

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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**JAARGANG 2014 Nr. 57**

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A. TITEL

*Verdrag inzake het behoud van wilde dieren en planten en hun  
natuurlijk leefmilieu in Europa;  
(met Bijlagen)  
Bern, 19 september 1979*

B. TEKST

De Engelse en de Franse tekst van het Verdrag, met Bijlagen, zijn geplaatst in *Trb.* 1979, 175.

In dat Tractatenblad dient in de Engelse tekst de volgende correctie te worden aangebracht.

Op blz. 8 in artikel 8, onderdeel e, dient het woord „possession” te worden vervangen door „possession”.

Voor wijzigingen van de Bijlagen bij het Verdrag, zie rubriek J van *Trb.* 1988, 72, *Trb.* 1991, 101, *Trb.* 1992, 112, *Trb.* 1994, 215, *Trb.* 1995, 180, *Trb.* 1996, 77, *Trb.* 1997, 43, *Trb.* 1998, 51 en *Trb.* 1999, 109.

C. VERTALING

Zie *Trb.* 1980, 60.

D. PARLEMENT

Zie *Trb.* 1982, 28, en rubriek J van *Trb.* 1988, 72, *Trb.* 1991, 101, *Trb.* 1992, 112, *Trb.* 1995, 180, *Trb.* 1996, 77, *Trb.* 1997, 43, *Trb.* 1998, 51 en *Trb.* 1999, 109.

## E. PARTIJEGEREVENS

Zie rubriek E van *Trb.* 1979, 175 en rubriek F van *Trb.* 1988, 72.

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Albanië	31-10-95	13-01-99	R	01-05-99		
Andorra	11-05-00	13-10-00	R	01-02-01		
Armenië	13-03-06	14-04-08	R	01-08-08		
Azerbeidzjan		28-03-00	T	01-07-00		
Belarus		19-02-13	T	01-06-13		
België	19-09-79	24-08-90	R	01-12-90		
Bosnië en Herzegovina	17-11-08	17-11-08	R	01-03-09		
Bulgarije		31-01-91	T	01-05-91		
Burkina Faso		14-06-90	T	01-10-90		
Cyprus	21-10-81	16-05-88	R	01-09-88		
Denemarken	19-09-79	08-09-82	R	01-01-83		
Duitsland	19-09-79	13-12-84	R	01-04-85		
Estland		03-08-92	T	01-12-92		
EU (Europese Unie)	19-09-79	07-05-82	R	01-09-82		
Finland	19-09-79	09-12-85	R	01-04-86		
Frankrijk	19-09-79	26-04-90	R	01-08-90		
Georgië	18-05-09	19-11-09	R	01-03-10		
Griekenland	19-09-79	13-06-83	R	01-10-83		
Hongarije		16-11-89	T	01-03-90		
Ierland	19-09-79	23-04-82	R	01-08-82		
IJsland	17-06-93	17-06-93	R	01-10-93		
Italië	19-09-79	11-02-82	R	01-06-82		
Kroatië	03-11-99	03-07-00	R	01-11-00		
Letland	23-01-97	23-01-97	R	01-05-97		
Liechtenstein	19-09-79	30-10-80	R	01-06-82		

Partij	Onder- tekening	Ratificatie	Type <sup>*</sup>	In werking	Opzeg- ging	Buiten werking
Litouwen	28-09-94	05-09-96	R	01-01-97		
Luxemburg	19-09-79	23-03-82	R	01-07-82		
Macedonië, de voormalige Joegoslavische Republiek	17-12-98	17-12-98	R	01-04-99		
Malta	26-11-93	26-11-93	R	01-03-94		
Marokko		25-04-01	T	01-08-01		
Moldavië		24-05-94	T	01-09-94		
Monaco		07-02-94	T	01-06-94		
Montenegro	03-03-09	01-10-09	R	01-02-10		
<b>Nederlanden, het Koninkrijk der</b> – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	19-09-79	28-10-80 – – – – – –	R	01-06-82 – – – – – –		
Noorwegen	19-09-79	27-05-86	R	01-09-86		
Oekraïne	17-08-98	05-01-99	R	01-05-99		
Oostenrijk	19-09-79	02-05-83	R	01-09-83		
Polen	24-03-95	13-09-95	R	01-01-96		
Portugal	19-09-79	03-02-82	R	01-06-82		
Roemenië		18-05-93	T	01-09-93		
Senegal		13-04-87	T	01-08-87		
Servië	09-01-08	09-01-08	R	01-05-08		
Slovenië	20-10-98	29-09-99	R	01-01-00		
Slowakije	28-04-94	23-09-96	R	01-01-97		
Spanje	19-09-79	27-05-86	R	01-09-86		
Tsjechië	08-10-97	25-02-98	R	01-06-98		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Tunesië		12-01-96	T	01-05-96		
Turkije	19-09-79	02-05-84	R	01-09-84		
Verenigd Koninkrijk	19-09-79	28-05-82	R	01-09-82		
Zweden	19-09-79	14-06-83	R	01-10-83		
Zwitserland	19-09-79	12-03-81	R	01-06-82		

\* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

## Uitbreidingen

### Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Jersey	25-10-2002	
Man	24-08-1992	

## Verklaringen, voorbehouden en bezwaren

Belarus, 19 februari 2013

Pursuant to Article 22, paragraph 1, of the Convention, the Republic of Belarus shall not apply the provisions of Article 6 of the Convention in respect to the following species included in Appendix II to the said Convention:

- Canis Lupus;
- Lutra lutra.

Pursuant to Article 22, paragraph 1, of the Convention, the Republic of Belarus shall not apply the provisions of Article 8 of the Convention in respect of the following prohibited means and methods of killing, capture and other forms of exploitation listed in Appendix IV:

- Snares, nets – in respect of the capture or killing of Castor fiber, Lutra lutra, Sciurus vulgaris, Martes martes, Martes foina, Putorius (Mustela) putorius, Canis lupus;
- Semi-automatic weapons with a magazine capable of holding more than two rounds of ammunition
- in respect of the capture or killing of all game animals;
- Devices for illuminating targets, sighting devices for night shooting comprising an electronic image magnifier or image converter, artificial

light sources – in respect of the capture or killing of *Canis lupus*, *Capreolus capreolus*, *Alces alces*, *Cervus elaphus*, *Cervus dama*, *Cervis nippon* in the periods of hunting which is allowed in the nighttime;  
 – Tape recorders – in respect of the capture or killing of all game animals;  
 – Aircrafts – in respect of the capture or killing of *Canis lupus*;  
 – Motor vehicles in motion – in respect of the capture or killing of all game animals.

België, 24 augustus 1990

The Kingdom of Belgium declares that the capture of birds for recreational purposes, in limited numbers and without hindering the survival of the species concerned, will continue in the Region of Wallonie and that it intends to apply Article 9 of the Convention to that effect, without prejudice to Community texts.

The species concerned are the following: *Emberiza citrinella*, *Emberiza schoeniclus*, *Chloris chloris*, *Carduelis carduelis*, *Carduelis spinus*, *Carduelis flavirostris*, *Carduelis cannabina*, *Carduelis flammea*, *Loxia curvirostra*, *Coccothraustes coccothraustes*.

Bulgarije, 31 januari 1991

In pursuance of paragraph 1 of Article 22 of the Convention on the Conservation of European Wildlife and Natural Habitats of 1979, the Republic of Bulgaria reserves the right not to apply the provisions of the Convention in respect of the following species included in Annex II of the said Convention:

mammals – *Citellus citellus*, *Canis lupus*, *Ursus arctus*, *Felis silvestris*;  
 reptiles – *Lacerta viridis*, *Lacerta trilineata*, *Lacerta agilis*, *Podarcis muralis*, *Podarcis taurica*, *Podarcis erhardii*, *Natrix tessellata*;  
 amphibians – *Rana dalmatina*.

Because of their large population in the Republic of Bulgaria, the protection of these species in its territory does not prove to be necessary.

Cyprus, 16 mei 1988

In conformity with paragraph 1 of Article 22 of the said Convention the Republic of Cyprus enters the following reservations:

1. the undermentioned fauna species included in Appendix II as “Strictly protected fauna species” will be considered by the Republic of Cyprus as “protected fauna species” enjoying the regime of protection provided for by the Convention for the species included in Appendix III: *Calandrella brachydactyla*, *Calandrella refuscens*, *Melanocorypha calandra*, *Merops apiaster*.

2. the undermentioned fauna species included in Appendix II will not be considered by the Republic of Cyprus as enjoying the regime of protection provided for by the said Convention for the species included in the said Appendix: *Vibera lebetina*.

Denemarken, 8 september 1982

The Convention does not apply to Greenland and the Faroe Islands.

Denemarken, 11 april 1991

I hereby, on behalf of the Danish authorities, have the honour to notify a partial objection in respect of the inclusion of lower plants (Bryophytes) in Appendix I. The objection is partial in the sense that it only concerns the obligations in Article 5, and it does not concern obligations according to other Articles of the Convention that follow from the amendment. In particular, it does not concern Article 4, paragraph 1.

Denmark thus has no objections to ensure the habitats of the Bryophytes with Danish occurrence included in connection with the amendment of Appendix I, but it does not intend to carry out legislative species protection of these plants.

The objection applies to all Bryophyte species in Appendix I occurring in Denmark. According to present knowledge this includes the following 5 species from the amended list:

*Buxbaumia viridis*, *Dichelyma capillaceum*, *Drepanocladus vernicosus*, *Meesia longisetata*, *Orthotrichum rogeri*.

For the sake of good order I add that Denmark is not notifying any objections in connection with the amendments concerning higher plants (Ferns and Flowering plants) to Appendix I of the Convention.

Europese Unie, 30 november 2009

The Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community will enter into force on 1 December 2009.

As a consequence, as from that date, the European Union will replace and succeed the European Community (Article 1, third paragraph, of the Treaty on European Union as it results from the amendments introduced by the Treaty of Lisbon).

Therefore, as from that date, the European Union will exercise all rights and assume all obligations of the European Community, including its status in the Organisation, whilst continuing to exercise existing rights and assume obligations of the European Union.

In particular, as from that date, the European Union will succeed to all agreements concluded and all commitments made by the European Community with your Organisation and to all agreements or commitments adopted within your Organisation and binding on the European Community.

[Note by the Secretariat: As from 1 December 2009, any reference to “the European Economic Community”, “the European Community” or “the European Communities” contained in the text of the treaties and agreements concluded within the Council of Europe shall be read as “the European Union”. The website of the Treaty Office has been modified accordingly, and a Note by the Secretariat will be added to the texts of the treaties concerned.]

Finland, 9 december 1985

In conformity with paragraph 1 of Article 22, Finland enters a reservation regarding the following species specified in Appendices II and III:

Appendix II:

*Canis lupus*

*Ursus arcto*

*Accipiter gentilis*

Appendix III:

*Microtus ratticep*

*Vipera berus*

Finland, 10 maart 1988

Objections notified by Finland:

Appendix II:

*Aeshna viridis*

*Leucorrhinia albifrons*

*Leucorrhinia caudalis*

*Leucorrhinia pectoralis*

*Dytiscus latissimus*

*Graphoderus bilineatus*

*Euphydryas (Eurodryas) aurinia*

*Lopinga achine*

*Hypodryas maturna*

Appendix III:

*Lampetra planeri*

*Abramis ballerus*

*Cottus poecilopus*

*Myoxocephalus quadricornis*

*Pomatoschistus microps*

*Pomatoschistus minutus*

Frankrijk, 26 april 1990

At the time of the deposit of the instrument of approval of this Convention, the Government of the French Republic makes a reservation concerning the Appendix II "Strictly protected fauna species" and concerning the species "*Chelonia mydas*" or green turtle.

Frankrijk, 6 maart 1992

I have the honour to inform you, pursuant to Article 17, paragraph 3 of the Convention on the Conservation of European Wildlife and Natural Habitats, that the Government of the French Republic objects to the inclusion of the *Trapa natans* L. specie in Appendix I of the said Convention, decided during the 11th meeting of the Standing Committee.

As this specie is not endangered in France, measures of protection provided for by the Convention are not justified in its respect.

Georgië, 19 november 2009

Pursuant to Article 22 of the Convention, Georgia reserves the right not to apply provisions of Article 5 of the Convention in respect to the following species contained in Appendix I to the Convention occurring on the territory of Georgia:

Marsilea quadrifolia L;  
 Salvinia natans L. All;  
 Vaccinium arctostaphylos L;  
 Dracocephalum ruyschiana L;  
 Cyclamen coum Mill;  
 Typha minima Funk;  
 Zostera marina L. (Med.);  
 Kosteletzkya pentacarpos (L.) Ledeb;  
 Paeonia tenuifolia L.

Pursuant to Article 22 of the Convention, Georgia reserves the right not to apply provisions of Article 6 of the Convention in respect to the following species contained in Appendix II to the Convention occurring on the territory of Georgia:

Birds

Merops apiaster  
 Melanocorypha calandra  
 Motacilla alba  
 Emberiza cia  
 Sturnus roseus

Reptiles

Natrix tessellata

Amphibians

Bufo viridis

Pursuant to Article 22 of the Convention, Georgia reserves the right not to apply provisions of Article 6 of the Convention in respect to the species contained in Appendix III to the Convention occurring on the territory of Georgia, and shall provide their protection pursuant to Article 7 of the Convention, i.e. shall treat them as having being included in Appendix III to the Convention. These species are:

Mammals

Canis Lupus  
 Ursus arctos  
 Felis silvestris

Birds

İxobrychus minutus  
 Accipiter nisus  
 Accipiter gentilis  
 Buteo buteo  
 Sterna albifrons  
 Sterna hirundo  
 Otus scops  
 Upupa epops



Coracias garrulus  
 Dendrocopos major  
 Hirundo rustica  
 Delichon urbica  
 Eremophila alpestris  
 Motacilla flava  
 Lanius collurio  
 Prunella modularis  
 Prunella collaris  
 Oenanthe Oenanthe  
 Oenanthe finischii  
 Oenanthe isabellina  
 Phoenicurus ochruros  
 Phoenicurus phoenicurus  
 Erithacus rubecula  
 Parus major  
 Parus caeruleus  
 Sitta europaea  
 Troglodytes troglodytes  
 Emberiza melanocephala  
 Carduelis cannabina  
 Carduelis carduelis  
 Carduelis spinus  
 Carduelis chloris  
Reptiles  
 Vipera lebetina  
 Ophysaurus apodus  
 Coluber najadum  
 Coronella austriaca  
Amphibians  
 Hyla arborea

Pursuant to Article 22 of the Convention, Georgia reserves the right not to apply provisions of Article 7 of the Convention in respect to the following species contained in Appendix III to the Convention occurring on the territory of Georgia:

Mammals

Sciurus vulgaris

Fish

Coregonus

Pursuant to Article 22 of the Convention, Georgia reserves the right to implement provisions of Appendix IV concerning prohibited means and methods of killing, capture and other forms of exploitation, under the following conditions: “Georgia agrees with prohibition of snares and traps, but allows purposeful and specific use for mammals capture only for scientific purposes, or in cases, where this is related to removal of particular problematic species from the nature”.

Griekenland, 6 maart 1992

Pursuant to Article 17 of the Bern Convention, reservations are made as set below in respect to flora species included in Appendix I of the Bern Convention, according to the relevant decision of the Standing Committee:

- i. A temporal reservation, until the designation of key sites in Greece for the following species: *Pilularia minuta*, *Ranunculus fontanus*, *Trapa natans*, *Adonis cyllenea*, *Trachelium asperuloides*, *Verbascum cylleneum*, *Bupleurum capillare*.
- ii. For the species *Linaria hellenica*, a reservation for the site Vatika Lakonia, Peloponese.
- iii. For the species *Carlina diae*, a reservation for the Gianissada site.

Griekenland, 4 maart 1998

Referring to the amendments of Appendix I – Strictly Protected Flora Species – which have been adopted by the 17th Meeting of the Standing Committee of the Bern Convention, as they appear in Appendix 4 of document T-PVS(97)Misc 2, Greece enters an objection for the species:

*Ophrys oestriphera*

*Ophrys taurica*

*Orchis provencialis*

in the sense of examining their conservation status, with regard to their potential European Community interest, in the context of the NATURA 2000 network establishment.

Hongarije, 16 november 1989

#### Appendix I

From among the plant species specified in Appendix I, three species occur in Hungary. The following plant species are not protected:

*Centaurea horrida* Badaro, *Rheum rhaponticum* L.

There are 414 protected plant species in Hungary which are not listed in Appendix I of the Convention.

#### Appendix II

From among the species specified in Appendix II, the following ones are not protected in Hungary in any way:

*Cricetus cricetus*, *Coenagrion fregi*, *Coenagrion mercuriale*, *Stylurus* (= *Gomphus*) *flavipes*, *Ophiogomphus cecilia*, *Oxygastra curtisii*, *Leucorhinia caudalis*, *Leucorhinia pectoralis*, *Graphoderus bilineatus*, *Cucujus cinnaberinus*, *Melanargia arge*, *Erebia calcaria*, *Lopinga achine*, *Lycæna dispar*, *Maculinea arion*, *Maculinea teleius*.

#### Appendix III

From among the species specified in Appendix III, the following ones are not protected in Hungary:

*Martes foina*, *Putorius putorius*, *Phalacrocorax carbo*, *Fulica atra*, *Streptopelia decacto*, *Passer montanus*, *Eudontomyzon mariae*, *Eudontomyzon vladkovi*, *Lampetra planeri*, *Alosa pontica*, *Coregonus albula*, *Coregonus lavarodus*, *Thymallus thymallus*, *Abramis ballerus*, *Abramis sapa*,

*Abramis vimba*, *Chalcalburnus chalcoides*, *Chondrostoma nasus*, *Pelecus cultratus*, *Rhodeus sericeus*, *Rutilus frisii*, *Rutilus pigus*, *Gymnocephalus baloni*, *Astacus astacus*, *Helix pomatia*, *Hirudo medicinalis*.

#### Appendix IV

For the capture of Cervidae the use of anaesthetic shot and anaesthetic bait is allowed in Hungary.

For the capture of *Lepus capensis* the use of nets is allowed in Hungary. For the killing of the following species the use of semi-automatic weapons is allowed in Hungary:

*Lepus capensis*, *Phasianus colchicus*, *Perdix perdix*, *Anser Albifrons*, *Anser fabalis*, *Anas platyrhynchos*, *Anas querquedula*, *Anas crecca*, *Anas penelope*, *Aythya ferina*, *Fulica atra*, *Scolpax rusticola*, *Streptopelia decaocto*, *Columba palumbus*.

IJsland, 17 juni 1993

Reservations are made regarding the following species:

In Appendix I regarding *Saxifraga hirculus*.

In Appendix II

a. regarding the taking of eggs from *Sterna paradisaea* and *Bucephala islandica*.

b. regarding the *Gavia stellata*, *Branta leucopsis*, *Alopex lagopus*, *Orcinus orca*, *Globicephala melaena*, *Phocaena phocaena*, *Hyperoodon rostratus*, *Lagenorhynchus albirostris*, *Sibbaldus musculus*, *Megaptera novaeangliae*, *Eubalaena glacialis*, *Balaena mysticetus*, *Thalarctos maritimus*, *Delphinus delphis*, *Tursiops truncatus* and *Lagenorhynchus acutus*.

In Appendix III regarding *Corvus corax* and *Stercorarius parasiticus*.

IJsland, 25 april 1996

With this letter, and in accordance with Article 17, paragraph 3, of the Convention, the Government of Iceland notifies objections to the amendments adopted by the Standing Committee on 26 January 1996, regarding inclusion of *Monodon monoceros*, *Globicephala macrorhynchus*, *Stenella frontalis*, *Kogia breviceps*, *Balaenoptera edeni* and *Balaenoptera physalus* in Appendix II of the Convention.

As has been clearly expressed by the Icelandic delegation at the meeting of the Standing Committee, no criteria were used for including cetaceans in Appendix II. It is this lack of defined criteria, as well as disregard of available scientific information on population and population trends of species, which is unacceptable to Iceland. The decision is also not in conformity with the results of the United Nations Conference on Environment and Development. In particular, Iceland pointed out that the proposal included species which, according to reliable scientific data, are not threatened. A particular concern of the Icelandic Government is the inclusion of *Balaenoptera physalus* and *Monodon monoceros* in Appendix II.

We would also like to state that if new scientific information shows that these species are in fact threatened, measured against reasonable criteria, taking into account the precautionary principle, the Government of Iceland is willing to reconsider this notification.

With respect to the other species concerned on which no data was provided, Iceland will reassess its position when defined criteria have been developed by the Standing Committee and data provided on the state of these species.

Kroatië, 3 juli 2000

Pursuant to the provisions of paragraph 1 of Article 22, the Republic of Croatia makes the following reservations relating to Articles 5, 6 and 7 of the Convention:

Appendix I

- *Salvinia natans*: protection not to be implemented on fish farms.
- *Trapa natans*: protection not to be implemented on fish farms.
- *Rheum rhaponticum*.

Appendix II

To be considered a species mentioned in Appendix III:

- *Felis silvestris*
- *Ursus arctus*
- *Vipera ammodytes*

Appendix III

- *Paracentrotus lividus*

Letland, 23 januari 1997

In pursuance of paragraph 1 of Article 22 of the Convention, the Republic of Latvia reserves the right not to apply the provisions of the Convention in respect of the following accordingly.

Appendix I:

*Cypripedium calceolus* L.  
*Liparis loeselii* (L.) Rich  
*Pulsatilla patens* (L.) Miller

Appendix II:

*Canis Lupus*  
*Rana arvalis*

Appendix III:

*Corvus corax*  
*Lampetra fluviatilis*  
*Abramis vimba*

Appendix IV:

Mammals:

Artificial light sources

Traps

Birds:

Nets.

Litouwen, 5 september 1996

In accordance with Article 22 of the said Convention, the Republic of Lithuania declares the following reservations:

I. Reservation in respect of Appendix II of the Convention:

A reservation is made concerning the fauna species *Canis lupus*, included in Appendix II as a “strictly protected fauna species”, which will be considered by the Republic of Lithuania as a “protected fauna species” enjoying the regime of protection provided by the Convention for the species included in Appendix III.

II. Reservations regarding certain means or methods of killing and capture listed in Appendix IV for certain species:

For the capture of *Sus scrofa*, the use of devices for illuminating targets is allowed in Lithuania;

For the killing of *Cervidae* and birds, the use of semi-automatic weapons with a magazine capable of holding more than two rounds of ammunition is allowed in Lithuania;

For the capture of *Castor fiber*, the use of traps of special construction for selective capture is allowed in Lithuania.

Malta, 20 februari 1997 en 25 maart 1997

Malta wishes to withdraw from two reservations it had made, when acceding to the Convention, namely the reservation re the shooting and taking of the *Streptopelia turtur* and *Coturnix coturnix*, and from its reservation re the means used for taking birds under Appendix IV.

Malta is in a position to withdraw its reservation re the *Fringilla coelebs* under Appendix III. Furthermore, Malta’s withdrawal from the reservation regarding the use of nets for trapping, applies also to wild rabbits. As from 17 February 1997, the reservation reads as follows:

In pursuance of paragraph 1 of article 22 of the Convention on the Conservation of European Wildlife and Natural Habitats of 1979, the Republic of Malta reserves the right not to apply the provisions of the Convention in respect of the following, accordingly:

a) AVES – birds which can be trapped from the 1st of September to the 31st of January.

Appendix II

*Carduelis chloris*

*Carduelis carduelis*

*Carduelis spinus*

*Carduelis cannabina*

*Serinus serinus*

*Coccothraustes coccothraustes*.

Malta, 4 maart 1998

In pursuance of Article 17, paragraph 3, of the Convention, Malta is making an objection in respect of the following species included in Appendix III (as recently amended):

Appendix III

*Epinephelus marginatus*  
*Lamna nasus*  
*Palinurus elephas*  
*Raja alba*  
*Squatina squatina*

Noorwegen, 19 september 1979

The Norwegian Government wishes, upon the occasion of the signing of the Convention on the Protection of Wildlife and Natural Habitats in Bern on the 19 of September, to place on record that pending further national discussion in connection with ratification, it may prove necessary to enter a reservation with respect to a particular species covered by the Convention. The Norwegian Government also reserves the right in connection with ratification to make clear its understanding that nothing in this Convention shall prejudice the obligations of Contracting Parties with respect to provisions contained in, or decisions already adopted – or which may be adopted – pursuant to international agreements already existing.

Noorwegen, 27 mei 1986

A reservation is made in respect of the prohibition listed in Appendix IV for the use of semi-automatic weapons capable of holding more than two rounds of ammunition for the hunting of the following species included in Appendix III: Red deer (*Cervus elaphus*), Roe deer (*Capreolus capreolus*), Moose (*Alces alces*).

This reservation applies furthermore to the use of semi-automatic weapons used for sealing and whaling, conducted in accordance with Norwegian laws and regulations.

In accordance with paragraph 1 of Article 21, this Convention shall apply to the continental territory of the Kingdom.

With respect to the territory of the Kingdom in Svalbard and Jan Mayen, the Government of Norway will promote national policies for the conservation of wild flora, wild fauna and natural habitats, in accordance with the provisions of this Convention, with a reservation in respect of the conservation and management of the population of Arctic fox (*Alopex lagopus*) in Svalbard.

The Government of Norway undertakes to co-ordinate its efforts for the protection of migratory species specified in Appendices II and III whose ranges extend into Svalbard or Jan Mayen with the efforts of other Contracting Parties on a basis of mutual co-operation and reciprocity.

The Government of Norway confirms its understanding that nothing in the Convention on the Conservation of European Wildlife and Natural Habitats shall prejudice the obligations of Norway with respect to provisions contained in, or decisions already adopted – or which may be adopted – pursuant to international agreements already existing.

Noorwegen, 3 oktober 1989

Referring to our meeting in December 1987 of the Standing Committee of the Bern Convention concerning amendments to Appendices II and III.

Norway abstained from voting on the proposal from Portugal regarding whale species. The Norwegian delegation needed consultations with the competent authorities in Norway.

At present, further consultations are needed as a basis for a definite Norwegian position on this proposal. Under these circumstances, Norway hereby make a formal, but provisional reservation to the decision of listing six whale species on Appendix II of the Bern Convention: *Orcinus orca*, *Lagenorhynchus albirostris*, *Lagenorhynchus acutus*.

We will communicate our final position on this matter in a few months.

Noorwegen, 13 maart 1997

At its 16th meeting in Strasbourg, 2-6 December 1996, the Standing Committee of the Bern Convention adopted several amendments to the Appendices of the Convention. The decision implies including a number of species for Appendix I, i.e. strictly protected plant species, Appendix II, i.e. strictly protected fauna species, and III, i.e. protected fauna species.

On behalf on the Norwegian Government the Directorate for Nature Management would like to notify an objection to the inclusion of the plant species *Rheum rhaponticum* L. in Appendix I of the Convention. The reason why Norway has come to this conclusion is that *Rheum rhaponticum* L. has been introduced to Norway, and that its inclusion in Appendix I from our point of view, comes into conflict with the objectives of Article 11-2b of the Convention, which call for the strict control of non-native species. According to our present state of knowledge *Rheum rhaponticum* L. has been used as an ornamental and medicinal plant, and is thought to originate from Middle Asia. Finally, however, we would like to inform you that our objection does not imply that Norway at present have any intentions of changing her management practice concerning this species.

Interpretation with regard to listing of marine species – geographical coverage

Concerning the adopted list of marine species for the inclusion in Appendices II and III, Norway understands that these listings only apply to the geographical area of the Mediterranean Sea, as it is reflected in Article 1.1 of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean adopted in Barcelona on 16 February 1976 and amended on 15 June 1995. It reads:

“Article 1

Geographical Coverage

1. For the purposes of this Convention, the Mediterranean Sea Area shall mean the maritime waters of the Mediterranean Sea proper, including its gulfs and seas, bounded to the west by the meridian passing

through Cape Spartel lighthouse, at the entrance of the Straits of Gibraltar, and to the east by the southern limits of the Straits of the Dardanelles between Mehmetcik and Kumkale lighthouses.”

This interpretation is also reflected in a letter from the Bern Convention Secretariat of 5 March 1997. Norway therefore understands that the listing of these marine species in Appendix II and III has no consequences for populations or parts of populations appearing outside this area.

On this background we would like to emphasize the importance of a practice giving Parties the possibility of listing populations to the Convention.

Noorwegen, 12 november 2013

The Government of Norway withdraws the following objections [concerning Article 17]

1. Objection made by the Directorate for Nature Management of Norway, dated 9 April 1991, partial objection with respect to the inclusion of Bryophytes in Appendix I. The objection applies to all Bryophyte species added to Appendix I. According to our present knowledge, the following species are registered in Norway: *Scapania massalongi*, *Atractylolcarpus alpinus*, *Buxbaumia viridis*, *Cynodontium suecicum*.
2. Objection made by the Directorate for Nature Management of Norway, dated 20 February 1998, with respect to the plant species *Dracopetalum ruyschiana* L. in Appendix I of the Convention.

Macedonië, de voormalige Joegoslavische Republiek, 17 december 1998

The Republic of Macedonia shall be considered bound by all the paragraphs of the Convention, with the following exceptions:

1. Appendix II – Strictly protected fauna species does not apply to *Canis lupus*, *Felis silvestris*, *Anser erythropus*, *Gallinago media* and *Accipiter gentilis*.
2. Appendix III – Protected fauna species does not apply to *Meles meles*, *Mustela nivalis*, *Putorius putorius*, *Vormela perugusna*, *Martes martes*, *Martes foina*, *Phalacrocorax carbo* and *Ardea cinerea*.

Oekraïne, 5 januari 1999

The Verkhovna Rada of Ukraine declares that Ukraine has become a party of the Convention, with reservations as follows:

1. It is allowed in Ukraine, in restricted number and under conditions of relevant control, towards such species mentioned in Appendix II to the Convention:
  - spot regulation of number of *Canis lupus* and *ursus arctos* with a view to prevent their negative influence on other species, serious harm to livestock and other objects of property;
  - exploitation of *Gallinago media* because of its big number and diffusion.



2. It is allowed to use the following means and methods of killing, capture and other forms of exploitation, mentioned in Appendix IV to the Convention:

- snares and nets – for catching mammals and birds, mentioned in Appendix III, with scientific purpose and migration;
- traps – for exploitation of *Canis lupus*, mentioned in Appendix II; *Marmota marmota* bobac, *Castor fiber*, *Putorius (Mustela) putorius*, *Martes martes*, *Martes foina*, mentioned in Appendix III to the Convention.

Polen, 20 mei 1998

Pursuant to Article 22, paragraph 1, the Republic of Poland makes the following reservations regarding Appendices I, II and III:

1. The undermentioned flora species specified in Appendix I as “strictly protected” are not endangered in Poland and will not be placed under protection:

*Marsilea quadrifolia* L., *Botrychium simplex* Hitchc., *Ophioglossum polyphyllum* A. Braun, *Caldesia parnassifolia* (L.) Parl., *Luronium natans* (L.) Raf., *Ligularia sibirica* (L.) Cass., *Saxifraga hirculus* L., *Najas flexilis* (Willd.) Rostk. & W.L. Schmidt, *Thesium ebracteatum* Hayne, *Lindernia procumbens* (Krocker) Philcox, *Angelica palustris* (Besser) Hoffman, *Drepanocladus vernicosus* (Mitt.) Warnst., *Buxbaumia viridis* (Moug. ex Lam & DC.) Brid, ex Moug & Nestl., *Dichelyma capillaceum* (With.) Myr., *Pyramidula tetragona* (Brid.) Brid., *Meesia longiseta* Hedw., *Orthotrichum rogeri* Brid.

2. From among fauna species listed in Appendix II as “strictly protected”, *Canis lupus* will enjoy in Poland another regime of protection than provided for by the Convention.

3. From among fauna species listed in Appendix III, *Leucaspius delineatus* is not a species endangered in Poland and will not be placed under protection.

Slovenië, 29 september 1999

Pursuant to the provisions of paragraph 1 of Article 22 and in connection with Article 6 of the Convention, the Republic of Slovenia makes reservations to the Appendix II for the species of wolf (*Canis lupus*) and brown bear (*Ursus arctus*).

Slowakije, 28 april 1994

In accordance with Article 22, paragraph 1, of the Convention, the Slovak Republic makes a reservation in respect of two species specified in Appendix II. These species are the wolf (*Canis lupus*) and the brown bear (*Ursus arctos*). The reason for making this reservation with regard to conditions for the protection of these species, according to Article 6 of the Convention, is that the present level of their population in the Slovak Republic permits the regulation of their numbers without detriment

to their survival and to the functions of these species in the natural ecosystems.

Slovakije, 23 september 1996

In accordance with Article 22, paragraph 1, of the Convention, the Slovak Republic makes a reservation regarding two kinds of animals according to Appendix II (Strictly Protected Fauna Species) – *Canis lupus* and *Ursus arctos*.

Spanje, 19 september 1979

Reservations concerning the list of species set out in Appendix II

The undermentioned species are excluded from this list as far as Spain is concerned:

*Canis lupus*, *Otis tarda*, *Otis tetrax*, *Burhinus oedicephalus*, *Pterocles orientalis*, *Pterocles alchata*, *Carduelis chloris*, *Carduelis carduelis*, *Carduelis spinus*, *Carduelis cannabina*, *Serinus serinus*, *Sturnus unicolor*, *Lacerta lepida*, *Emys orbicularis*, *Mauremys caspica*, *Vipera latastei*.

This list of species will be transferred in full to Appendix III.

2. Reservations concerning the list of species set out in Appendix III

As far as Spain is concerned the species *Sus scrofa meridionalis* is excluded from this list.

3. Reservations concerning prohibited means and methods of killing etc. set out in Appendix IV

Mammals

Prohibition of the use of snares is accepted apart from their use in the capture of *Canidae*, *Mustelidae*, *Viverridae* and *Oryctolagus cuniculus*.

Prohibition of the use of traps is accepted apart from their use in the capture of *Canidae*, *Mustelidae*, *Viverridae* and *Oryctolagus cuniculus*.

Prohibition of gassing and smoking out is accepted apart from their use for the capture of *Vulpes vulpes*.

Prohibition of the use of poisoned bait is accepted apart from its use in temporary hunting emergency situations.

Prohibition of the use of automatic or semi-automatic weapons with a magazine capable of holding more than two rounds of ammunition cannot be accepted for the time being.

Birds

Prohibition of the use of snares is accepted apart from their use in the capture of *Sturnus vulgaris*, *Turdus philomelos* and *Turdus iliacus* in certain areas and at certain times.

Prohibition of the use of nets is accepted apart from the use of nets specially authorised for the capture of *Columba palumbus*, *Sturnus vulgaris* and *Passer domesticus* in certain areas and at certain times and for the capture of *Fringillidae* alive.

Prohibition of the use of poisoned bait is accepted apart from its use in temporary hunting emergency situations.

Prohibition of the use of automatic or semi-automatic weapons with a magazine capable of holding more than two rounds of ammunition cannot be accepted for the time being.

Spanje, 27 mei 1986

A reservation is made concerning the fauna species *Canis lupus*, *Sturnus unicolor*, *Lacerta Lepida* and *Vipera latasti*, *Carduelis-Carduelis*, *Carduelis Chloris*, *Carduelis Cannabina* and *Serinus Serinus*, included in Appendix II as "Strictly protected fauna species", which will be considered by Spain as "Protected fauna species" enjoying the régime of protection provided for by the Convention for the species included in Appendix III.

Tsjechië, 25 februari 1998

The Czech Republic makes the following reservations, pursuant to Article 22, paragraph 1, of the Convention:

- Reservation to the inclusion of the following species in Appendix II of the Convention: *Canis lupus*, *Ursus arctos*, *Bubo bubo*, *Buteo buteo*, *Buteo lagopus*, *Accipiter gentilis* and *Falco tinnunculus* with respect to the current proliferation of these species in the territory of the Czech Republic, with respect to the need for regulation of nutrition specialists and with respect to the current use of falconry. In the event of an emergency the régime corresponding to the species specified in Appendix II shall be applied to all the above mentioned wild fauna species.
- Reservation to the inclusion of *Capra aegagrus* in Appendix II of the Convention with respect to the existence of breeding only in game-parks of genetically unsuitable animals of this species which is not indigenous to the Czech Republic.
- Reservation to the inclusion in Appendix IV of the Convention of semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition with respect to Act No. 23/1962 on gamekeeping as amended by later regulations and Ordinance No. 134/1996 on the Implementation of the Act on Gamekeeping, which permit the use of such weapons for hunting.

Tunesië, 12 januari 1996

The Republic of Tunisia declares that, in pursuance of the provisions of Article 22 of the Convention, it is making reservations and does not consider itself bound to take measures for the protection of some vegetal and animal species mentioned in the Annexes, being considered that the increase of these species in Tunisia is at present incompatible with the protection stipulated in the Convention.

These species are:

Annex 1: *Reseda decursiva* Forssk. Gibraltar, *Sideritis incana* L. ssp. *glauca* (Cav.) Malagarriga

Annex 2: *Bufo viridis*

Turkije, 2 mei 1984

Mammals: RODENTIA Sciuridae

Citellus citellus

CARNIVORA Canidae

Canis lupus Ursidae

All species

ARTIODACTYLA Bovidae

Capra aegagrus Suidae

Sus scrofa meridionalis

Birds: ANSERIFORMES Anatidae

Anser erythropus

Tadorna tadorna

Tardona ferruginea

Oxyura leucocephala

CHARADRIIFORMES Scolopacidae

Gallinago media

COLUMBIFORMES Pteroclididae

Pterocles alchata

Pterocles orientalis

Reptiles: TESTUDINES Testudinidae Testudo hermanni

Testudo graeca

Testudo marginata

Amphibians: ANURA Ranidae Rana arvalis

Rana dalmatina

Rana latastei

Prohibited means and methods of killing, capture and other forms of exploitation

Mammals: Semi-automatic or automatic weapons with a magazine capable of holding more than two rounds of ammunition.

Turkije, 9 maart 1988

With reference to the decision taken during the last meeting of the Standing Committee on the Convention on the Conservation of European Wildlife and Natural Habitats, held in Strasbourg from 8 to 11 december 1987, and in accordance with Article 17.3 of the said Convention, I have the honour to send you herewith the list of species, the inclusion of which is objected to by Turkey.

Appendix II

Amphibians

Pelobates syriacus, Pelodytes caucasicus

Reptiles

Agama stellio, Ophisops elegans, Lacerta agilis, Ophisaurus apodus,

Chalcides ocellatus, Coluber najadum, Natrix tessellata, Telescopus fallax

Felis silvestris (catus)

Vormela peregusna

Calopteryx syriaca, Sympecma braueri, Coenagrion freyi, Coenagrion mercuriale, Aeshna viridis, Stylurus (= Gomphus) flavipes, Gomphus

graslinii, Ophiogomphus cecilia, Lindenia tetraphylla, Macromia splendens, Brachythemis fuscopalliata, Leucorrhinia albifrons, Leucorrhinia caudalis, Leucorrhinia pectoralis, Carabus olympiae, Dytiscus latissimus, Graphoderus bilineatus, Osmoderma eremita, Buprestis splendens, Cucujus cinnaberinus, Cerambyx cerdo, Papilio hospiton, Papilio alexanor, Zerynthia polyxena, Parnassius apollo, Parnassius mnemosyne, Apatura metis, Fabriciana elisa, Euphydryas (Eurodryas) aurinia, Melanargia arge, Erebia christi, Erebia sudetica, Erebia calcaria, Coenonympha hero, Coenonympha oedippus, Lopinga achine, Lycaena dispar, Maculinea arion, Maculinea teleius, Maculinea nausithous, Plebicula golgus, Hypodryas maturna, Eriogaster catax, Hyles hippophaes, Proserpinus proserpina.

#### ARACHNIDA

Araneae

Macrothele calpeiana

Molluscs

#### GASTROPODA

Stylommatophora

Geomalacus maculosus, Elona quimperiana, Margaritifera auricularia.

#### Appendix III

#### BIVALVIA

Unionoida

Margaritifera margaritifera, Unio elongatulus, Microcondylaea compressa.

Annelids

#### HIRUDINEA

Hirudo medicinalis

Chalcalburnus chalcoides, Abramis vimba, Alburnoides bipunctatus, Alburnus albidus, Aspius aspius, Barbus plebejus, Chondrostoma nasus, Rutilus frisii, Rutilus rubilio, Siluris glanis, Gobius ophiocephalus, Gobius syrman, Proterorhinus marmoratus.

Verenigd Koninkrijk, 31 maart 1997

Great Britain

Reservations are made, as set out below, in respect of the prohibitions listed in Appendix IV.

#### HARES

Snares (except for self-locking snares)

Tape Recorders

Electrical Devices capable of killing and stunning

Artificial light sources

Mirrors and other dazzling devices

Devices for illuminating targets

Sighting devices for night shooting comprising an electronic image magnifier or image converter

Nets

Traps

Semi-automatic weapons with a magazine capable of holding more than 2 rounds of ammunition Aircraft

Motor vehicles in motion.

#### STOATS

A reservation is made on prohibited methods as for Hare above, with the addition of gassing or smoking out.

#### WEASELS

A reservation is made on prohibited methods as for Hare above, with the addition of gassing or smoking out.

#### DEER IN ENGLAND AND WALES

Red Deer (*Cervus elaphus*): Stags from 1 August to 30 April inclusive; Hinds from 1 November to 29 February inclusive.

Fallow Deer (*Dama dama*): Buck from 1 August to 30 April inclusive; Doe from 1 November to 29 February inclusive.

Roe Deer (*Capreolus capreolus*): Buck from 1 April to 31 October inclusive; Doe from 1 November to 29 February inclusive.

Sika Deer (*Cervus nippon*): Stags from 1 August to 30 April inclusive; Hinds from 1 November to 29 February inclusive.

For any person entering land without the consent of the owner/occupier/lawful authority (unless subject to limited exception under S10, 10A, and 11 of the Deer Act 1963 as amended by Schedule 7 to the Wildlife and Countryside Act 1981).

Tape Recorders

Electrical Devices capable of killing and stunning

Mirrors and other dazzling devices

Semi-automatic weapons with a magazine capable of holding more than 2 rounds of ammunition (except for other extensive prohibitions on firearms, weapons and ammunition)

Devices for illuminating targets.

#### DEER IN SCOTLAND

For lawful killing under the Deer (Scotland) Act 1959 as amended

Tape Recorders

Artificial light sources

Mirrors and other dazzling devices

Devices for illuminating targets

Semi-automatic weapon with a magazine capable of holding more than 2 rounds of ammunition Aircraft.

#### Open Seasons in Scotland

##### Species/Open Seasons

Red Deer (*Cervus elaphus*), Sika /Male, 1 July – 20 October inclusive  
Deer (*Cervus nippon*) and Red-Sika, Deer hybrids (*Cervus elaphus*-*Cervus nippon*) / Female, 21 October – 15 February inclusive

Fallow Deer (*Dama dama*) / Male, 1 August – 30 April inclusive – Female, 21 October – 15 February inclusive

Roe Deer (*Capreolus capreolus*) / Male, 1 April – 30 October inclusive – Female, 21 October – 31 March inclusive

#### SEALS

Grey Seal from 1 January to 31 August inclusive  
 Common Seal from 1 September to 31 May inclusive  
 Tape Recorders  
 Electrical Devices capable of killing and stunning  
 Artificial light sources  
 Mirrors and other dazzling devices  
 Devices for illuminating targets  
 Sighting devices for night shooting comprising an electronic image magnifier or image converter  
 Nets  
 Traps  
 Any rifle using ammunition having a muzzle energy of not less than 600 footpounds and a bullet weighing not less than 45 grains  
 Aircraft  
 Motor vehicles in motion.

Verenigd Koninkrijk, 29 februari 1988

1. The United Kingdom Government has been giving further careful consideration to the decision to amend Appendices II and III of the Bern Convention taken by the sixth meeting of the Standing Committee on 8-11 December 1987. Most of the proposed amendments are acceptable to the United Kingdom. However, two of the species of invertebrates proposed for inclusion in Appendix II are not afforded protection under our domestic legislation. These are *Coenagrion mercuriale*, *Euphydras aurinia*.
2. Neither of the species meets our criteria for inclusion under the Wildlife and Countryside Act 1981 as both are quite widespread throughout Great Britain and are therefore considered inappropriate for inclusion among our strictly protected species.
3. Consequently, and in accordance with Article 17 paragraph 3 of the Convention, I am by means of this letter lodging a formal objection on behalf of the United Kingdom Government to the inclusion in Appendix II of the two species listed above.

Verenigd Koninkrijk, 24 oktober 2001

In accordance with Article 21, paragraph 2, of the Convention, the Government of the United Kingdom declares that the Convention shall extend to the Sovereign Base Areas of the United Kingdom in the island of Cyprus, subject to the following reservation made in accordance with Article 22, paragraph 2, of the Convention: the under-mentioned fauna species included in Appendix II will not be considered by the United Kingdom as enjoying the regime of protection provided by the said Convention for the species included in the said Appendix: *Vipera lebetina*.

G. INWERKINGTREDING

Zie *Trb.* 1982, 28 en rubriek J van *Trb.* 1988, 72, *Trb.* 1991, 101, *Trb.* 1992, 112, *Trb.* 1994, 215, *Trb.* 1995, 180, *Trb.* 1997, 43, *Trb.* 1998, 51, *Trb.* 1998, 98 en *Trb.* 1999, 109.

J. VERWIJZINGEN

Voor verwijzingen en overige verdragsgegevens, zie *Trb.* 1979, 175, *Trb.* 1982, 28, *Trb.* 1988, 72, *Trb.* 1991, 101, *Trb.* 1992, 112, *Trb.* 1994, 215, *Trb.* 1995, 180, *Trb.* 1996, 77, *Trb.* 1997, 43, *Trb.* 1998, 51, *Trb.* 1998, 98 en *Trb.* 1999, 109.

Titel : Statuut van de Raad van Europa;  
Londen, 5 mei 1949

Laatste *Trb.* : *Trb.* 2007, 146

Titel : Verdrag tot bescherming van de rechten van de mens  
en de fundamentele vrijheden;  
Rome, 4 november 1950

Laatste *Trb.* : *Trb.* 2014, 2

Titel : Verdrag betreffende de werking van de Europese Unie<sup>1)</sup>;  
Rome, 25 maart 1957

Laatste *Trb.* : *Trb.* 2013, 83

Uitgegeven de zeventiende maart 2014.

*De Minister van Buitenlandse Zaken,*

F.C.G.M. TIMMERMANS

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<sup>1)</sup> De titel van het Verdrag luidde vóór 1 december 2009: Verdrag tot oprichting van de Europese Gemeenschap.