

# Convention on the Conservation of European Wildlife and Natural Habitats



Standing Committee

## **Recommendation No. 109 (2004) of the Standing Committee on minimising adverse effects of wind power generation on wildlife**

*(adopted by the Standing Committee on 3 December 2004)*

The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, acting under the terms of Article 14 of the Convention,

Having regard to the aims of the Convention to conserve wild fauna and its natural habitats;

Recalling that Article 2 of the Convention requires Parties to take requisite measures to maintain the population of wild fauna at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic requirements;

Recalling that Article 3.2 of the Convention requires each Contracting Party to undertake, in its planning and development policies and in its measures against pollution, to have regard to the conservation of wild fauna;

Recalling also the Convention on the Conservation of Migratory Species of Wild Animals (CMS) Resolution 7.5 on Wind Turbines and Migratory Species adopted by the 7<sup>th</sup> meeting of the Conference of the Parties (2002) (appendix 1) and recognising the intention of the CMS to increase cooperation with the Bern Convention;

Recalling also the Agreement on the Conservation European Populations of Bats (EUROBATS) Resolution 4.7 on wind turbines and bat populations adopted by the 4<sup>th</sup> Session of the meeting of Parties (2003) (appendix 2);

Recognising the environmental benefits of wind energy especially for addressing climate change, and the significance of reducing climate change for the long-term survival of Europe's wild species and their habitats;

Noting that wind farms in marine areas represent a relatively new technology for large-scale energy production the actual effects of which on nature and on different components of biodiversity cannot be fully assessed or predicted on the basis of the currently available information;

Concerned to minimise the potential adverse impacts of wind turbines and associated infrastructure on wildlife, as well as on their food sources and habitats, including:

- (a) loss of, or damage to, and disturbance of habitat (including permanent or temporary feeding, resting, and breeding habitats);
- (b) disturbance leading to displacement or exclusion, including barriers to movement (and commuting corridors);
- (c) collision mortality of birds in flight;

Recognising the need for a thorough environmental assessment procedure prior to selecting appropriate building sites and deciding on construction permits, in order to avoid damage to areas of particular ecological value;

Referring to the report *Wind Farms and Birds: an analysis of the effects of wind farms on birds and guidance on environmental assessment criteria and site selection issues*, prepared by BirdLife International for the Council of Europe T-PVS/Inf (2003) 12;

Aware of the need for robust, objective baseline studies to inform sensitive siting to minimise deleterious effects on birds, other wildlife and their habitats, and the need for regular post-construction monitoring at consented installations where there are environmental sensitivities;

Recommends that Contracting Parties to the Convention:

1. take appropriate measures to minimise the potential adverse effects of wind turbines in wildlife;
2. support and advance by involving also the wind energy sector and adequate monitoring and surveillance to improve understanding of the impact of wind farms and through this to provide the broader public with trustworthy information\*.

Invites observer states to take note of this recommendation and implement it as appropriate.

Urges the Secretariat to develop appropriate guidelines on standard study methods, to inform the EIA process and relevant legal procedures designed for habitat and species protection. For this purpose the Secretariat is advised to establish an open-ended group of experts and through it to open a broad consultation process involving the non-governmental organisations and representatives from the sector concerned.

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\* Footnote in the case of Member States of the European Community surveillance will take into account Article 6 of Directive 2001/77/EC which requires Member States to streamline and expedite procedures at the appropriate administrative level for the authorisation of installations for the production of electricity from renewable energy.



# Convention on the Conservation of Migratory Species of Wild Animals



## RESOLUTION 7.5\*

### WIND TURBINES AND MIGRATORY SPECIES

Adopted by the Conference of the Parties at its Seventh Meeting (Bonn, 18-24 September 2002)

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*Recalling* that Article II of the Convention acknowledges the need to take action to avoid any migratory species becoming endangered;

*Recalling also* the need to preserve wildlife in the marine environment as stipulated in the relevant legislation of the European Community and in the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), the Helsinki Convention on the Protection of the Baltic Sea Area, the Bern Convention on the Conservation of European Wildlife and Natural Habitats, and the Bergen Declaration of the Fifth International Conference on the Protection of the North Sea;

*Acknowledging* Article VII of the Convention whereby the Conference of the Parties may make recommendations to the Parties for improving the effectiveness of this Convention;

*Considering* that the Strategic Plan for 2000 - 2005 adopted by Resolution 6.4 requires Parties to review the special problems faced by migratory animals in relation to various obstacles to migration and to propose remedial measures that may have widespread applicability;

*Recognising* that Resolution 4.5 directs the Scientific Council *inter alia* to recommend solutions to the Conference of the Parties to problems relating to the scientific aspects of the implementation of the Convention in particular with regard to the habitats of migratory species;

*Recognising* the environmental benefits of wind energy especially for addressing climate change, and the significance of reducing climate change for the long-term survival of migratory species;

*Noting* that wind turbines especially in marine areas represent a new technique of large scale energy production, the actual effects of which on nature and on different components of biodiversity cannot be fully assessed or predicted at present;

*Recognising* the lack of sufficient and relevant research on such effects, especially on nature, and the lack of data on the distribution and migration of species concerned;

*Concerned* about the possible negative impacts of wind turbines on migratory species of mammals and birds, as well as on their food sources and habitats *e.g.*:

- (a) destruction or disturbance of permanent or temporary feeding, resting, and breeding habitats;
- (b) increased collision risk for birds in flight;
- (c) through electric and magnetic fields of connecting power cables; or

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 7.13.

(d) emission of noise and vibrations into the water;

*Recognising* the need for a thorough environmental impact assessment prior to selecting appropriate building sites and issuing construction permits, in order to avoid areas of particular ecological value and habitats with high nature conservation needs;

*Aware* of the need to regularly monitor and assess the actual impacts of wind turbines by exchange of international experience and site-specific effect monitoring programmes in existing wind turbine plants; and

*Noting* especially the potential risk that several hundred of such marine installations with heights up to 150 metres may present as obstacles in flyways, and wishing to minimise possible adverse effects on nature;

***The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals***

1. *Calls* upon the Parties:

- (a) to identify areas where migratory species are vulnerable to wind turbines and where wind turbines should be evaluated to protect migratory species;
- (b) to apply and strengthen, where major developments of wind turbines are planned, comprehensive strategic environmental impact assessment procedures to identify appropriate construction sites;
- (c) to evaluate the possible negative ecological impacts of wind turbines on nature, particularly migratory species, prior to deciding upon permission for wind turbines;
- (d) to assess the cumulative environmental impacts of installed wind turbines on migratory species;
- (e) to take full account of the precautionary principle in the development of wind turbine plants, and to develop wind energy parks taking account of environmental impact data and monitoring information as it emerges and taking account of exchange of information provided through the spatial planning processes;

2. *Instructs* the Scientific Council to assess existing and potential threats from offshore wind turbines in relation to migratory mammals and birds, including their habitats and food sources, to develop specific guidelines for the establishment of such plants and to report to the Conference of the Parties accordingly at its next meeting; and

3. *Invites* relevant intergovernmental organizations as well as the European Community and the private sector to cooperate with CMS in efforts to minimise possible negative impacts of offshore wind turbines on migratory species.

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## APPENDIX 2



# The Agreement of the Conservation of European Populations of Bats



### RESOLUTION No. 4.7

#### WIND TURBINES AND BAT POPULATIONS

Adopted by the Session of the Meeting of Parties (Sofia, 22-24 September 2003)

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*The Meeting of the Parties to the Agreement on the Conservations of Populations of European Bats (hereafter “the Agreement”),*

*Recalling* Article III, Paragraph 6 of the Agreement, which stipulates that “Each Party shall take such additional action as it considers necessary to safeguard populations of bats which it identifies as being subject to threat and shall report under Article VI on the action taken.”;

*Appreciating* Resolution 7.5 adopted by the Seventh Meeting of the Conference of Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) concerning Wind Turbines and Migratory Species;

*Recognising* that the Terms of Reference for the Advisory Committee give it the task to recommend solutions to the Meeting of Parties to problems relating to the scientific aspects of the implementation of the Agreement;

*Further recognising* the environmental benefits of wind energy especially for addressing climate change and the significance of reducing climate change for the long term survival of bat populations;

*Noting* the potential of large scale development of wind turbines as a new technique of energy production for which the actual effects on bats are not fully assessed or predicted at present;

*Noting* also that there is existing evidence of mortalities of bats from wind turbines;

*Concerned* about the possible negative impacts of wind turbines on bat populations as well as their prey and habitats e.g.:

- destruction and disturbance of habitats and commuting corridors,
- destruction or disturbance of roosts,
- increased collision risk for bats in flight,
- through emission of ultrasound noise.

*Recognising* the need for a thorough environmental impact assessment prior to selecting appropriate construction sites in order to avoid areas of particular value to bat populations;

*Aware* of the need to regularly monitor and assess the actual impact of wind turbines by international exchange of information and by monitoring programmes at existing wind turbine plants;

*Recognising* the need for adequate relevant research on such effects on bats and the limited data available on bat populations potentially affected;

*Noting* especially the potential risk to bat populations that such installations may present; and

*Wishing* to minimise possible adverse effects on bat populations;

*Decides to:*

*Request* the Advisory Committee to assess the evidence of the impacts of wind turbines on bat populations and, if appropriate, to develop guidelines for assessing potential impacts on bats and for the establishment of wind turbines in accordance with the ecological requirements of bat populations;

*Emphasise* that until this task is completed, the Parties and Range States should take full account of the precautionary principle in the development of wind turbine plants and to take account of bats in planning processes relating to the siting of wind turbines, especially along migration routes and in areas of particular value to bat populations;

*Encourage* the Parties and Non-Party Range States to initiate and support further investigations and research on the impact of wind turbines on bats.