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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

43rd meeting
Strasbourg, 28 November - 1 December 2023

Meeting of the Bureau

29-30 March 2023
(online meeting)

- 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 annual meeting of the Bureau of the Standing Committee to the Bern Convention for 2023.

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

2. REPORT FROM THE SECRETARIAT

2.1. Staff turnover

The Secretariat informed the Bureau of upcoming staff changes in the Bern Secretariat. Following an internal and voluntary job rotation, the Secretary, Ms Ursula Sticker, and the administrative assistant, Ms Helena Orsulic, will be moving to another department within the Council of Europe as of 1 April 2023. Ms Sticker will be replaced by Mr Mikaël Poutiers. Ms Orsulic will be temporarily replaced by Ms Georgia Fili, until a successor has been recruited.

Mr Gianluca Silvestrini, Head of the Biodiversity Division and Head a.i. of the Department for Culture, Nature and Heritage, informed the Bureau that the internal restructuring of the Department for Culture, Nature and Heritage, which had been announced at the 42nd Standing Committee, had been put on hold to await the outcome of the upcoming Fourth Summit of Heads of State and Government of the Council of Europe which may have an impact on the staffing of the Department.

Decision: The Bureau took note of the information. It thanked Ms Sticker and Ms Orsulic for their commitment and contribution to the work of the Bern Convention and welcomed Mr Poutiers and Ms Fili in their new roles within the secretariat.

2.2. [Summit of the Heads of State and Government of the Council of Europe on 16-17 May 2023 in Reykjavik, Iceland](#)

The Secretariat informed the Bureau of the Fourth Summit of Heads of State and Government of the Council of Europe which will take place from 16 to 17 May 2023 in Reykjavik. This summit, agreed by the Committee of Ministers, will be chaired by Iceland. The decision to convene a Summit followed a report presented by a High-Level Reflection Group in October 2022. The Summit will be an opportunity for the Council of Europe to refocus its mission, in the light of new threats to democracy and human rights, and to support Ukraine. The Secretariat further informed that the topic of environment and human rights will be a priority to meet the current and future challenges. The Summit will consider setting up a Council of Europe Commission on the protection of the environment (the “Reykjavik Commission”), the mandate of which would cover all relevant Council of Europe activities in the area, the exchange of information and experiences on the legal, environmental and human rights aspects of countering climate change and the protection of biodiversity.

Decision: The Bureau took note of the information. It welcomed a prioritisation of the topic of environment and human rights and expressed its hope that the Summit would bring strong support and mobilisation of resources for the Bern Convention.

2.3. Environmental impact of armed conflicts

The Secretariat informed the Bureau about the Parliamentary Assembly of the Council of Europe (PACE) [Resolution 2477 \(2023\)](#) and [Recommendation 2246 \(2023\)](#) on “Environmental impact of armed conflicts” of 25 January 2023, as well as the Committee of Ministers’ decision of 8 February 2023 inviting the Standing Committee of the Bern Convention to provide possible comments on Recommendation 2246 (2023).

Decision: The Bureau took note of PACE Resolution 2477 (2023) and Recommendation 2246 (2023) on “Environmental impact of armed conflicts”. It also welcomed the Committee of Ministers’

* Meeting documents are available on the website: <https://www.coe.int/en/web/bern-convention/-/1st-bureau-meeting-2023>

decision inviting the Standing Committee of the Bern Convention to provide possible comments on Recommendation 2246 (2023). The Bureau agreed that armed conflicts should be prevented as far as possible and that they have numerous negative impacts on nature and biodiversity when they occur. It also acknowledged that the environmental costs of armed conflicts are often forgotten and should not be overlooked. It noted that the Convention neither explicitly covers nor explicitly excludes environmental damage caused by an act of war or military hostilities in its text.

In response to the specific recommendations of PACE, the Bureau agreed that the Standing Committee could consider elaborating recommendations regarding the protection of environmentally sensitive areas during armed conflicts, to study the feasibility of an additional Protocol to the Convention to this end, and to consider creating a review mechanism to ensure that the recommendations are implemented by State parties. It clearly questioned, however, the added value and feasibility of an additional Protocol.

The Bureau strongly underlined that sufficient means would need to be deployed to ensure proper monitoring and implementation of such new and ambitious commitments. It also flagged that synergies should be sought with the Steering Committee for Human Rights (CDDH), the Council of Europe Landscape Convention, and the European Committee on Crime Problems (CDPC).

2.4. Information regarding Azerbaijan

The Secretariat informed the Bureau that a press release of the government of Azerbaijan dated 18 January 2023 announced that Azerbaijan had initiated an arbitration against Armenia under the Bern Convention over alleged environmental damage on its internationally recognised territories.

Further, the Secretariat informed the Bureau that, on 27 March 2023, it had received a letter from the Ministry of Ecology and Natural Resources of the Republic of Azerbaijan stating that a dispute had arisen between Azerbaijan and Armenia regarding Armenia's alleged non-compliance with its obligations under the Bern Convention and that negotiations between the Parties would have failed to resolve the dispute. The letter further stated that Azerbaijan had submitted the dispute to arbitration.

Decision: The Bureau took note of the information.

3. FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION

3.1. *Ad hoc* Drafting Group of an Amending Protocol

The Secretariat reported that the *Ad hoc* Drafting Group of an Amending Protocol had already met twice since the beginning of the year and was expected to meet every 6 weeks. The Drafting Group comprised fifteen members representing eleven Contracting Parties. The work of the Drafting Group was articulated around 3 paths: the wording of the protocol, the accompanying guidance and procedures, and the financial scale of contributions.

For the time being, the Drafting Group was still exploring working assumptions and several options were still under consideration.

The Secretariat informed the Bureau of the state of play of the discussions:

- The protocol would be funded proportionally to the number of ratifications to encourage Contracting Parties to ratify the protocol and also avoid that Contracting Parties which have ratified the protocol have to compensate the shortfall of Parties which did not ratify. Therefore, the scale of contribution would remain the same independently of the number of ratifications but in turn 100% of the budget resulting from the mechanism would only be funded once all Contracting Parties would have ratified the protocol.
- The advantage of the protocol compared with the amendment pursuant to Article 16 of the Convention, is that it can enter into force once a threshold of ratifications is achieved (while the amendment of the Convention requires unanimity). The Drafting Group was working on an assumption of a threshold of 2/3 (i.e. 34) Contracting Parties. The Drafting Group was also considering installing a second criteria

for the protocol to enter into force namely that an appropriate proportion of the budget would be covered by the parties constituting the threshold.

- While the first financial scenarios strictly stuck to the scale of contributions considered for the ordinary budget, the significant gap in contribution between minor and major contributors had encouraged the Drafting Group to consider setting a minimum contribution of 2 500 euros and a maximum contribution of 60 000 euros.
- An attempt to define the activities which would be funded by the budget resulting from the new mechanism had been initiated. Although there was a need for flexibility, the Drafting Group acknowledged that basic criteria for allocating the resources should be defined.

The Secretariat further informed the Bureau that considering the staff turnover and active involvement of the Secretariat in the preparation of the Council of Europe Fourth Summit of the Heads of States and Governments (16 to 17 May 2023 in Reykjavik), an extra-ordinary meeting of the Standing Committee before the summer was no longer envisaged. It was planned to present the results of the work of the *Ad hoc* Drafting Group of an Amending Protocol at the 43rd meeting of the Standing Committee.

Decision: The Bureau welcomed the progress in the elaboration of the protocol amending the Bern Convention and looked forward to the conclusions of the *Ad hoc* Drafting Group of an Amending Protocol. The Bureau also took note that an extra-ordinary Standing Committee meeting was no longer envisaged.

3.2. Voluntary contributions received in 2023: state of play

The Secretariat informed the Bureau that a reminder on behalf of the Chair had been sent out in the beginning of March calling for voluntary contributions from Contracting Parties for the implementation of the programme of activities for 2023. Further, it reported that, so far in 2023, only one Contracting Party had paid a voluntary contribution amounting to €4,000. Voluntary contributions of three other Contracting Parties were underway, totalling approximately €47,000.

The Secretariat further reported that a [motion](#) for a resolution had been brought forward by a PACE Parliamentarian on 13 March 2023 suggesting that PACE could make recommendations to strengthen the protection of biodiversity in Europe through sustainable and fair financing of the Bern Convention. This motion had not yet been discussed in the Assembly and commits only those who have signed it.

Decision: The Bureau took note of the information. It thanked the Contracting Party which had contributed to this point. The Bureau strongly urged other Contracting Parties to contribute in order to guarantee the efficient operation of the Bern Convention in 2023, flagging the importance of making voluntary contributions already at the beginning of the year to allow for improved planning of activities for the rest of the year.

The Bureau also welcomed the initiation of PACE for more sustainable financing of the Convention.

3.3. 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, which is available for activities, amounts to approximately €326,400.00. 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.

3.4. 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 that the next meeting of the Working Group on developing a Vision and Strategic Plan for the period to 2030 will take place on 17-18 April 2023 as an in-person

meeting at the Council of Europe premises in Paris. The purpose of the meeting will be to finalise as far as possible the Strategic Plan which is in its 8th draft, by discussing and aiming for consensus on the remaining elements, most notably on the targets and indicators, but also on some other unfinished sections. The in-person format of the meeting will aim to reach a high level of engagement and possibility to discuss in smaller groups, if necessary, certain elements that remain to be resolved.

Decision: The Bureau took note of the information. It thanked the Working Group and the consultant for their valuable contribution. The Bureau reiterated the importance of the draft Strategic Plan being finalised on time for the 43rd Standing Committee.

3.5. Case-file reflection

Following the proposal for an interim management of incoming complaints discussed at the Bureau meeting in Autumn 2022, the Secretariat presented a visual explanation of the current eligibility screening process of new complaints and possible ideas for the case-file study budgeted for 2023.

The Bureau was also informed that the [case-file dashboard](#) had been finalised, with the uploading of all of the closed files.

Decision: The Bureau welcomed the current eligibility screening process and the suggestions on the case-file study. It mandated the Secretariat to develop this further with the support of an external consultant.

The Bureau congratulated the Secretariat on the finalisation of the case-file dashboard, remarking that it would further improve the system and visibility of this important activity.

3.6. Reflection on possible biennial Standing Committee meetings

The Secretariat recalled that a document reflecting the pros and cons of holding the Standing Committee meeting only every two years, highlighting mitigation measures and/or other options in case of drawbacks, had been presented to the 42nd Standing Committee, as a follow-up to the request of the 41st Standing Committee to further elaborate the reflection. The Secretariat informed the Bureau that, following the Standing Committee's invitation to submit any suggestions or comments on the pros and cons, possible mitigation measures and/ or other options to the Secretariat by 15 January 2023, only three Contracting Parties and one Observer Organisation had replied.

Decision: The Bureau took note of the information. In light of the very limited feedback from Contracting Parties and Observers in the reflection process, the on-going discussions on the amending protocol, the case-file reflection and current developments within the Organisation with regard to an internal restructuring and prioritisation of environmental topics, the Bureau agreed to put the continued reflection on hold. It decided to re-address the matter at the 43rd Standing Committee when on-going developments will be more advanced in order to decide on possible next steps in the reflection process.

4. IMPLEMENTATION OF THE PROGRAMME OF ACTIVITIES AND BUDGET FOR 2023

4.1. [European Diploma for Protected Areas](#): results of the meeting of the Group of Specialists and planning of the appraisal visits in 2023

The Secretariat reported that the meeting of the Group of Specialists on the European Diploma for Protected Areas had taken place in-person on 2-3 March in Strasbourg.

The Group of Specialists had examined draft resolutions recommending the renewal of the Diploma of 7 areas as reflected in document [T-PVS/DE\(2023\)10rev](#) and had entrusted the Secretariat with the follow up on the endorsement of the draft resolutions by the Standing Committee to the Bern Convention and its possible official adoption by the Committee of Ministers in 2023.

The Group of Specialists had also supported the organisation in 2023 of 7 on-the-spot appraisal visits ([T-PVS/DE\(2022\)13](#)). The validity of the Diploma of 5 out of 7 of the areas had been extended until

2024 because of the Covid-19 Pandemic. The on-the-spot appraisal visits would therefore resolve the backlog of visits.

The Group of Specialists had also started reflecting on the format and content of the 60th anniversary of the European Diploma to be celebrated in 2025. The anniversary could take the form of a meeting bringing together all the managers of the Diploma holding areas to discuss transversal matters such as climate change, touristic pressure, and development of green energy infrastructures within or in the vicinity of Diploma holding areas.

The Secretariat further reminded the Bureau of the resolutions adopted by the Committee of Ministers in March 2022 to cease the membership of the Russian Federation to the Council of Europe and to suspend all technical cooperation with the authorities of Belarus as a result of the country's active participation in the Russian Federation's military aggression against Ukraine. The possible implications of these decisions on the European Diploma were still under discussion.

Finally, the Secretariat informed the Bureau that 80% of the members of the Group of Specialists would need to be renewed. To ensure a continuity of the work and with a view to the preparation of the 60th anniversary of the European Diploma, the Secretariat suggested extending the mandate of the outgoing Chair, Mr Jan Plesnik (Czech Republic) until 2025.

The Secretariat also informed the Bureau of the interest of the outgoing member of Spain in continuing his participation in the work of the Group of Specialists.

Furthermore, promising informal exchanges with the authorities of Luxembourg and Georgia could potentially result in the appointment of representatives to the Group of Specialists by the two Parties.

Decision: The Bureau thanked outgoing members of the Group of Specialists on the European Diploma for Protected Areas for their commitment and support to the Diploma.

The Bureau welcomed the information provided regarding the preparation of the 60th anniversary of the European Diploma and invited the Group of Specialists to present to the Bureau at its 2024 Spring meeting a description of the activities planned.

The Bureau endorsed the draft Resolutions renewing the European Diploma to seven areas as presented in the document T-PVS/DE(2023)10_rev and entrusted the Secretariat with the follow up on their possible official adoption by the Committee of Ministers.

The Bureau supported the planned 7 on-the-spot appraisal visits for 2023.

The Bureau mandated the Secretariat to liaise with the authorities of the Czech Republic, Spain, Luxembourg and Georgia for confirming either the extension of the mandate or the appointment of their respective representatives to the Group of Specialists. Furthermore, the Bureau invited the Secretariat to follow up with the authorities of Norway or Poland for the possible appointment of a representative to the Group of Specialists.

4.2. Conservation of birds: state of play

The Secretariat recalled that the Rome Strategic Plan foresaw a self-assessment by Bern Contracting Parties on their progress in combating illegal killing, taking and trade of wild birds (IKB) on a three-year basis through the Scoreboard tool. It further informed that a new Scoreboard assessment was scheduled in 2023, the third since its launch in 2017. In collaboration with the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT) of the Convention on the Conservation of Migratory Species of Wild Animals (CMS), an online webinar was being organised to recall the Scoreboard structure and offer Contracting Parties technical guidance to the CMS Online Reporting System (ORS), which hosts the Scoreboard reporting.

Decision: The Bureau took note of the upcoming launch of the third Scoreboard assessment and invited Contracting Parties to participate to the exercise, in consultation with relevant stakeholders where necessary.

4.3. Amphibians and reptiles: Group of Experts meeting & marine turtles conservation

The Secretariat informed the Bureau that the next meeting of the Group of Experts on the Conservation of Amphibians and Reptiles would take place in Autumn 2023 and that preparations were ongoing to define a date and venue for the meeting. The Secretariat recalled that at its previous meeting held in September 2021, the Group of Experts had discussed that anthropogenic stressors on amphibian populations could merit further dedicated work. Given the variety of stressors and the different degree of impact they have on herpetofauna population in different countries and regions, it was considered an important first step to map Important Herpetofauna Areas (IHA) in Europe and identify associated threats. To this end, a consultancy was foreseen to compile data sources on amphibian and reptile distributions, protected areas and stressors and to organise a consultation with relevant stakeholders on criteria for the identification of herpetofauna areas of importance.

Moreover, the Secretariat informed the Bureau of the current state of play of the initiative for the conservation of marine turtles, agreed upon at the 40th Standing Committee.

Decision: The Bureau took note of the information provided, welcoming the first steps toward mapping Important Herpetofauna Areas (IHA) in Europe.

4.4. Setting-up of the Emerald Network: work plan for 2023

The Secretariat informed the Bureau that due to staff turnover, the 2023 meeting of the Group of Experts on Protected Areas and Ecological Networks had been cancelled. As a matter of priority, the Secretariat during 2023 would focus on the reporting under Resolution No. 8 (2012).

The Secretariat further informed the Bureau that activities regarding the Emerald Network would nevertheless continue but at a reduced pace.

Activities would mainly focus on providing assistance to Contracting Parties with the delivery and update of their national Emerald Network databases. In particular, assistance would be provided to the authorities of Norway for updating their Emerald Network database by using the EUNIS habitats classification and the authorities of Switzerland for updating their Emerald Network Reference List.

Furthermore, the work on the legal framework of the Emerald Network had nevertheless been initiated. A consultant had started assessing the replies to the survey on challenges faced by Contracting Parties with the implementation of the Emerald Network and would propose possible solutions for the consideration of the Group of Experts on Protected Areas and Ecological Networks in 2024.

Decision: The Bureau took note of the information provided and acknowledged that, considering the current staff situation, the Secretariat had to set priorities.

4.5. Conservation of large carnivores: Expert Conference in the Harz Mountains (Germany), May 2023

The Bureau was reminded that the 42nd Standing Committee had approved the provision of up to €8,000 of funding towards the organisation of this expert conference on the Carpathian lynx in west-central Europe, planned in the Harz Mountains in Germany on 10-12 May 2023. The Secretariat informed that coordination with the organisers was ongoing.

Decision: The Bureau took note of the information and called on any Contracting Party which might be interested in providing an earmarked voluntary contribution towards this activity to contact the Secretariat.

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

The Bureau recalled that the new reporting period questionnaire for 2021-2022 had been launched and a request sent to all contracting Parties at the end of February 2023, with a deadline of the end of October 2023.

The Bureau also took note that the new Online reporting system (ORS) was planned to be launched at the end of 2023 or beginning of 2024, and that the current maintenance contract should endure until the new version would be in place.

Decision: The Bureau took note of the information and urged all Parties to report on derogations as was their obligation.

6. IMPLEMENTATION OF THE CONVENTION: [CASE-FILES](#)

6.1. Open files

- 2016/5: Albania: Presumed negative impact of hydro-power plant development on the Vjosa river - **OSA**

Decision: The Bureau thanked both parties for their update reports and ongoing good cooperation.

The Bureau welcomed the good progress in relation to the process of proclamation of the Vjosa river and its free-flowing tributaries as a National Park (IUCN Category II), and it also welcomed the transboundary cooperation with Greece, the commitment of which was to have protection of the river along its entire course in both countries. It further noted that, since the reports had been received, the proclamation of the River had taken place on 15th March: the Bureau congratulated Albania for this excellent outcome, which should be used as an inspiration for countries across Europe on how to protect vital river ecosystems. It however remarked that this process could only be perfected if the whole delta and salina area including the site of the airport was fully protected, and thus it called again on the authorities to cancel the Vlora airport construction in the Vjosa delta.

The Bureau also took note of the information of the complainant concerning several litigation procedures ongoing, and it urged the government to halt any activity which could potentially be deemed illegal in the courts.

Concerning the follow-up of the OSA mission report, the Bureau was informed that the draft report continues to be elaborated following feedback from the Albanian authorities. Final requests for information had been sent and after this, the expert, in collaboration with the secretariats of the three Treaties would finalise the draft report and its recommendations.

The Bureau also recalled that the 42nd Standing Committee had called for the draft recommendation to be adopted by an exceptional urgent procedure in order not to lose time as the airport construction was well underway. As the option of an extraordinary Standing Committee was no longer possible, the Bureau decided that the draft recommendation should be adopted by a written procedure, as provided for in the Rules of Procedure. It instructed that this procedure should commence as soon as the draft documents are finalised, and ideally be finalised before the summer break.

The Bureau also took note that the AEWA Standing Committee dates had been announced, 26-27 June 2023, when the draft Recommendation would also be considered.

The Bureau requested that both parties send update reports for its next meeting in September 2023, and particularly asked that the Albanian authorities inform on the state of play of the construction of Vlora International Airport, especially following the proclamation of Vjosa as a national park.

Finally, following the proposal of the 42nd Standing Committee, the Bureau decided to update the name of the case-file to reflect the current issues, to: "Presumed negative impact of developments on the Vjosa river including hydro-power plant development and Vlora International Airport".

The file remains open.

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

Decision: The Bureau thanked the complainant for the update report but again regretted the lack of a report from the government.

It noted the information of the complainant concerning the Draft Law on proclamation of Lake Ohrid as a Monument of Nature and its related Valorisation Study and Management Plan, on the Joint Strategic Recovery Plan for World Heritage Ohrid Region, on the urbanisation and legalisation of illegal constructions, on a draft Fishing Base for Lake Ohrid, and on the State of Conservation Report in relation to the railway and highway. While the government was starting to involve relevant stakeholders more in the processes, overall the Bureau was still deeply concerned with the deteriorating situation, and the apparent disparity between information sent to the UNESCO World Heritage Centre (WHC) and the reality on the ground.

The Bureau was pleased to note that the preparations for the on-the-spot appraisal (OSA) were going well, and that it was scheduled for the week of 24th April, with meetings and visits planned in Skopje, and Ohrid and Galichica areas. The Ramsar Convention and UNESCO WHC were sending representatives as observers. The Bureau remarked that it hoped that this OSA could provide useful recommendations for the country.

The Bureau encouraged the parties to continue the good cooperation with the Secretariat and independent expert, and it looked forward to hearing feedback to the mission at its next meeting in September, ahead of the consideration and possible adoption of draft recommendations at the 43rd Standing Committee.

The file remains open.

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

Decision: The Bureau thanked both parties for sending progress reports in the months since Recommendation No. 217 (2022) on the possible negative impact of hydro-power plant development on the Neretva River had been adopted, as well as the File opened during the 42nd Standing Committee.

It took note of the information of the government that the complainant-initiated protected area declaration procedure for Upper Neretva had been merged with two adjacent areas, with a proposal for a Category IV status, and that the process of consultations was ongoing. It regretted the information that the scope of the area would not include the area of construction and impacts of the Ulog hydropower plant (HPP), despite the Standing Committee Recommendation.

It welcomed the fact that consideration of the environmental impact assessment of Phase I of the Gornja Neretva project (4 out of the 7 small HPPs) was on hold until the completion of the above-mentioned protected area procedure. The Bureau referred to point 8 of Recommendation No. 217 (2022) in that regard urging cancellation of this whole project.

The Bureau was concerned with some of the information raised by the complainant, such as the fact that construction of the Ulog HPP continues, several lawsuits have been dismissed by the courts despite new relevant biodiversity data on the areas concerned by possible HPP developments across the candidate Emerald Network site, continuation of the Upper Horizon project, and no progress on cancellation of existing concessions.

The Bureau however welcomed that the complainant had been invited to attend a recent governmental meeting on these issues, and it strongly encouraged the concerned Ministries to continue including the complainant and other relevant NGOs in relevant meetings and consultations, in line with point 14 of the Recommendation.

The Bureau also remarked that Point 15 of the Recommendation, concerning nominating a focal point for the Bern Convention, had been fulfilled, but it instructed the Secretariat to enquire as to whether the mandate of the new focal point would cover the entire country.

The Bureau remarked that this case showed similarities to Open File no.2016/5 on the planned hydropower plants on the Vjosa River in Albania, and how, subsequent to the Bern Convention on-the-spot appraisal in 2018, these plans had been suspended, and now the entire Vjosa river system had been declared as the first wild river in Europe, therefore hopefully deterring any future hydropower plans. The Bureau thus called upon the authorities of Bosnia & Herzegovina to take inspiration from this example, and ensure the Neretva River could become the next wild river in the region.

The Bureau requested that both parties send further reports to its next meeting in September with information on progress to Recommendation No. 217 (2022) as well as other relevant updates regarding the hydropower plant development and ongoing procedures. It urged the authorities to adhere to the Recommendation and to halt constructions and plans for hydropower plants in the Emerald Network site, and invited them to get in touch with the Secretariat in case there were any uncertainties about certain elements of the recommendations.

The file remains open.

6.2. Possible files

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

Decision: The Bureau thanked both parties for their reporting. It noted that the Appropriate Assessment (AA) review following the adoption of the Site-specific Conservation Objectives (SSCOs) had been initiated with consultative support from Working Group (WG) 2 on “Environmental Issues of the Struma Motorway Project Lot 3.2”, and it welcomed that the other alternatives were being considered. It also took note that the composition of the WG and its Rules of Procedure had been modified, and that the complainant objected to the fact that a consensus-based decision making was no longer a criterium.

It also took note of the information that WG 3 with the task of road safety and needs of local communities according to item 9 of Recommendation No.212 (2021) and its Rules of Procedure had also been updated and would start work soon. The Bureau asked the government to clarify if the consensus-based decision-making rule had also been removed from this WG.

The Bureau also took note of the allegation of the complainant that the government intended to start works in the Gorge before May 2023, the expiry date of the 2017 EIA/AA, although the complainant claims the EIA/AA actually expired in October 2022. It also expressed concern on the complainant’s allegation that preparatory construction has begun in several sites, while noting that the authorities insisted that this related to standard road maintenance works.

Finally the Bureau took note of both party’s request for a Bern Convention mediation procedure.

The Bureau was concerned with the situation and remarked that the issue had deteriorated since the change of governmental position in August 2022, which appeared to be neglecting the points of Recommendation No.212 (2021) which had been jointly developed with both parties in 2021.

The Bureau remarked that a core problem appeared to be the ongoing lack of good communication and collaboration between parties. On the other hand, it noted that the online advisory mission in 2021 had already included elements of mediation, and so it was not sure if yet another procedure such as this would bring any added value. The Bureau also referred to Point 10 of the recommendation which suggested holding a workshop or conference in Kresna bringing together a wide range of concerned stakeholders.

The Bureau thus decided to further discuss these options at its next meeting (September 2023), and to bring proposals to the 43rd Standing Committee. It asked both parties to provide their opinion on a possible workshop or conference in Kresna in 2024.

The Bureau again urged the Bulgarian relevant authorities to adhere fully to the Bern Convention recommendations no.212 (2021) and no.98 (2002) as well as to the European Commission's obligations, and in particular to ensure fair and inclusive participation in the Working Groups and other processes, as well as to stop any construction in the Kresna Gorge until the correct procedures in line with the above have been completed.

In relation to the further information that the government had sent to the Bureau reacting to the complainant allegations, the Bureau recalled that it had asked for independent reports, and did not condone "reactionary" reports, thus the information had not been considered. In that regard, it strongly recommended that the parties send a joint-report in view of its next meeting, in order to resume the previously good cooperation between parties.

The file remains Possible.

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 the update report but noted the lack of a report from the complainant.

The Bureau took note that three 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 traffic and illegal trade of protected marine shelled molluscs in the areas under its jurisdiction. The Bureau acknowledged that the reformulation of the existing sanctioning system had been finalised and that the implementation of the related legislation and the upgraded control mechanism against traffic and illegal trade, including the catering sector, was scheduled to begin in the 1st semester of 2023.

The Bureau strongly welcomed that the Department of Biodiversity of the Ministry of Environment & Energy had recently contacted the complainant to discuss potential measures for the better protection of *Pinna nobilis* and that both parties had agreed on participating in a teleconference to be hosted soon by the Department of Biodiversity involving also other national stakeholders. The Bureau suggested again that both parties could collaborate to design an awareness-raising campaign around the issue.

Both parties were requested to submit reports for the Bureau meeting in Spring 2024, including information on the implementation of the new legislation and its impact. The parties were invited to submit a joint report. Depending on the progress achieved, the Bureau would consider dismissing the complaint.

The complaint remained on stand-by.

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

Decision: The Bureau took note that no reports had been received.

Given that no meaningful information had been provided by either party for several years, the Bureau decided to **dismiss the complaint**.

However it urged the authorities of North Macedonia to ensure better collaboration with relevant local and national NGOs and other stakeholders, as well as international stakeholders such as Eurobats.

- 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 reports. It acknowledged that Georgia had made many efforts for freshwater habitat protection by adopting the three compensatory sites, preparing management plans, and conducting research on the freshwater habitats in West and East Georgia. It noted that draft versions of the river basin management plans had been prepared for the Chorokhi-Ajaristskali, Khrami-Debeda and Alazani-Iori River basin districts. It took note that the draft law on “Water Resources Management” had been submitted to the Parliament for adoption and that the National Energy Policy document, as well as National Energy and Climate Action Plan were under development. It also noted the authorities’ clarification that the small hydro power plants (HPPs) in the tributaries of rivers Nakra, Nenskra, and Enguri had been built based on environmental decisions of the Ministry of Environmental Protection and Agriculture and therefore not without any assessment.

The Bureau also took note, however, of the concerns expressed by the complainant, in particular that large new HPPs are part of draft strategic documents of the Government, the Nenskra hydropower project environmental permit from 2015 is still valid, and that small and medium-size HPPs were operating in Svaneti on the tributaries of the Enguri and Nenskra rivers. It further noted the complainant’s concern that, one year after submission to Parliament, there was still no adopted legislation and that, despite progress having been made in the development of the Emerald Network, large rivers were not covered and civil society had not been included in the process.

The Bureau requested the authorities to provide an update report for the Bureau meeting in Spring 2024 and asked the complainant to comment on the authorities work and progress.

The complaint remained on stand-by.

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

Decision: The Bureau thanked both parties for the update reports.

It took note of the information provided by the authorities that the gold mine was currently not operational, and the revision of the potential Emerald Network sites was underway. The Bureau also noted, however, the concerns of the complainant, namely the observation of signs that the mine could become operational again soon, in particular the signing of a memorandum of understanding between the Armenian Government, the Eurasian Development Bank (EDB) and the mining company Lydian Armenia, its possible negative impact on the critically endangered Persian leopard, as well as the number of apparent strategic litigations against public participation initiated against independent experts, lawyers and journalists that opposed the Amulsar gold mine project. The Bureau reiterated its recommendation to halt any developments that could negatively affect the habitats and species protected under the Convention, whether it pertains to an Emerald Network site or not.

The Bureau instructed the Secretariat to contact the EDB and the European Bank for Reconstruction and Development (EBRD) for possible further information on the Amulsar gold mine project.

Noting with concern the reported signs of a possible re-opening of the mine, the parties were requested to submit reports for the Bureau meeting in September 2023, at which point it would be decided if the case should be elevated to a possible file, thus bringing it to the agenda of the 43rd Standing Committee.

The complaint remained on stand-by.

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

Decision: The Bureau thanked the complainant for their updated report and the other international organisations involved in the case for their good cooperation.

The Bureau recalled that the court case files were pending when the government had reported in Spring 2022. The Bureau took note of the short note received from the national authorities informing the Bureau that no decision was yet made regarding the construction of the new airport and that several

possible locations were under consideration. The Bureau took note of the complainant's request to elevate the file to "possible" following the Bureau decision of Autumn 2021, as the report received thereafter was considered by the complainant to be deficient and omissive.

The Bureau regretted the lack of engagement from the Portuguese authorities throughout the case-file lifespan and stressed the importance of their collaboration to address the Bureau decisions through accurate, exhaustive and punctual reporting.

The national authorities were requested to inform the Bureau of the possible locations under consideration for the construction of the new airport and to share updates on the court case files, in addition to any other information deemed relevant. Both parties were requested to share updated reports for the Bureau in Spring 2024, unless urgent updates on the finalisation of the Strategic Environmental Assessment or on the approval of the locations to be considered for such assessment would be transmitted to the Secretariat in time for the Bureau meeting in September 2023 (by 31st July 2023).

The Secretariat was also instructed to continue the collaboration with the European Commission, AEWA, the Ramsar Convention and other concerned partners.

The complaint remained on stand-by.

➤ 2021/03: Romania: Alleged unsustainable logging within the Retezat National Park

Decision: The Bureau thanked both the authorities and complainant for their update reports. It also appreciated the independent expert report following the European Diploma for Protected Areas (EDPA) renewal assessment visit to Retezat National Park in 2022 which had also covered the issues related to the complaint. It particularly welcomed the synergies with the EDPA, remarking that an on-site inspection such as this was in the spirit of the case-file reflection which aimed to assess and find solutions in a timely fashion with the support of the expertise of Group of Experts and specialists under the Bern Convention.

The Bureau took note of the continued concerns of the complainant that logging within the territory of the Retezat National Park had increased. The Bureau acknowledged, however, that logging is permitted to some extent. It also took note of the expert assessment that the National Park Authority demonstrates a practice of seeking for mutual solutions in a direct trust-building process with local communities, which provides results in the long run. It also noted that, according to the independent expert, it is not likely that logging activities in the park would cause irreversible damage to the concerned species within the Park and that affected parts are relatively small and surrounded by strictly protected forest zones, which are thus naturally regenerative. Damage to nature can also be mitigated by more sustainable planning and adjusted forestry work methods. The Bureau encouraged the authorities to develop good practices.

The Bureau further noted that the Group of Specialists on the EDPA had recommended the renewal of the European Diploma to the Retezat National Park at its meeting on 2-3 March 2023 with recommendations to improve the sustainable management of forests in the area and to increase the strictly protected zone. The Bureau pointed out that the monitoring of the compliance with the recommendations would be ensured by the Group of Specialists.

Due to the above reasons, the Bureau **decided to dismiss this case**. However, it urged the national authorities and Park Director to continue monitoring the situation and ensure a sustainable planning and management.

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

Decision: The Bureau thanked both parties for the updated reports.

The Bureau took note that the Action Plan for the conservation of *Tetrao urogallus* had officially been adopted and received adequate funding. The Bureau noted the complainant concerns over the

adequacy of the plan for population recovery and its concerns over the future development of wind power plants in the habitat of *Tetrao urogallus*, also in light of the recently adopted planning guide on Capercaillie protection versus wind power expansion in the Black Forest.

The Bureau stressed the need for appropriate habitat conservation and restoration measures, sustainable forest management regulations as well as the need to increase suitable habitat for the species.

Both parties were requested to share update reports for the Bureau meeting to be held in Spring 2024. The Authorities were requested to share a detailed summary of the actions undertaken during the reporting period for the implementation of the Action Plan under each of the areas of action (*i.* Habitat conservation and restoration, *ii.* Reduction of anthropogenic disturbance, *iii.* Reduction of predator-related mortality through hunting management) and any data available for the *Tetrao urogallus* population, including nesting and hatching. A clarification concerning plans for future wind power energy development in the area was also requested, including an explanation as to why the wind power plant expansion in the area was considered to be a necessity and whether alternative areas were being considered. More detailed information was also requested on what the support for landowners in the area foresees and what percentage of landowners had decided to align their practices to Capercaillie protection.

The complaint remained on stand-by.

- 2021/07: Serbia: Alleged threat to fauna species and protected sites due to the proposed construction of a lithium mine in the Jadar River Valley

Decision: The Bureau thanked both parties for the updated reports. The Bureau regretted that the co-complainants had submitted separate reports and were not showing signs of a willingness to cooperate.

The Bureau noted that following the adoption of the Decree that repeals previous authorisations and suspends all procedures or requests with regard to the mining project in Jadar, the company had filed a lawsuit in the administrative court and that these proceedings were still pending.

The Bureau took note of the concern of the complainant that the construction of a lithium mine in Jadar Valley could be authorised once again and that the possible approval of the exploitation field by the Ministry of Mining and Energy was still pending. The Bureau encouraged the national authorities to maintain their decision to revoke the permission for the construction of the lithium mine.

The Bureau requested the national authorities to clarify why the permit for “engineering-geological exploration” of water given to Rio Sava in the area directly south of the exploitation field was still marked as active, according to the public registry of the Ministry of Mining and Energy of the Republic of Serbia. Information concerning the land registry was requested from the competent Serbian authorities, following the information shared by the complainant that plots of land were registered at the Cadastre in the name of Rio Sava in 2022. The national authorities were also asked to explain how nature conservation interests were reflected in Environmental Impact Assessments (EIAs). In light of the other complaints concerning mining activities in Serbia, the national authorities were asked if there was a wider national strategy on the usage of mineral resources and under which criteria sites for mining activities were selected.

In consideration of the growing number of case-files concerning mining activities in Serbia, the Bureau asked the Secretariat to liaise with the relevant stakeholders with a view to considering the possibility of organising a seminar or other event to provide assistance to the parties on these issues.

Noting with concern the reported signs of a possible opening of the mine, the parties were requested to submit reports for the Bureau meeting in September 2023.

The Bureau reminded the co-complainants to submit a joint coordinated report and informed that separate reporting would not be considered by the Bureau in its future proceedings.

The complaint remained 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 the updated reports.

While from the government report it was still not clear what would be the potential impact on relevant species of the proposed infrastructures, the Bureau took note of the information that a report on the Strategic Impact Assessment of the General Urban Plan had been approved and an Environmental Impact Assessment (EIA) Study was under evaluation. The Bureau requested the national authorities to explain whether other sites for the construction of the bridge by-pass had been evaluated and, if relevant, why those options had been discarded.

The Bureau noted the complainant's concern on the legality of the General Urban Plan for the City of Novi Sad until 2030, but asked the complaint to elaborate more on the reasons of this alleged illegality.

The Bureau noted the confusion on the request for payment for the georeferenced data shared by the complainant with the Institute for Nature Protection. Based on the complainant report, it seemed that data was available, and the Bureau remarked that this should be taken into account for the EIA Study.

Both parties were requested to share update reports for the Bureau in Spring 2024.

The complaint remained on stand-by.

6.4. New (pending) complaints

- 2021/06: France: Conservation de la G linotte des bois (*Tetrastes bonasia rhenana*)

Decision: The Bureau thanked both parties for the updated reports.

The Bureau took note of the information that the scientific study on the *rhenana* subspecies was going to be finalised soon with the findings from new samples of *Pyrenean grouse*. The Bureau welcomed the first meeting of the Steering Committee under the framework of the Emergency plan for the conservation of the hazel grouse in the Vosges, but requested the national authorities to clarify which actions were foreseen by the Action plan and in which timeframe.

Due to the continued lack of clarity of the existence of the sub-species, the Bureau urged the French authorities to apply the precautionary principle and to undertake all effort to preserve the population in the Vosges. The French authorities were also invited to liaise with their German, Luxembourgish and Belgian counterparts to organise a round-table on the topic, with a view to sharing knowledge and experiences on genetic studies and to identify concrete actions for the hazel grouse conservation.

Both parties were invited to submit update reports for the Bureau meeting in Spring 2024, along with a short report on the outcome of the meeting mentioned above.

The complaint was considered on stand-by.

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

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

The Bureau took note of the information that new culling quotas had been adopted for the year 2022/2023 and that recent research had confirmed the urgent need to secure stable immigration. The Bureau noted that the national authorities considered it unfeasible to introduce genetically different wolves because this would increase conflict levels, and they considered the natural dispersal from Finland/Russia sufficient.

The Bureau noted the limited extent of the wolf zone compared to the entire Norwegian territory. The Bureau recalled that some of the internal proceedings in courts were still pending and that the assessment presented at the 42nd Standing Committee by the Chair of the IUCN Large Carnivore Initiative for Europe (LCIE) indicated the wolf population in Norway as being Critically Endangered in 2021.

The Bureau thanked the Norwegian authorities for sharing trends of the wolf population in Norway and Sweden since 1998 but asked the national authorities to share any data available on the Norwegian side of the population only, if technically possible.

Both parties were invited to submit update reports for the Bureau meeting in Spring 2024, in particular highlighting if there had been any changes to the culling policy and to share updates on relevant internal court proceedings.

The complaint was considered on stand-by.

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

Decision: The Bureau took note of the update report of the complainant, as well as of the report of the government reiterating the information shared from the previous report. In particular, it remarked that the EIA procedure was ongoing and therefore no decision on construction had yet been made.

The Bureau reiterated its concern that this hydropower plant as well as several others in the vicinity were included in the National Energy Development Strategy and other plans, despite a clear call from the European Parliament for Montenegro to reduce its reliance on climate-vulnerable hydropower, as well as concerns also raised by the UNESCO World Heritage Centre (WHC). It remarked that long-term strategies should remain open for possible review during their lifetime.

The Bureau reiterated its previous request to the government to respond to the allegation of the complainant that the data used for the Environmental Impact Assessment (EIA) was 30 years old, and it again asked that the government provide the EIA.

The Bureau was also informed that the UNESCO WHC had also received information from the Montenegrin Ecologists Society which had been forwarded to the National authorities requesting their comments and information, without reply yet. However, the project is mentioned under Montenegro's State of Conservation Report. This report would feed into the WHC's analysis presented in the report on the state of conservation and brought to the attention of the WH Committee at its extended 45th session that would take place in September 2023.

The Bureau also took note of the complainant's request to consider again this case at the Autumn Bureau meeting and to consider elevating the case to a Possible File. Given the fact that there may be no updates to share by September if the EIA was still not finalised, the Bureau asked the parties to provide updates for the Spring Bureau meeting in 2024. However, should the EIA be finalised within the next few months, it invited the parties to alert the Secretariat, and the case could potentially be considered sooner.

The complaint was considered on stand-by.

6.5. New complaints

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

Decision: The Bureau acknowledged the new complaint and thanked the Austrian authorities for the response. The Bureau expressed its strong concern about the alleged deliberate killing of *Lutra lutra* in Carinthia. It underlined that *Lutra lutra* is protected under Appendix II of the Bern Convention and that, according to Appendix IV, traps are prohibited if applied for non-selective capture or killing.

The Bureau also confirmed that the conservation status of *Lutra lutra* is unfavourable in the alpine region in Austria.

The Bureau further pointed out that exceptions to the provisions of the Convention, in compliance with the strict terms and conditions spelt out in Article 9, must be reported to the Secretariat every two years,

and that Austria had not submitted its biennial reporting since 2017-2018. The Bureau requested Austria to submit its reporting for 2019-2020 and 2021-2022 via the Habides+ tool.

Finally, the Bureau took note of the complainant's concern that the conibear traps do not kill the animals instantly but lead to slow, painful deaths. The Bureau flagged, however, that the Bern Convention does not deal with animal welfare, but the conservation of European wildlife and natural habitats.

The Bureau requested the Austrian authorities to provide an update report, underlining that this report must indicate how the conditions outlined in Article 9 of the Convention are met. It must further contain a scientific assessment of the impact of the exception to the general obligation under the Bern Convention to protect *Lutra lutra* and its habitat and to prohibit the use of non-selective traps.

Both parties were asked to provide update reports for the Bureau meeting in Spring 2024.

The complaint was considered on stand-by.

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

Decision: The Bureau acknowledged the new complaint received as well as the response from the authorities of Serbia. The Bureau took note of the concern of the complainant that the expansions of the mines in Bosilegrad and Homolje Mt region would have widespread severe impacts to wild flora and fauna species protected under Appendix II and III of the Convention and endanger an important bird and biodiversity area.

In light of complaint 2021/07, the Bureau noted the complainants' concern that the Serbian authorities were planning to expand the mining sector in the country. The Bureau asked the authorities to provide a brief and clear explanation of which measures were in place under the Serbian legislative framework for nature protection with reference to Environmental Impact Assessments (EIA) and if a nationwide strategy on the usage of mineral resources existed.

The Bureau took note of the information provided by the national authorities that both mining projects in Bosilegrad and Homolje Mt region were still pending EIAs or Spatial Plans, but noted with concern the degrading effects these projects would have on habitats and species.

In consideration of the growing number of case-files concerning mining activities in Serbia, the Bureau asked the Secretariat to liaise with the relevant stakeholders with a view to considering the possibility of organising a seminar or other event to provide assistance to the parties on these issues.

The Bureau urged the Serbian authorities to reject possible proposals for the expansion of mining activities in fragile natural environments. The Bureau asked both parties to provide further update reports for its meeting in Spring 2024, unless urgent updates on the finalisation of the EIAs would be transmitted to the Secretariat in time for the Autumn Bureau 2023.

The Secretariat was instructed to liaise with the Espoo Convention and European Commission to request any relevant information on their parallel processes.

The complaint was considered on stand-by.

7. ANY OTHER BUSINESS

The Bureau was informed that the Infrastructure & Ecology Network of Europe (IENE) was organising an event in Strasbourg on 6-7 June 2023 on "Infrastructure and Biodiversity at a nexus of challenges: Research and innovation as drivers for strengthening international collaboration". The Secretariat had been invited to participate.

Finally, the Bureau agreed to hold its next meeting on 12-13 September 2023 in person in Strasbourg.

Appendix I – Agenda

AGENDA

- 1. OPENING OF THE MEETING & ADOPTION OF THE AGENDA**
- 2. REPORT FROM THE SECRETARIAT**
 - 2.1. Staff turnover**
 - 2.2. Summit of the Heads of State and Government of the Council of Europe on 16-17 May 2023 in Reykjavik, Iceland**
 - 2.3. Environmental impact of armed conflicts**

[\[CM decision CM/Del/Dec\(2023\)1456/3.1\]](#)
[\[PACE Resolution 2477 \(2023\)\]](#)
[\[PACE Recommendation 2246 \(2023\)\]](#)
[\[John Howell Report | Doc. 15674 | 05 January 2023\]](#)
 - 2.4. Information regarding Azerbaijan**
- 3. FINANCING AND STRATEGIC DEVELOPMENT OF THE BERN CONVENTION**
 - 3.1. Ad hoc Drafting Group of an Amending Protocol**

[\[T-PVS\(2023\)01 - report of the 1st meeting\]](#)
[\[T-PVS\(2023\)XX - report of the 2nd meeting\]](#)
 - 3.2. Voluntary contributions received in 2023: state of play**

[\[T-PVS/Inf\(2023\)04 - 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. Working Group on a Vision and Strategic Plan for the Bern Convention for the period to 2030: state of play**

[\[T-PVS/Agenda\(2023\)05 – draft meeting agenda\]](#)
 - 3.5. Case-file reflection**
 - 3.6. Reflection on possible biennial Standing Committee meetings**
- 4. IMPLEMENTATION OF THE PROGRAMME OF ACTIVITIES AND BUDGET FOR 2023**

[\[Calendar of meetings 2023\]](#)
[\[T-PVS\(2022\)19 - Programme of Activities and budget for 2023\]](#)

 - 4.1. European Diploma for Protected Areas: results of the meeting of the Group of Specialists and planning of the appraisal visits in 2023**

[\[T-PVS/DE\(2023\)11 – Meeting report\]](#)
[\[T-PVS/DE\(2023\)10 – Draft Resolutions on the renewal of the European Diploma \]](#)
 - 4.2. Conservation of birds: state of play**
 - 4.3. Amphibians and reptiles: Group of Experts meeting & marine turtles conservation**
 - 4.4. Setting-up of the Emerald Network: work plan for 2023**

4.5. Conservation of large carnivores: Expert Conference in the Harz Mountains (Germany), May 2023

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(2023)1 – Summary of open and possible case files]
[T-PVS/Notes(2023)2– Summary of complaints on stand-by]
[T-PVS/Notes(2023)3– Summary of new & pending complaints]
[T-PVS/Inf(2023)2 – Register of Bern Convention’s case-files]*

6.1. Open files

- 2016/5: Albania: Presumed negative impact of hydro-power plant development on the Vjosa river - **OSA**

*[T-PVS/Files(2022)1 –Terms of Reference of the OSA]
[T-PVS/Files(2023)19 - Government Report]
[T-PVS/Files(2023)20 - Complainant Report]*

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

*[T-PVS/Files(2022)3 –Terms of Reference of the OSA]
[T-PVS/Files(2023)XX - Government Report]
[T-PVS/Files(2023)27 - Complainant Report]*

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

*[T-PVS/Files(2023)23 - Government Report]
[T-PVS/Files(2023)16 - Complainant Report]*

6.2. Possible files

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

*[T-PVS/Files(2023)21 - Government Report]
[T-PVS/Files(2023)22 - 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(2023)04 - Government Report]
[T-PVS/Files(2023)XX - Complainant Report]*

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

*[T-PVS/Files(2023)XX - Government Report]
[T-PVS/Files(2023)XX - Complainant Report]*

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

[T-PVS/Files(2023)05 - Government Report]
[T-PVS/Files(2023)06 - Complainant Report]

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

[T-PVS/Files(2023)15 - Government Report]
[T-PVS/Files(2023)07 - Complainant Report]

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

[T-PVS/Files(2023)XX - Government Report]
[T-PVS/Files(2023)24 - Complainant Report]

- 2021/03: Romania: Alleged unsustainable logging within the Retezat National Park

[T-PVS/Files(2023)08 - Government Report]
[T-PVS/Files(2023)09 - Complainant Report]
[T-PVS/Files(2023)28 – EDPA expert report]

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

[T-PVS/Files(2023)02- Government Report]
[T-PVS/Files(2023)03 - Complainant Report]

- 2021/07: Serbia: Alleged threat to fauna species and protected sites due to the proposed construction of a lithium mine in the Jadar River Valley

[T-PVS/Files(2023)17 - Government Report]
[T-PVS/Files(2023)18- Complainant Report]

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

[T-PVS/Files(2023)12 - Government Report]
[T-PVS/Files(2023)13 - Complainant Report]

6.4. New (pending) complaints

- 2021/06: France: Conservation de la G  linotte des bois (*Tetrastes bonasia rhenana*)

[T-PVS/Files(2023)29 - Government Report]
[T-PVS/Files(2023)25 - Complainant Report]

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

[T-PVS/Files(2023)XX - Government Report]
[T-PVS/Files(2023)26 - Complainant Report]

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

[T-PVS/Files(2023)10 - Government Report]
[T-PVS/Files(2023)11 - Complainant Report]

6.5. New complaints

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

[T-PVS/Files(2022)46 – Complaint form]
[T-PVS/Files(2023)01– Government Report]

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

[T-PVS/Files(2022) 70 – Complaint form]
[T-PVS/Files(2023)14– Government Report]

7. ANY OTHER BUSINESS

Appendix II – List of participants

CHAIR

Ms Merike LINNAMÄGI, Senior officer, Nature Conservation Department, Ministry of the Environment, 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, Nature and Biodiversity Protection Directorate, 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

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

Ms Ursula STICKER, Secretary of the Bern Convention

Mr Marc HORY, Bern Convention Project Manager

Mr Eoghan KELLY, Bern Convention Project Officer

Ms Nadia SAPORITO, Bern Convention Junior Project Officer

Mr Mikaël POUTIERS, (*incoming* Secretary of the Bern Convention)

Ms Georgia FILI, (*incoming* Administrative Assistant of the Bern Convention)