

Strasbourg, 18 October 2005
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T-PVS (2005) 13

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

25th meeting
Strasbourg, 28 November-1 December 2005

Palais de l'Europe, Room 9
Opening of the meeting: 9.30 am Monday 28 November 2005
(n° 11-48-033)

ANNOTATED DRAFT AGENDA

*Document prepared by
the Directorate of Culture and Cultural and Natural Heritage*

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PART I – OPENING

1. Opening of the meeting and adoption of the agenda

Relevant documents: T-PVS (2005) 1 Draft agenda
T-PVS (2005) 13 Annotated draft agenda

The 25th meeting of the Committee will be opened by the Chair, Mrs Véronique Herrenschmidt, in Room 9 at 9.30 am on Monday 28 November 2005.

The draft agenda was drawn up by the Secretariat after consultation with the Bureau.

Decision: The Committee will be invited to adopt the agenda.

2. Chairman's report and communications from the delegations and from the Secretariat.

Relevant document: T-PVS (2005) 5 and 12 Reports of the Bureau meetings of April 2005 and September 2005

The Chair will report on the development of the Convention since the last meeting of the Committee.

Contracting Parties have the opportunity to report in writing on the implementation of the Convention in their States.

Observer States will be invited to inform the Committee briefly of progress made towards the ratification of the Convention, together with any other information they may consider useful. The representatives of the invited Organisations may report in writing on their activities directly concerned with the Convention (Article 13.3).

NB Delegations are kindly reminded that only written statements will be included in the report of the meeting.

The Secretariat will inform the Committee on the general implementation of the work programme for 2005, presenting at the same time the reports of the meetings of the Bureau of the Committee.

Decisions: No decisions are expected from the Committee under this item.

PART II – MONITORING AND IMPLEMENTATION OF LEGAL ASPECTS

3. Monitoring of the implementation of the legal aspects of the Convention

3.1. Swiss proposal to pass *Canis lupus* from Appendix II to Appendix III

Relevant document: T-PVS (2004) 9. Proposal of Amendment by Switzerland concerning wolf
T-PVS/Inf (2005) 16. Report on the conservation status and threats for wolf (*Canis lupus*) in Europe
T-PVS/Inf (2005)Legal aspects of amendments to Appendices (C. Shine)
T-PVS/Inf (2005) 4. Opinion of the NGOs concerning the Swiss proposal for amendment of the Appendices for the wolf

Switzerland sent a proposal for amendment of the Appendices of the Convention under the terms of Article 17. It concerns the deletion of the wolf (*Canis lupus*) from Appendix II and its inclusion in Appendix III.

The Swiss delegation will be invited to present its proposal for amendment.

The Secretariat will present the reports from the experts (biological and legal aspects).

[NB : All draft recommendations for possible adoption are grouped in document T-PVS (2005) 16]

Decisions: The Standing Committee is invited to examine the amendment proposed and decide upon its possible adoption.

3.2. Biennial reports (2001-2002 and 2003-2004) concerning exceptions made to Articles 4, 5, 6, 7 or 8 and quadriennial reports 2001-2004

Relevant documents: T-PVS/Inf (2005) 6 Biennial Reports 2001-2002
 T-PVS/Inf (2005) 7 Biennial Reports 2001-2002
 T-PVS/Inf (2005) 10 Four-year reports 2001-2004

Article 9 paragraph 2 of the Convention requests Parties having made exceptions to Articles 4, 5, 6, 7 or 8 to present in writing such exceptions.

Parties may also present general reports on the implementation of the Convention.

PARTIES NOT HAVING SENT THEIR 2003-2004 BIENNIAL REPORTS ARE KINDLY REQUESTED TO SEND THEM AS SOON AS POSSIBLE BY E-MAIL (veronique.decussac@coe.int) AND BRING A COPY TO THE MEETING:

Albania, Andorra, Austria, Azerbaijan, Belgium, Bulgaria, Burkina Faso, Croatia, Cyprus, Czech Republic, Denmark, European Commission, France, Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Lithuania, Malta, Moldova, Monaco, Morocco, Netherlands, Norway, Poland, Portugal, Romania, Senegal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tunisia, Turkey, Ukraine.

Decisions: The Committee is invited to take note of the biennial reports presented.

* Items for information only:

- T-PVS/Inf (2005) 5 Report on the implementation of the Convention in Hungary

PART III –MONITORING OF SPECIES AND HABITATS

4. Monitoring of Species and Habitats

4.1.Group of Experts on Invasive Alien Species

Relevant documents: T-PVS/Inf (2004) 4 Follow-up of the implementation of the European Strategy on IAS
 T-PVS/Inf (2005) ... Proceeding of the Seminar on Invasive Alien Plants in Mediterranean Type Regions of the World
 T-PVS (2005) 9 Report of the Group of Experts on Invasive Alien Species (Palma, June 2005)

The Group of Experts met in Majorca (Spain) from 9 to 11 June 2005.

The Secretariat will present the work of the Group of Experts.

The Standing Committee is invited to:

- Take note of the report of the Group of Experts;
- Take note of the Proceedings of the Seminar and the Mèze Declaration on Invasive Alien Plants in Mediterranean Type Regions of the World;
- Take note in particular of the good progress in many states in Invasive Alien Species issues and on the good use that is being done of the European Strategy on Invasive Alien Species;
- Thank the Balear Regional (Conservation authorities for the excellent hosting of the meeting);

[NB : All draft recommendations for possible adoption are grouped in document T-PVS (2005) 16]

- Take note of the proposals for actions for the next years on this topic (which will be discussed at the adoption of a programme of activities for 2006);
- Examine and, if appropriate, adopt a draft recommendation on the control of the Grey squirrel (*Sciurus carolinensis*) and other exotic squirrels.

Decisions: The Committee is invited to examine and, if appropriate, adopt the draft recommendation..

4.2. Large Carnivores: Iberian lynx conservation, LCIE activities

Relevant documents: T-PVS (2005) 10 Report of Seminar on management of transboundary populations of large carnivores (Osilnica, April 2005°

T-PVS (2005) ... Report on the meeting on lynx in the Balkans (November 2005)

A Seminar on the management of transboundary populations of large carnivores was held in Osilnica (Slovenia) from 15 to 17 April 2005.

The Secretariat will present the conclusions of the seminar.

The Standing Committee is invited to:

- Take note of the report of the meeting on lynx in the Balkans;
- Take note of the report of the Seminar;
- Thank the Slovenian authorities for the excellent hosting of the Seminar and the Large Carnivore Initiative for Europe and the Austrian LIFE Project for their excellent work as co-organiser;
- Examine and, if appropriate adopt, the draft recommendation on regional action plan for large carnivore populations.

The delegates of concerned states will be invited to present relevant informations.

The delegates of LCIE will be invited to present relevant activities, including the results of a meeting on lynx in the Balkans.

Decisions: The Committee is invited to take note of the information presented and examine, if appropriate adopt, the draft recommendation presented.

4.3. Climatic change and biological diversity

Relevant documents: T-PVS (2005) ... Draft recommendation on Biodiversity and climate change
CO-DBP (2005) 3 rev. Report on "Conserving European biodiversity in the context of climate change"

The consultant, Professor Michael Usher, will present a report on the impact of climate change on Europe's biological diversity.

The Secretariat will present a draft recommendation aimed to guide the action of conservation agencies to better integrate in their work climate change considerations.

Decision: The Committee is invited to take note of the report and to examine and, if appropriate, adopt the draft recommendation presented.

4.4. Action plan for European sturgeon and Danube sturgeon

Relevant documents: T-PVS (2005) 17 Draft recommendation on the conservation of the Sturgeon in the Danube
T-PVS/Inf (2005) 12 Action plan for the conservation of the Sturgeon in the Danube

[NB : All draft recommendations for possible adoption are grouped in document T-PVS (2005) 16]

The experts will be invited to make a short presentation on the state of progress in the drafting of an Action plan for the European Sturgeon.

[Delegates from concerned States will be invited to take part in a workshop on the European sturgeon to be held Wednesday 30 November at 2.30 pm].

The experts will be invited to present the Action plan on Sturgeons in the Danube. The Committee will be invited to comment as appropriate.

The Secretariat will present a draft recommendation on the conservation of sturgeons in the Danube Basin.

Decision: The Committee is invited to take note of the Action plan presented, make appropriate comments and to examine and, if appropriate, adopt the draft recommendation presented.

4.5. Habitats: setting up of ecological networks, Emerald Network progress

Relevant document: T-PVS/Emerald (2005) 8 Development of the Emerald Network in Africa and in the Mediterranean (Tunisia)
T-PVS/Emerald (2005) 9 General principles of the procedure for examining and approving Emerald sites put forward by States
T-PVS (2005) 15 Report of Emerald Network Group of Experts

The setting-up of the Emerald Network has continued its progress in 2005. A Pilot project has been started in Azerbaijan, Bosnia and Herzegovina and in Serbia and Montenegro.

Pilot projects are under preparation in Armenia and Tunisia.

This rises to 18 the Parties directly involved in the network outside the European Union.

On 10th October 2005 the Group of experts met in Strasbourg. The Secretariat will present the progress of the activities.

The Committee is invited to examine, in particular, document T-PVS/Emerald (2005) 9 and to have an exchange of views on the Secretariat proposals to adopt a procedure to analyse and validate the Emerald sites proposed by the States.

Decision: The Committee is invited to take note of the report of the Group of Experts and decide on the continuation of activities.

* Items for information only:

- STRA-REP (2004)16 Final Declaration on Sustainable Forest Management and Biodiversity

4.6. Possible elaboration of a European Charter on Hunting

Relevant documents: CM/AS (2005) Rec 1689 final - Reply of the Committee of Ministers on Hunting and Europe's environmental balance
T-PVS (2005) 3 rev. Opinion of the Bureau on Recommendation 1689 of the Parliamentary Assembly

The Parliamentary Assembly recommended to the Committee of Ministers proposing the elaboration of a European Charter on Hunting (Recommendation 1689 of the Parliamentary Assembly on Hunting and Europe's Environmental Balance).

The Bureau saw interest for the Convention to embark in this project.

The Standing Committee is invited to discuss the matter.

Decision: The Committee is invited to take note of the Recommendation of the Parliamentary Assembly and of the reply of the Committee of Ministers and to decide, when adopting its 2006

[NB : All draft recommendations for possible adoption are grouped in document T-PVS (2005) 16]

programme of activities, the opportunity of drafting such charter.

* Items for information only:

T-PVS/Inf (2005)11 Windfarms and wildlife – Report of open-ended group
T-PVS (2005) 8 2nd Mediterranean Conference on Marine Turtles

PART IV – MONITORING OF SPECIFIC SITES AND POPULATIONS

5. Specific sites and populations

5.1. Files

- Akamas Peninsula (Cyprus)

Relevant documents: T-PVS/Files (2005) 14 Secretariat report
T-PVS /Files (2004) 27 Government report
T-PVS/Files (2005) ... Report by Government
T-PVS/Files (2005) 6 Report by the NGOs

This case concerns plans to develop for tourism the Peninsula of Akamas, with detrimental effect on an ecologically valuable area with many rare plant and animal species protected under the Convention.

This case was first discussed at the 16th meeting of the Standing Committee in 1996. Two on-the-spot appraisals were carried out in 1997 and 2002 and a recommendation adopted in 1997 (Recommendation No. 63 (1997) on the conservation of the Akamas peninsula, Cyprus, and, in particular, of the nesting beaches of *Caretta caretta* and *Chelonia mydas*). So far it has not been possible to obtain from Cyprus authorities a satisfactory solution for this area, compatible with the obligations under the Convention. The Cyprus authorities had informed the Secretariat in 2004 that another proposal concerning the Akamas peninsula had been presented to the Council of Ministers, to be discussed in September 2004, but so far no decision has been made public.

The Cyprus delegate is invited to present a report on the issue.

The Committee is invited to discuss the issue.

- Project to build a motorway through the Kresna Gorge (Bulgaria) [Recommendation No. 98 (2002)]

Relevant documents: T-PVS/Files (2005) 14 Secretariat report
T-PVS/Files (2005) 4 Government report
T-PVS/Files (2005) 2 NGO Report

This case concerns a motorway crossing an area of high biological diversity. It was examined by the Standing Committee in 2002, when it adopted a recommendation inviting the Bulgarian government to abandon the plans to enlarge the current road and look for more suitable alternatives, compatible with Bern Convention obligations. In 2004 the Bulgarian Ministry of the Environment informed the Secretariat that there was no further information concerning the state of progress of the project or the procedure for establishing a new protected area around the gorge.

At its 24th meeting, the Standing Committee decided to open a file in order to stimulate the Bulgarian government to further implement the Recommendation No. 98 (2002).

In 2005, the decision was taken by the Ministry of Regional Development and Public Works (MRDPW) to prepare a new detailed EIA report.

An agreement has been reached between the Ministry of Environment and Water (MoEW) and the NGOs which concerns common activities.

The delegate of Bulgaria will be invited to present a government report.

[NB : All draft recommendations for possible adoption are grouped in document T-PVS (2005) 16]

The Committee is invited to discuss this issue.

- Building of a navigable waterway in the Bystroe Estuary (Danube delta, Ukraine)

Relevant documents: T-PVS/Files (2005) ... Secretariat report
T-PVS/Files (2005) ... Government report
T-PVS/Files (2005) 16 Resolution of the Public hearings
T-PVS/Files (2005) ... NGO Report

This case concerns the excavation of a shipping canal in Bystroe estuary of the Danube delta in Ukraine, which is likely to affect adversely both the Ukrainian Danube Biosphere Reserve – the most important of Ukraine’s wetlands – and the whole Danube delta dynamics. A first phase of the project was conducted in 2004.

The Standing Committee adopted in 2004 a recommendation inviting Ukraine to suspend works, except the completion of phase 1, and do not proceed with phase 2 of the project until:

- The EIA for phase 2 is undertaken to international standards and submitted to the relevant international experts and organisations;
- The public consultation on the EIA for phase 2 takes place and the proposals made during the discussions are duly considered;
- The data collected during the additional monitoring program with involvement of international experts is analysed and adequate recommendations are elaborated.

Ukrainian authorities organised in Odessa in April 2005 a workshop on the ecological monitoring of phase 1 of the project.

An international meeting concerning the management of the Danube delta to be held in spring 2006, in collaboration with Unesco, ICPDR, the Ramsar Convention Bureau and the European Commission.

Ukraine is invited to inform the Committee of the follow-up of Recommendation No. 111 (2004).

Decisions: The Committee is invited to decide whether the file is to be kept open.

5.2 Possible Files

- Conservation of the Hermann tortoise in the plaine des Maures (France)

Relevant documents: T-PVS/Files (2005) 13 Report of the on-the-spot appraisal
T-PVS/Files (2005) 1 Government report
T-PVS/Files (2005) 11 NGO Report

This case concerns the protection of the habitat of Hermann tortoise in the Maures’ Plain, which is considered unsatisfactory. In the past the Committee already dealt with this species and site when a project to build a test road for a tyre factory was proposed and abandoned. The French government having taken strong commitment in order to ensure the protection of the species the Standing Committee decided in 1997 to close the file.

Considering that the implementation of Public Interest Plan (PIG) as well as the additional measures of protection had not sufficiently contributed to the conservation of the species, the *Société nationale de Protection de la Nature (SNPN)* approached again the Secretariat in 2003.

The Committee discussed this issue as a possible case file in 2004 and decided to accept of the French authorities’ offer to organise an on-the-spot appraisal.

The visit was carried out by Mr Guy Berthoud on 29-30 March 2005 accompanied by a member of the Secretariat.

The expert is invited to present his report.

[NB : All draft recommendations for possible adoption are grouped in document T-PVS (2005) 16]

The Secretariat will present a draft recommendation.

The delegate of France will be invited to present a government report.

The Committee is invited to discuss the issue.

Decisions: The Committee is invited to take note of the information presented and to examine and, if appropriate, adopt the draft recommendation presented.

5.3. On-the-spot appraisal

- Windfarm in the Balchik area – Via Pontica (Bulgaria)

Relevant documents: T-PVS/Files (2005) ... Rreport of the on-the-spot appraisal
T-PVS/Files (2005) 5 Government Report
T-PVS/Files (2005) 6 Report by the NGO

This case concerns the building of the first windfarm in Bulgaria, at Balchik on the Black Sea coast. The NGO is challenging the chosen site located on the Via Pontica which is the migratory route in Europe especially for swarming birds. Decision to authorise the project has already been taken/

At the 24th meeting of the Standing Committee, the possibility of visiting the site has been envisaged.

At its April 2005 meeting, the Bulgarian government having confirmed its willingness to receive a visit from an expert, the Bureau instructed the Secretariat to arrange this expert appraisal. It was carried out by Mr Guy Jarry from 27 to 29 September 2005 accompanied by a member of the Secretariat.

The expert is invited to present his report.

The Secretariat will present a draft recommendation.

The delegate of France will be invited to present a government report.

The Committee is invited to discuss the issue.

Decisions: The Committee is invited to take note of the information presented and to examine and, if appropriate, adopt the draft recommendation presented.

5.4. Follow-up of selected recommendations from previous meetings

- Recommendation No. 107 (2003) on the Odelouca dam (Portugal)
- Recommendation No. 108 (2003) on the proposed construction of the “Via Baltica” (Poland)

Relevant states are invited to report (preferably in writing) on the follow-up of the above recommendations.

Decisions: The Committee is invited to take note of the information presented

* Items for information:

Catching, killing or trading of protected birds in Cyprus
Relevant Document T-PVS/files (2005) 3 Report by NGOs

* These items are presented only for information. They will not be subject to oral presentations or

[NB : All draft recommendations for possible adoption are grouped in document T-PVS (2005) 16]

discussion unless on the request of a Party at the adoption of the agenda.

PART V – STRATEGIC DEVELOPMENT OF THE CONVENTION

6. Strategic development of the Convention

6.1. Council of Europe Summit

Relevant document: CM (2005) 80 final Action plan of the Council of Europe Summit

The Secretariat will inform the Committee of the results of the 3rd Summit of Head of State and Government of the Council of Europe, held in Warsaw (Poland) in May 2005.

Decision: The Committee is invited to take note of the information presented..

6.2. Proposal of amendment of the Rules of Procedure of the Standing Committee to enlarge its Bureau

Relevant document: T-PVS (2005) 4 Amendment of the rules of procedure of the Standing Committee

The present Bureau is formed by only three members. It is proposed to enlarge it to five members so to assure a more diversified representation.

The Secretariat will present a proposal of amendment of the rules of procedure.

The Committee is invited to discuss the proposal and to take a decision.

Decision: The Committee is invited to discuss the proposal and, if appropriate, to adopt the amendment to the rules of procedure.

6.3. Draft Programme of Activities for 2006

Relevant document: T-PVS (2005) 11 Draft Programme of Activities for 2006

The Secretariat will present a proposal of activities for year 2006, prepared following discussions at the Bureau.

Decision: The Committee is invited to examine and, if appropriate, adopt its programme of activities for year 2006.

6.4 States to be invited as observers to the 26th meeting

The Secretariat will remind the Committee that the following States have been invited to attend this 25th meeting as observers:

- A. Council of Europe member States (invited automatically): Armenia, Bosnia and Herzegovina, Georgia, Russia, San Marino and Serbia and Montenegro
- B. Non-member States: Algeria, Belarus, Cape Verde, Holy See, Kazakhstan, Kyrgyzstan, Mauritania, Tajikistan, Turkmenistan, Uzbekistan.

[NB : All draft recommendations for possible adoption are grouped in document T-PVS (2005) 16]

Decisions: The Committee is requested to decide unanimously which States, not members of the Council of Europe, are to be invited to attend its 26th meeting. Suggestions of change of States: none.

PART VI- OTHER ITEMS

7. Election of Chairman and Vice-Chairman

In accordance with Article 18(e) of the Rules of Procedure: "The Chair and Vice-Chair shall be elected at the end of each meeting. They shall execute their respective terms of office from their election onwards until the end of the meeting following the meeting where they were elected. Their terms of office may not exceed four years or, as appropriate, the end of the first meeting following the expiry of this period of four years."

Decisions: The Committee is requested to elect its Chair, and Vice-chair.

If the Committee decides to enlarge its Bureau to five members, the Committee will be invited to elect two new members of the Bureau.

Decisions: If appropriate, the Committee will be invited to elect two members of the Bureau.

8. Date and place of the 26th meeting, adoption of the report

In accordance with Article 1 of the Rules of Procedure, the Committee will be invited to decide on the date of its 26th meeting.

The Secretariat will make a proposal (27-30 November 2006).

In accordance with Article 15 of the Convention, the Committee will be invited to approve the draft report to the Committee of Ministers on its work and on the functioning of the Convention.

9. Other business (items for information only)

- Reporting for obligations under Habitats Directive and Bern Convention (HABIDES)

Relevant information will be presented by the European Commission.

Any question which does not concern a preceding item of the agenda may be raised here.

The Standing Committee will be invited to discuss issues raised.

DRAFT PLAN FOR DISCUSSION OF THE AGENDA

MORNINGS 9.30 am - 12.30 pm	AFTERNOONS 2.30 - 5.30 pm
MONDAY 28 November	
1. Opening, adoption of agenda 2. Report from Chairman & Communications 3. Monitoring of the implementation of the legal aspects of the Convention 3.1 Switzerland proposal for wolf (from Ap II to App III) 3.2 Biennial reports 4. Monitoring of species and habitats 4.1. Group of Experts on Invasive Alien Species	6. Strategic development of the Convention 6.2 Enlargement of the Bureau 4.2 Large Carnivores : Seminar on management of transboundary populations. Information on LCIE activities 4.4 European Sturgeon and Danube Basin Sturgeon 4.5 Habitats: setting up of ecological networks, Emerald Network
TUESDAY 29 November	
4.3 Climatic change and biological diversity 5. Specific sites and populations 5.1. Files - Akamas Peninsula (Cyprus) - Project to build a motorway through the Kresna Gorge (Bulgaria) [Rec. No. 98 (2002)] - Ukraine: building of a navigable waterway in the Bystroe Estuary (Danube delta) 5.2 Possible Files - France: Conservation of the Hermann turtle in the plaine des Maures - Netherlands: museum in important bat site	5.3 On-the-spot appraisals - Windfarm in the Balchik area – Via Pontica (Bulgaria) ted recommendations from previous meetings on Odelouca dam (Portugal) on the construction of “Via Baltica” (Poland)
WEDNESDAY 30 November	
4.6 Elaboration of European Charter on Hunting 6. Strategic development of the Convention 6.1 Sommet du Conseil de l’Europe 6.3 Draft programme of activities 2006 6.4 States to be invited as observers for the 26 th meeting	
THURSDAY 1 December	
7. Election of Chairman and Vice-Chairman 8. Date and place of the 26th meeting and adoption of report 9. Other business	

Note: Room 14 will be free for EU co-ordination meetings (without interpretation).