorities in particular were again asked to send a more clear and concise report, responding to the questions of the Bureau and to the allegations of the complainant.

The complaint remains on stand-by.

6.4. New (pending) complaints

- 2022/7: Bosnia and Herzegovina: Possible negative impact of mining activities in Trstionica – Gornja Bukovica and Vareš

Decision: The Bureau thanked both parties for their reports.

It noted that the State had indicated in its report that all procedural and material prerequisites for issuing the decision of exploitation had been satisfied and that the public had been adequately involved in the procedure even if only 58 participants had participated in a public hearing in August 2020 (during COVID 19). It also noted that the State was undertaking compensation measures to protect biodiversity and it asked the authorities to indicate if the mitigation measures planned also cover species and, if applicable to include the related data in their next reports. The Bureau also observed that at least two key lawsuits were ongoing.

The Bureau noted, in the complainant's report and through the international press, that the Municipality of Kakanj as well as JP Vodokom, the company in charge of monitoring the quality of the local river, had undertaken legal procedures and multiplied initiatives to obtain a clear diagnostic of the existence of pollution and heavy metals in the river, but it observed the lack of clear answers and transparency from the competent institutions. The Bureau also observed that clear cuttings of the forest were authorised, worsening the potential damages on fauna, flora and now natural resources.

The Bureau was also concerned with the allegations of smear campaigns and strategic lawsuits against public participation (SLAPPs) against environmental activists. On that issue, the Bureau remarked that the Parliamentary Assembly of the Council of Europe had adopted in January 2024 [Resolution 2531 \(2024\)](#) and [Recommendation 2267 \(2024\)](#) on “Countering SLAPPS: an imperative for a democratic society”, the latter of which recommended that the Committee of Ministers of the Council of Europe “adopts a bold recommendation on countering the use of SLAPPs following CDMSI proposals”; and “encourages and monitors the prompt and effective implementation by the member States of the guidelines set forth by the recommendation, including the wide range of safeguards mechanisms and remedies therein”.

In parallel, it called for the public authorities, the Ministry and the extracting company to be more communicative with the local municipality and civil society, in particular the local habitants. It called on them to organise regular public meetings and to publicise, as often as required, relevant documents and information which can dispel doubts (including by providing comprehensive data to clarify the issue of water pollution) or help the public opinion to understand the added value and the reasons of this project, in the local context. It also reminded the parties to have a respectful approach to demonstrate that the evolution of the project always respects the limits of national law, the provisions of the Bern Convention and the interest of nature and wildlife habitats.

The Bureau noted the request from the Government to dismiss the case but recalled that the acceptability of a case file to the Bern Convention does not depend on the legal outcome before the national courts.

In light of all of the above, the Bureau called on the authorities to stop any harmful activities which could damage biodiversity, wildlife and natural habitats. Both parties were requested to submit their progress reports for the Bureau meeting in Spring 2025.

The complaint is considered on stand-by.

6.5. New complaints

- 2023/1: Albania: Alleged habitat destruction due to the construction of the Skavica Hydropower Plant on the Drin River

Decision: The Bureau acknowledged the new complaint submitted by Earth Law Center – USA & Earth Thrive – UK, on behalf of several Albanian associations. It also thanked the Albanian authorities for their response report.

The Bureau was concerned with the plans for developing the Skavica hydropower plant (HPP) on the Black Drin River, which may affect a possible candidate Emerald Network site, numerous protected

species from the Convention's appendices and resolutions, notably the critically endangered Balkan Lynx and its migratory corridors.

The Bureau also remarked that the project may affect three important western Balkan lakes, two of which are the subject of other case-files (Ohrid and Skadar).

The Bureau also noted that a procedure is ongoing in the Constitutional Court on the legality of the procedures, as well as the ongoing elaboration of the Environmental and Social Impact Assessment.

The Bureau recalled that Albania had been one of main proponents for listing the Balkan Lynx as a strictly protected species in the CMS appendices, and yet this project clearly seemed to contradict this good initiative, and the work of the Balkan Lynx Recovery Programme. There appeared to be probable negative impacts on this and other species.

The Bureau also referred to agenda item 4.6 on Large Carnivores, and encouraged the parties to attend the meeting in Bulgaria in June to share and learn with counterparts from other countries in the region also dealing with large carnivore issues.

Taking everything into consideration, both parties were requested to submit their progress reports for the Bureau meeting in Autumn 2024. The authorities in particular were asked to report on the expected impacts on biodiversity of the HPP project, and to provide outcomes of the ESIA and Constitutional Court findings, as well as any other relevant updates.

In the meantime, the Bureau urged the Albanian authorities to ensure the precautionary principle and to not develop projects which may negatively affect the habitats and species of Albania, and of the Bern Convention territory as a whole.

The complaint remains new (pending).

- 2023/2: Switzerland: Alleged damage to protected habitats and species due to logging activities in the Belpau Emerald Network site (CH0000028)

Decision: The Bureau thanked the complainant for its complaint form but regretted the absence of a response from the Swiss authorities.

The Bureau was concerned by the allegation detailed in the complaint form and considered the number of species concerned by the logging activities as high and preoccupying.

It noted that, according to the complainant, the Swiss authorities had declared that the management of this site remains in the hand of the Cantons which seems contrary to the requirements of managing Emerald Network sites.

On this matter, the Bureau reminded that, according to Article 4 of the Convention, "Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species". The fact that the management of the Emerald Network site was transferred to the Canton is, as a consequence, not a satisfactory argument to discharge the Swiss authorities from their obligation, as a Contracting Party, to manage, set conservation objectives and monitor the Emerald Network site.

The Bureau requested the government to submit their report for the Bureau meeting in Summer 2024, including detailed information on the existing management plan, impact assessments and any monitoring data related to the Belpau Emerald Network site.

The complaint remains new (pending).

- 2023/3: Switzerland: New wolf culling policy

Decision: The Bureau thanked the complainant for its complaint form and the Swiss authorities for their response report.

The Bureau was concerned by the allegations detailed in the complaint form and considered the potential extent of wolf culling (up to 70% of the actual population), resulting from the recent

relaxation of the species protection and introduction of an arbitrary threshold of 12 wolf packs, highly worrying.

The Bureau noted the authorities' consideration that culling was only applied to wolves when other measures were exhausted and requested a clarification on how protective measures were used.

The Bureau noted that according to the new legal framework it would not be considered justified to cull the entire packs having caused damage to the livestock on the "unprotectable alps", so areas classified as too difficult and/or costly to be reasonably protected.

The Bureau stressed that while the wolf population in the Swiss Alps had increased, it should not be lowered through culling to the level considered as a minimum viable population to prevent potential damage. The Bureau stressed that only serious damage could give ground to an exception foreseen by the Article 8, and asked for a clarification of what was considered serious, or "major".

The Bureau noted that extensive culling had not seemed to resolve the perceived social conflict and welcomed the prospect of consultations with a wide range of stakeholders, foreseen at the start of the 2nd phase of the implementation of the new legislation.

The Bureau asked the authorities to elaborate on the current status of the wolf and what would be considered a satisfactory status.

Both parties were requested to submit their progress reports for the Bureau meeting in Autumn 2024, stipulating the situation resulting from the culling in the period 2023/24, including information on court proceedings, if any.

The complaint is considered on stand-by.

6.6. Resumption of certain Ukrainian case-files

The Secretariat recalled that since the aggression of the Russian Federation against Ukraine in March 2022, the Ukrainian case-files to the Bern Convention have been frozen due to the difficulties of the Government and complainants to cooperate with the Secretariat. However, the Secretariat received in 2023 several alerts from the complainants about activities which were allegedly threatening the integrity of Emerald Network territories in the following two case-files:

- Developments at Polonina Borzhava (UA0000263) (case no. 2018/1)
- Transcarpathian region of Ukraine, sites Skhidnyi Svydovets" (UA0000259), "Marmaroski ta Chyvchyno-Hryniavski Hory" (UA0000117) and "Shopurka river valley" (UA0000374) (case no. 2018/5)

Decision: The Bureau decided to discuss these two case-files at its meeting of 20th June 2024, and to ask the Ukrainian authorities to send reports by 17th May 2024 and the complainants to send updated reports by the same deadline.

6.7. Follow-up of previous recommendations and case-files

- [Recommendation No. 68 \(1998\)](#) on protection of the common hamster (*Cricetus cricetus*) in Alsace (France)

The Secretariat received information on 21 December 2024 from Association Sauvegarde Faune Sauvage that France was not implementing Recommendation No. 68 (1998) on protection of the common hamster (*Cricetus cricetus*) in Alsace (France).

Decision: The Bureau decided to re-open the follow-up of Recommendation No. 68 (1998) and requested both parties to submit a detailed update on the situation and the follow-up given to the various recommendations contained in Recommendation No. 68 (1998) for its meeting in Autumn 2024.

7. ANY OTHER BUSINESS

7.1. Dates of the 44th Standing Committee meeting

The Secretariat recalled that the Standing Committee didn't decide on precise dates but that the 44th Standing meeting will be held during the week that starts on 2 December 2024.

Decision: The Bureau considered that it was too early to decide on the format and precise dates of the 44th Standing Committee meeting and postponed the decision to its Autumn meeting once it has a clearer vision of the items to put on the agenda of the Standing Committee meeting.

7.2. Urgent request for action in relation to Open File1986/08: Greece: Recommendation No. 9 (1987) on the protection of *Caretta Caretta* in Laganas bay, Zakynthos

The Secretariat informed the Bureau that it recently received an urgent request for action in relation to Open File1986/08: Greece: Recommendation No. 9 (1987) on the protection of *Caretta Caretta* in Laganas bay, Zakynthos. There was however not enough time to ask the Greek authorities to react in time before the current Bureau meeting.

Decision: The Bureau decided that, in view of the urgency, it will hold an initial discussion on the issue at its June meeting. The Greek authorities will therefore be requested to react to the information sent on this case file.

7.3. Duration of the June Bureau meeting

The Secretariat recalled that the June Bureau meeting was scheduled to last one day. It however feared that, due to the number of items to be dealt with, this duration could be too limited. It therefore suggested to prolong that meeting by a half day.

Decision: The Bureau decided that the June Bureau meeting will be scheduled for one day and a half and would take place online on Thursday 20 June (all day) and Friday 21 June (morning).

Appendix I – Agenda

DRAFT AGENDA

1. OPENING OF THE MEETING & ADOPTION OF THE AGENDA

1.1. Statement by Mr Rafael Benitez, Director of Social rights, Health and Environment

1.2. Adoption of the agenda

2. REPORT FROM THE SECRETARIAT

2.1. Follow up to the Summit of the Heads of State and Government of the Council of Europe on 16-17 May 2023 in Reykjavík, Iceland

- **Creation of the Department on the Reykjavík process and the Environment / Directorate of Social rights, Health and Environment**
- **Involvement of the Bern Convention in the Reykjavík process**

2.2. Staff turnover

3. FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION

3.1. Draft Protocol amending the Bern Convention – state of play

[T-PVS(2023)13 - Draft Protocol amending the Bern Convention]
[T-PVS(2023)19 - Explanatory report to the amending Protocol]

3.2. Voluntary contributions received in 2023 and 2024: state of play

[T-PVS/Inf(2023)11Rev - Table of the voluntary contributions received]
*[T-PVS/Inf(2024)** - Table of the voluntary contributions received]*

3.3. Report on the use of the resources from the Special Account of the Bern Convention

3.4. Rules of Procedure – initial discussion on possible future modifications

3.5. Working Group on overseeing implementation of the Strategic Plan

3.6. Case-file reflection: Prioritising new complaints and facilitating the closure/dismissal of case-files

4. IMPLEMENTATION OF THE PROGRAMME OF ACTIVITIES AND BUDGET FOR 2024

[Calendar of meetings 2024]
[T-PVS(2023)21 - Programme of Activities and budget for 2024]

4.1. European Diploma for Protected Areas: results of the meeting of the Group of Specialists (20-21 February 2024) and planning of the appraisal visits in 2024

[T-PVS/DE(2024)12 – Draft meeting report]
[T-PVS/DE(2024)03 – Draft Resolutions on the renewal of the European Diploma]
[T-PVS/DE(2024)01 – Concept note - 60th anniversary of the European Diploma]

4.2. Emerald Network: work plan for 2024 and preparation of the Group of Experts on Protected Areas and Ecological Networks (Vaduz, 17-18 April 2024)

[T-PVS/Agenda(2024)01 – Agenda of the Group of Experts on Protected Areas and Ecological Networks]

4.3. Kresna technical workshop in line with Recommendation No. 212 (2021): “Challenges & opportunities for the conservation of reptiles and large carnivores during linear infrastructure development in South-East Europe” (22-24 April 2024): State of play

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

[T-PVS/Agenda(2024)04 – Agenda of the Ad hoc Working Group on Reporting]

4.5. Group of Experts on the Conservation of Birds and IKB

4.6. Large Carnivores

4.7. Important Herpetofauna Areas

4.8. Reinforcing the collaboration between the Group of Experts on Amphibians and Reptiles and the Group of Experts on invasive alien species

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

6. IMPLEMENTATION OF THE CONVENTION: CASE-FILES

[T-PVS/Notes(2024)1 – Summary of open and possible case files]

[T-PVS/Notes(2024)2– Summary of complaints on stand-by]

[T-PVS/Notes(2024)3– Summary of new & pending complaints]

[T-PVS/Inf(2024)1 – Register of Bern Convention’s case-files]

6.1. Open files

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

[T-PVS/Files(2024)13 - Government Report]

[T-PVS/Files(2024)14 - 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(2024)9 - Government Report]

[T-PVS/Files(2024)10 - Complainant Report]

- 2019/5: Türkiye: Habitat destruction in Mersin Anamur Beach

[T-PVS/Files(2024)31 - Government Report]

[T-PVS/Files(2024)6 - Complainant Report]

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

[T-PVS/Files(2024)7 - Government Report]

[T-PVS/Files(2024)21 - Complainant Report]

6.2. Possible files

- 2001/04: Bulgaria: Motorway through the Kresna Gorge

[T-PVS/Files(2024)34 - Government Report]

[T-PVS/Files(2024)35 - Complainant Report]

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

[T-PVS/Files(2024)15 - Government Report]
[T-PVS/Files(2024)16 - Complainant Report]

6.3. Complaints on stand-by

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

[T-PVS/Files(2024)26 - Government Report]
[T-PVS/Files(2024)xx - Complainant Report]

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

[T-PVS/Files(2024)17 - Government Report]
[T-PVS/Files(2024)18 - Complainant Report]

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

[T-PVS/Files(2024)19 - Government Report]
[T-PVS/Files(2024)20 - Complainant Report]

- 2021/2: Norway: Alleged threat to birds and protected sites due to the proposed construction of windfarms 2021/2 withdrawal of the element of Havsul

[T-PVS/Files(2024)28 - Government Report]
[T-PVS/Files(2024)29 - Complainant Report]

- 2021/05: Germany: Habitat loss in Baden-Württemberg threatening the conservation of *Tetrao urogallus*

[T-PVS/Files(2024)32 - Government Report]
[T-PVS/Files(2024)27 - Complainant Report]

- 2021/06: France: Conservation of the Western hazel grouse (*Tetrastes bonasia rhenana*)

[T-PVS/Files(2024)36 - Government Report]
[T-PVS/Files(2024)2 - Complainant Report]

- 2022/01: Serbia: Alleged habitat destruction in the area of Novi Sad due to proposed infrastructure constructions

[T-PVS/Files(2024)33 - Government Report]
[T-PVS/Files(2024)1 - Complainant Report]

- 2022/02: Austria: Alleged violation of the Convention in relation to deliberate killing of *lutra lutra*

[T-PVS/Files(2024)xx - Government Report]
[T-PVS/Files(2024)5 - Complainant Report]

- 2022/03: Norway: Wolf Culling Policy in Norway

[T-PVS/Files(2024)24 - Government Report]
[T-PVS/Files(2024)25 - Complainant Report]

- 2022/04: Montenegro: Hydropower plant development on Emerald Network site Komarnica (ME000000P)

[T-PVS/Files(2024)11 - Government Report]
[T-PVS/Files(2024)12 - Complainant Report]

- 2022/06: Serbia: Possible negative impact of mining activities in Bosilegrad and in the Homolje Mt region

[T-PVS/Files(2024)22 - Government Report]
[T-PVS/Files(2024)23 - Complainant Report]

6.4. New (pending) complaints

- 2022/7: Bosnia and Herzegovina: Possible negative impact of mining activities in Trstionica – Gornja Bukovica and Vareš

[T-PVS/Files(2024)3 - Government Report]
[T-PVS/Files(2024)4 - Complainant Report]

6.5. New complaints

- 2023/1: Albania: Alleged habitat destruction due to the construction of the Skavica Hydropower Plant on the Drin River

[T-PVS/Files(2023)32 – Complaint form]
[T-PVS/Files(2024)8 - Government Report]

- 2023/2: Switzerland: Alleged damage to protected habitats and species due to logging activities in the Belpau Emerald Network site (CH0000028)

[T-PVS/Files(2023)34 – Complaint form]
[T-PVS/Files(2024)xx - Government Report]

- 2023/3: Switzerland: New wolf culling policy

[T-PVS/Files(2023)62 – Complaint form]
[T-PVS/Files(2024)30 - Government Report]

6.6. Resumption of certain Ukrainian case-files

6.7. Follow-up of previous recommendations and case-files

- [Recommendation No. 68 \(1998\)](#) on protection of the common hamster (*Cricetus cricetus*) in Alsace (France)

7. ANY OTHER BUSINESS

7.1. Dates of the 44th Standing Committee meeting

7.2. Urgent request for action in relation to Open File1986/08: Greece: Recommendation No. 9 (1987) on the protection of *Caretta Caretta* in Laganas bay, Zakynthos

7.3. Duration of the June Bureau meeting

Appendix II – List of participants

CHAIR

Ms Merike LINNAMÄGI, Advisor, Biodiversity Conservation Department, Ministry of the Climate, Estonia

VICE-CHAIR

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

BUREAU MEMBERS

Ms Jana DURKOŠOVÁ, Director, Nature Protection Department, Ministry of the Environment, Slovak Republic

Mr Claude ORIGER, Policy Adviser, Ministry of the Environment, Climate and Sustainable Development, Luxembourg

Mr Andreas SCHEI, Senior Advisor, Norwegian Environment Agency (online)

SECRETARIAT

Council of Europe / Directorate of Social Rights, Health and the Environment

Mr Rafael BENITEZ, Director of Social Rights, Health and the Environment

Ms Tanja KLEINSORGE, Head of the Department on the Reykjavik process and the Environment

Mr Gianluca SILVESTRINI, Deputy Head of the Department on the Reykjavik process and the Environment

Mr Mikaël POUTIERS, Secretary of the Bern Convention

Mr Riccardo PRIORE, Secretary of the Landscape Convention

Ms Marta MEDLINSKA, Administrator, Bern Convention

Mr Marc HORY, Project Manager, Bern Convention

Mr Eoghan KELLY, Project Officer, Bern Convention

Mr Michaël NGUYEN, Administrative and Project officer of the Bern Convention

Mr Mark BARLOW, Administrative assistant, Bern Convention

Ms Irina SPOIALA, Administrative assistant of the Department on the Reykjavik process and the Environment