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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

23rd meeting
Strasbourg, 1-4 December 2003

ADOPTED RECOMMENDATIONS

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

Appendix 12



Convention on the Conservation of European Wildlife and Natural Habitats

Standing Committee

Recommendation No. 108 (2003) of the Standing Committee, adopted on 4 December 2003, on the proposed construction of the 'Via Baltica' (Poland)

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 flora and fauna and their natural habitats;

Recalling that under Article 4 of the Convention each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in Appendices I and II, and the conservation of endangered natural habitats;

Recalling that Article 4 of the Convention stipulates that the Contracting Parties in their planning and development policies shall have regard to the conservation requirements of the areas protected under the preceding paragraph, so as to avoid or minimise as far as possible any deterioration of such areas;

Referring to the report of Mr Eckhart Kuijken on the project to build the Via Baltica motorway in North-East of Poland, drawn up following his on-the-spot appraisal [document T-PVS/Files (2003) 26];

Bearing in mind the work carried out by the Council of Europe under the Pan-European Biological and Landscape Diversity Strategy, notably the code of practice for the introduction of biological and landscape diversity considerations into the transport sector, as well as the targets for the setting-up of the Pan-European Ecological Network decided at the 5th Ministerial Conference "an Environment for Europe (Kyiv, May 2003);

Considering that the Biebrza marshes and the Augustowska and Knyszynska primeval forests support globally threatened and other rare species and habitats of European importance that Poland has undertaken to protect under its national and international legislation;

Considering that the areas concerned, and especially the Biebrza Marshes, are a major component in the implementation of the Natura 2000 / Emerald Network;

Aware of the foreseeable ecological impact of the project on these natural sanctuaries;

Conscious of the need to reconcile the economic and ecological issues raised by this project and convinced of the necessity to identify a variant most compatible with the preservation of the natural and human environment,

Recommends Poland to:

1. Complete a full Strategic Environmental Assessment, followed by a detailed in-depth Environmental Impact Assessment Report, considering all possible alternatives and variants, in order to minimise as far as possible any deterioration of important areas, especially in view of the recognised nature values of international importance of the Augustow Forest, the Biebrza National Park and the Knyszynska Forest. The SEA/EIA should take into account potential effects on the Narev and Wigry National Parks as well. These report, in conformity with EU procedures, should include the

possible alternatives, assessing costs, including those of mitigation and compensation measures of all possible variants.

2. take the results of the SEA as a basis to decide about routing of the Via Baltica.
3. Organise adequate long-term monitoring of the effects of the modernised express road and bypasses in view of both ecological and socio-economic consequences (also secondary effects) and support supplementary mitigation measures to be taken in the future when and where needed (e.g. speed limits);
4. Further develop the constructive dialogue between the official administrations, the provincial, regional and local authorities and population representatives, the NGOs and the scientific community and communicate openly about the progress of the decision-making process.