

MAKE SPACE FOR NATURE

POLICY ACTIONS TO PROTECT
NATURE AND PEOPLE IN EUROPE



NATURE IS THE BASIS
OF **HUMAN LIFE**

PROTECT NATURE FOR ITS INTRINSIC VALUE AND
THE ECOSYSTEM SERVICES IT DELIVERS TO PEOPLE;
AND ENSURE NON-DETERIORATION OF ECOSYSTEMS
AND RESTORATION OF DEGRADED ECOSYSTEMS

OUR VISION



More effort is needed at both EU and national levels to effectively protect nature, both for its own sake and for the essential role it plays in supporting well-being and prosperity of our societies. The political commitments made by the EU and its Member States (MS) to halt biodiversity loss and to achieve recovery of species, habitats and ecosystems by 2020 are otherwise unattainable.

New ambition in the **implementation** of the EU Birds and Habitats Directives and **proper and effective integration** of biodiversity considerations in all relevant EU policies, supported by **sufficient investments** in conservation, are needed to **prevent further deterioration of nature and to ensure that degraded ecosystems are restored**.

Nature underpins our economy and our society; it is central to our health and well-being in both the short- and long-term, yet this is poorly reflected in existing policies and decision-making tools and frameworks. As well as providing the food we eat, the water we drink, and the air we breathe, healthy (i.e. properly conserved, protected or managed) ecosystems also make our societies more resilient in the face of societal and environmental change. **We need to put nature at the heart of decision-making.**

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INTRODUCTION

The Birds and Habitats Directives together represent some of the strongest pieces of environmental legislation in the world. Thanks to the Directives, Europe now has the largest network of protected areas in the world (Natura 2000) covering more than 18% of EU land and 4% of EU marine areas.

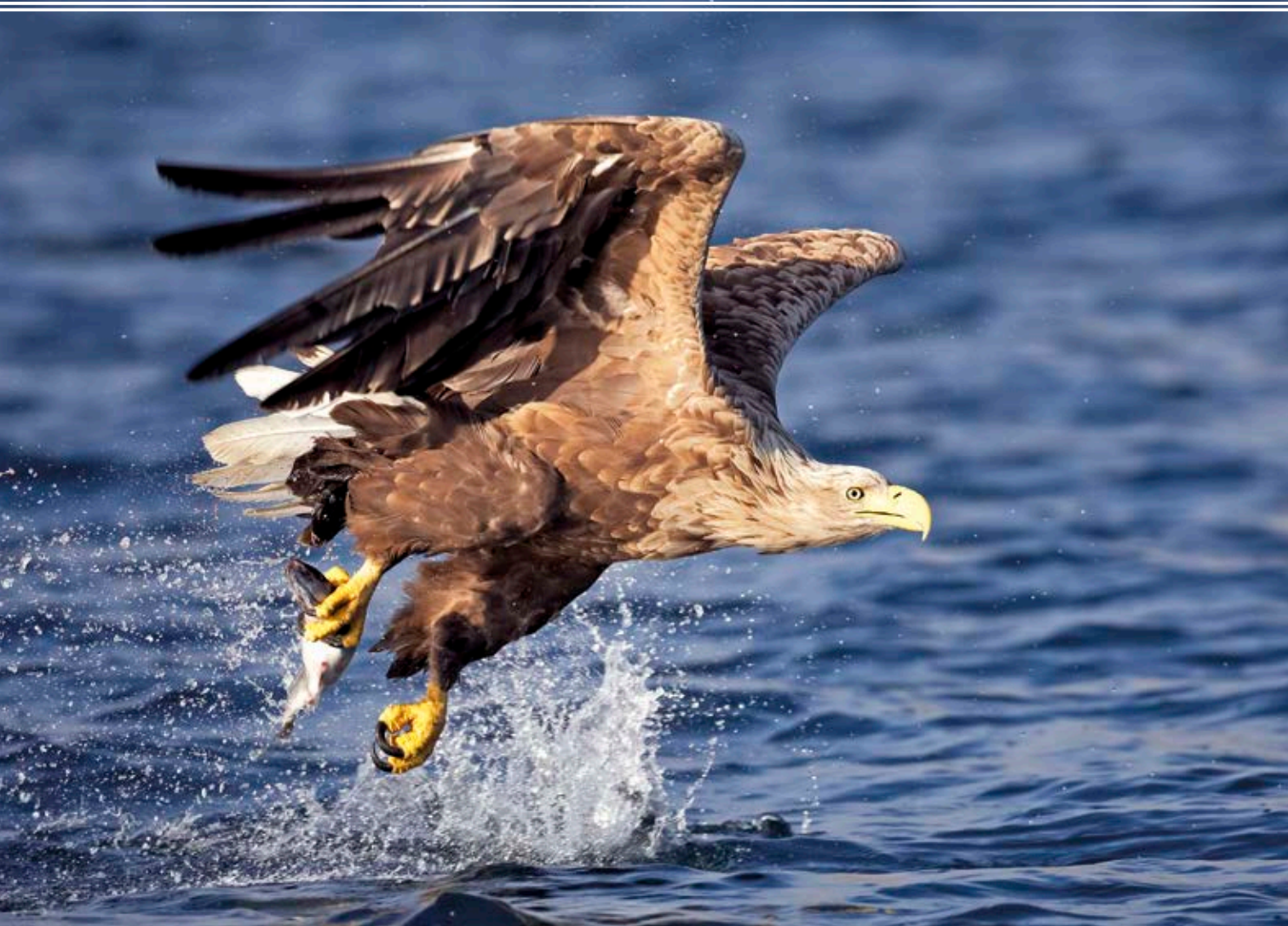
Where appropriate conservation and management measures have been put in place, alongside sufficient financing and coherence with other EU policies, such as agriculture, energy and transport, the Directives have contributed to significant improvements in the conservation status of habitats and species across Europe, including contributing to the spectacular recovery of iconic species such as the Beaver, Wolf, Crane and White-tailed Eagle.

The case for implementation, integration, and investment is clear. Not only do the Directives deliver demonstrable benefits for nature, they also deliver a range of socio-economic benefits that substantially outweigh the costs of implementation. For example, it has been estimated that the Natura 2000 network provides a range of benefits worth approximately €200-300 billion per year, which compares favourably with the estimated costs of effectively managing the network of approximately €6 billion per year¹.

Some of the values of nature, such as intrinsic, spiritual or aesthetic values, cannot be adequately or fully expressed or evaluated in economic terms. Greater investment in the network would provide additional benefits to society and help to create tens of thousands of new 'green jobs', especially in rural areas.

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— WHITE TAILED EAGLE (FLATANGER) © JARI PELTOMAKI/BIRDPHOTO.FI



Nevertheless, across the entire EU biodiversity is still in decline, pressures on the environment continue to grow, and nature conservation remains seriously underfunded:

- › Only **23%** of animal and plant species and only 16% of habitat types protected under the Habitats Directive have a favourable conservation status².
 - › Only **52%** of all wild bird species assessed are secure from extinction, while 17% of wild bird species are still threatened and another 15% are near threatened, declining or depleted³.
 - › Only up to **53%** of European water ecosystems are expected to have a Good Ecological Status⁴ by 2015.
 - › **63%** of the assessments of habitats linked to grasslands are unfavourable and only 11% of the conservation status assessments of species linked to grasslands are favourable⁵.
 - › Across all of Europe's regional seas, marine biodiversity is in poor condition: only **7%** of marine species assessments indicate 'favourable conservation status'⁶; and **96%** or more of the Mediterranean bottom-living fish are overfished⁷.
 - › **40%** of the world's protected areas, including in Europe, have exceeded critical levels of nitrogen above which there is a risk of biodiversity loss⁸. Excess nitrogen originating from chemical fertilisers, animal manure and burning of fossil fuels, is increasingly affecting soil, water and air quality.
 - › **9%** of bees are threatened with extinction in Europe mainly due to habitat loss as a result of agriculture intensification, including the use of pesticides and fertilisers, urban development, increased frequency of fires and climate change⁹.
- This is extremely worrying given that 70% of the main crops grown for global human consumption require insect pollination, including by bees, and that bees provide an ecosystem service in the form of crop pollination valued at €153 billion a year worldwide and €22 billion a year in Europe¹⁰.
- › The accumulated pressure from different sectors to expand and intensify use of land and forests is growing, including from increasing demand for biomass due to bioenergy. The EU's wood resources are hardly enough to meet the projected demand already in 2020¹¹ and the land footprint of bioenergy consumption can grow up to 70 million hectares of land by 2030¹².
 - › The EU budget 2007-2013 covered only an estimated **9-19%** of the financing required for effectively managing the Natura 2000 network¹³, and the LIFE programme (the only dedicated financing instrument for the environment, including biodiversity) represents only 0,32% of the new EU budget 2014-2020.

The most significant pressures on biodiversity come from agriculture and changes to natural conditions of ecosystems mainly due to energy infrastructure such as hydropower, artificial flood control, over-abstraction for irrigation, urban development, tourism and transport infrastructure. Over-exploitation and pollution are also significant pressures, especially in the marine environment. As a result, we have reached crisis point. Globally, current (and projected) rates of biodiversity loss are such that we have exceeded a critical (i.e. safe) planetary boundary.

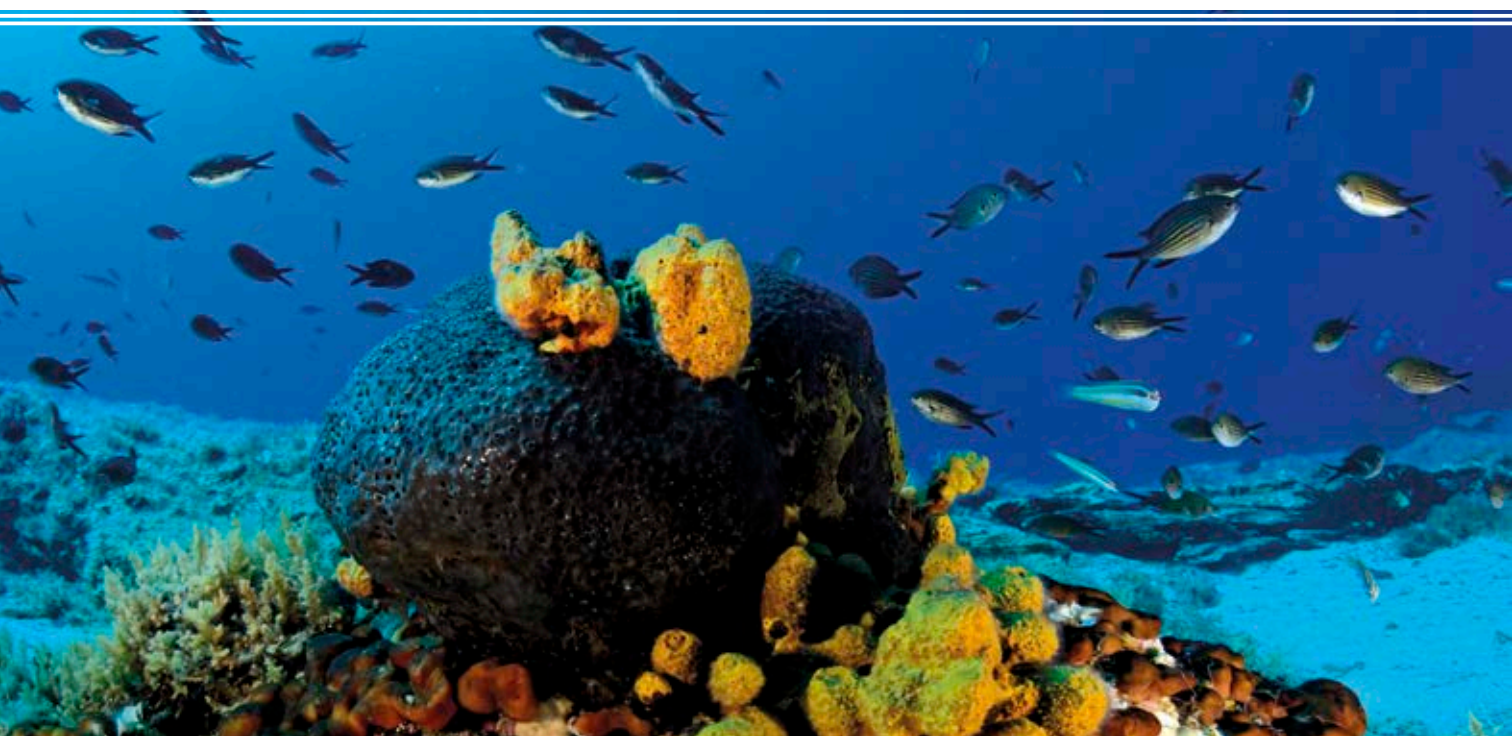
In seeking to address this, the Council of Ministers has recognised protected areas and ecological networks as a cornerstone of efforts to preserve biodiversity in Europe¹⁴, but Member States' and Commission actions fall short. Urgent action at the EU, regional, national and local levels is thus needed to reverse destruction of nature.

Nature and the right to access it are of key importance to EU citizens; 97% of Europeans agree that it is our moral obligation to halt the loss of biodiversity¹⁵. The EU and its Member States must honour their commitments, including the global ones (such as the UN Convention on Biological Diversity (CBD) Aichi Targets), and in line with the legally binding 7th Environment Action Programme (7th EAP) 'step up the implementation of the EU Biodiversity Strategy without delay, in order to meet its targets'¹⁶. This includes full and proper implementation of the Birds and Habitats Directives.

IMPLEMENT LEGAL COMMITMENTS

ENSURE THAT EU NATURE LEGISLATION IS FULLY AND EFFECTIVELY IMPLEMENTED

1. MS should **complete the designation** of the Natura 2000 sites, especially in marine environment.
2. MS should ensure sufficient **legal protection and management** for all sites, guided by specific conservation objectives set at site, national and biogeographic levels. Management plans or other management instruments should be put in place for all Natura 2000 sites and implemented as soon as possible. Management measures should be identified through an efficient process at EU level with legal action following insufficient management.
3. The **obligations on species protection** under the Birds and Habitats Directives should be implemented in an efficient and integrated way, with the aim of achieving favourable conservation status.
4. The Commission and MS should improve procedures and tools for **preventing, detecting and sanctioning breaches of established conservation laws**. More specifically, to ensure compliance and deliver effective enforcement measures:
 - ▷ the Commission should propose an effective and ambitious legal instrument on environmental inspections;
 - ▷ the Commission should together with MS develop new tools for detecting breaches, including enabling the application of 'Global Monitoring for Environment and Security' services to detect illegal activities in Natura 2000 (e.g. detecting land use changes);
 - ▷ the Commission and MS should commit to take prompt enforcement action when breaches of the Birds and Habitats Directives are detected, and ensure that penalties for breaches are effective, proportionate and dissuasive. This should include regular use of injunctions and a freeze on the use of structural funds by the Commission.
5. MS should improve monitoring of:
 - ▷ the state of species, habitats and sites, including relevant threats;
 - ▷ the effectiveness of measures taken (including compensation measures under Article 6(4)) to inform management and protection.



INTEGRATE BIODIVERSITY

IMPROVE COHERENCE BETWEEN BIODIVERSITY AND RELEVANT SECTORAL POLICIES

1. MS should build a legal framework establishing **sustainable spatial planning and mapping mechanisms** at both national and local levels. Planning of all land, marine and water uses should be done with an integrated, strategic and landscape approach which aims to protect and restore biodiversity. Important elements to consider are:

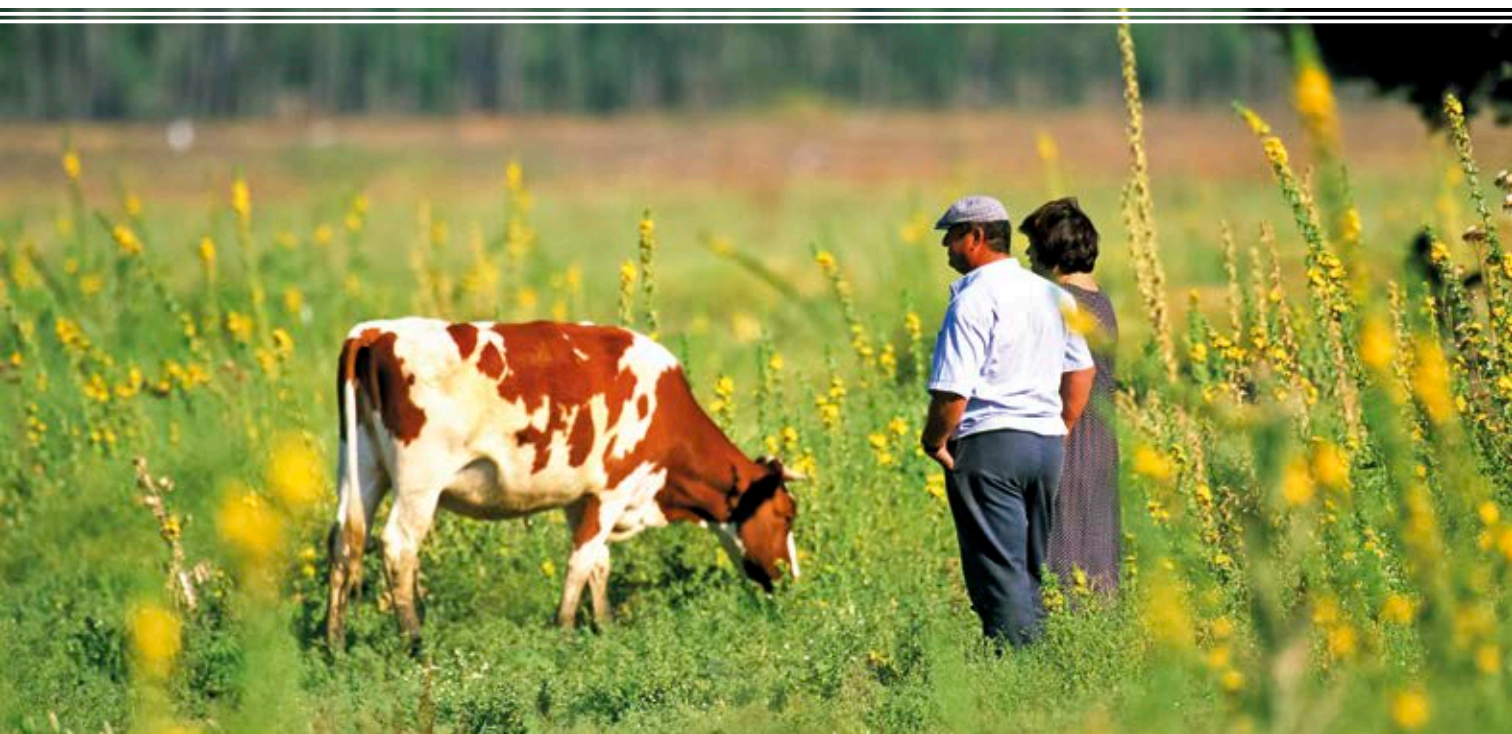
- ▷ identification of '**no-go zones**', which are areas not suitable for development of certain projects due to their impact on nature;
- ▷ maximising **synergies between different types of land use and land use objectives** (including multiple use) while minimising biodiversity impacts;
- ▷ mitigating impacts and increasing efficiency of existing infrastructure through **refurbishment and upgrading**;
- ▷ effective ways for tackling the degradation of soils and introduction of legal provisions to prevent additional **soil sealing** or mitigate its effects.

Such a legal framework would also serve to support a stronger policy framework in the EU's 2030 climate and energy framework to **ensure that transition to a renewable energy system happens in an environmentally sustainable way**.

2. The Commission and MS should ensure that a **proper assessment and monitoring of the impacts of the new Common Agricultural Policy (CAP)** on the environment and biodiversity is carried out. This will prepare the fundamental policy change that is urgently needed in order to stop the collapse of farmland biodiversity. Furthermore **EU policies on bioenergy should be overhauled** to bring demand in line with sustainable supply and to ensure effective safeguards for biodiversity¹⁷.

3. The Commission and MS should ensure that the implementation of the **Common Fisheries Policy (CFP)** meets its target of halting overfishing through:

- ▷ setting fishing opportunities in annual Council decisions that achieve the **goal to restore and maintain harvested species above levels that can produce maximum sustainable yield (MSY)**;
- ▷ ensuring all regional **Multi Annual Plans (MAPs) are based on an ecosystem approach** and put at the heart of fisheries management to deliver effective regionalisation. »



- » 4. MS should implement **large scale ecosystem restoration** projects providing simultaneous benefits for various sectors and policies. These should help improve the status of species and habitats of EU importance and the coherence of the Natura 2000 network (based on strategic use of Article 10 of the Habitats Directive; and Article 3.1 of the Birds Directive). Policies and sectors that could benefit in particular are: flood risk reduction, water quality improvement, climate change mitigation and adaptation, agri-environment-climate measures, rural development, and tourism.
5. The Commission should put in place a coordinated EU level approach to select and implement **'Trans-European priority axes for Green Infrastructure' (TEN-G)** that have the highest ecological value for European biodiversity conservation and ecosystem service provision and that are of transnational importance.
6. The Commission and MS should implement the 7th EAP provision on the need for an **integrated approach to manage nitrogen**. This should include inter alia increasing nitrogen use efficiency in agriculture, reducing waste in the food chain, promoting diets with less animal protein, and a more ambitious shift from fossil fuels to sustainable renewable energy sources. More immediately, the Commission and MS should ensure full compliance with the Nitrates Directive, and a revision of the National Emissions Ceilings (NEC) Directive that entails stricter requirements for a significant reduction of ammonia and methane emissions.
7. The Commission and MS should **enforce the Sustainable Use of Pesticides Directive** (Directive 2009/128/EC) to ensure that MS adopt clear quantitative targets, timetables and measures to minimise pesticide use and increase the uptake of Integrated Pest Management with priority given to non-chemical methods of control. The Commission should also ensure a **rigorous implementation of the EU Regulation on Plant Protection Products** (Regulation (EC) N. 1107/2009), and MS should **stop** excessively using and misusing **derogations** and start **considering** seriously the many already available non-chemical and natural **alternatives** for plant protection and pest management. Furthermore, the Commission **should stop postponing the adoption of the European Food Safety Authority (EFSA) Guidance Document** on the risk assessment of plant protection products on bees as it delays a better protection of pollinators against the use of pesticides.



8. The Commission and MS should enforce the **no-deterioration objective** of the Water Framework Directive (WFD), and ensure strategic use of the second sentence of Article 4.4 of the Birds Directive requiring MS to strive to avoid pollution or deterioration of habitats outside of protected areas.

9. MS should adopt and implement in line with the Marine Strategy Framework Directive (MSFD) ambitious and effective **Programmes of Measures of Marine Strategies**, which should include development of an **ecologically coherent network of well managed Marine Protected Areas**. This must meet international principles on coherence and **protect at least 30% of all representative habitats in EU waters**, including the full range of biodiversity present¹⁸. This network must be properly managed and protected from all damaging activities, most notably bottom towed fishing gear (due to its impact and spatial footprint).

10. MS should improve protection of **water ecosystems** through adoption of ambitious **2nd cycle WFD River Basin Management Plans (RBMPs)** (2015-2021) and associated Programmes of Measures and by integrating Birds and Habitats Directives' Protected Areas into the RBMP.

11. The Commission should propose an **EU initiative on Pollinators**, including actions to tackle the impacts of pesticides on pollinators, and to halt the destruction of pollinator's habitats.

› CORRESPONDING AICHI TARGETS 2, 3, 4, 5, 6, 7, 10, 14, 15 OF THE CBD'S STRATEGIC PLAN 2011-2020 ‹



INVEST IN NATURE

ENSURE MORE BIODIVERSITY FRIENDLY FINANCIAL AND FISCAL POLICIES

1. The Commission and MS should **significantly increase funding for the management and restoration of Natura 2000 sites**, with at least 50% of the overall investment coming from the EU budget. MS should prepare coherent strategies outlining priority actions and dedicated funding for these actions from EU and domestic sources, using **Prioritised Action Framework (PAF) tool**.
2. The Commission and MS should ensure that decision-making processes take **full account of the benefits nature provides** to help ensure fairer, more efficient and more sustainable use of Europe's natural resources. This will require, *inter alia*:
 - ▷ MS to ensure that the value of nature is accounted for in policy appraisal;
 - ▷ the Commission to propose a new module for ecosystem accounting in the EU Regulation on Environmental Economic Accounts in 2016. This should not undermine the **importance of the intrinsic value of nature**, or lead to commodification of biodiversity.
3. The Commission and MS should **eliminate environmentally harmful subsidies** in line with global commitments under the UN Convention on Biological Diversity (CBD)¹⁹. As a matter of priority, action should be taken to phase out or reform those subsidies already known to be having harmful effects in key sectors (e.g. in agriculture, transport, fisheries, energy) by 2020. This should include improving contribution of EU sectoral policies to biodiversity conservation through the mid-term review of the functioning of the MFF in 2016, including as regards the EU Structural & Investment Funds, and evaluations and reporting requirements written into relevant sectoral policies. In addition, further analysis is required on other such incentives by 2016 to ensure that subsidies work for, and not against, nature conservation and sustainable development.
4. MS should undertake **environmental fiscal reform** and make **greater use of environmental taxes** as a means of discouraging environmentally damaging activities. This should include the introduction of **adequate water pricing** in line with WFD, and ensuring in accordance with the Polluter/User Pays Principle the contribution of different water users, including agriculture, to the **cost recovery for the water service**. The EU should also revise and extend existing EU market-based instruments, including no reduced VAT rate for harmful products and services and reduced VAT rates for environmentally friendly products and services.

› CORRESPONDING AICHI TARGETS 2, 3, 4, 20 OF THE CBD'S STRATEGIC PLAN 2011-2020 ‹



WORK WITH PEOPLE AND NATURE

ENSURE EFFECTIVE TRANSPARENCY AND PUBLIC PARTICIPATION

The EU should go beyond the minimum requirements of the Aarhus Convention and Regulation for **openness**, and **public participation** in decision-making impacting nature.

1. MS and the Commission should improve transparency and **public participation** in each step of project/plan development, including at a more strategic level of sectoral policy planning. This will enable different stakeholders, including environmental organisations, to help shape these plans and projects, to make sure they are environmentally and socially acceptable.
2. MS and the Commission should ensure that civil society has **access to information** and **justice** when needed and requested. The Commission must close the current legal vacuum by tabling a **proposal for a Directive on Access to Justice**.
3. MS should apply more rigorously and consistently the **Strategic Environmental Assessment** (for plans and programmes) and **Environmental Impact Assessment** (for individual projects) **Directives** as well as the **relevant provisions** of the **WFD** (Article 4(7)) and of the **Habitats Directive** (Article 6). As regards plans and projects affecting Natura 2000 sites MS must establish publicly accessible databases with specific information on project promoters' applications and on permitting decisions of the authorities. Article 6(4) decisions and relevant evidence, including appropriate assessment studies, must be made publicly available.
4. MS should ensure that designation of Natura 2000 sites and their management is done in a **transparent and science based manner**. Local stakeholders should be involved in Natura 2000 management in order to increase their buy-in and support to achieve the site conservation objectives.

› CORRESPONDING AICHI TARGETS 1, 17, 18 OF THE CBD'S STRATEGIC PLAN 2011-2020 ‹

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LAYOUT

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23%

23% OF ANIMAL AND PLANT SPECIES
AND 16% OF THEIR HOMES
ARE IN GOOD CONSERVATION STATUS

18%

18% OF EU LAND AND 4%
OF EU MARINE AREAS ARE
CURRENTLY PROTECTED BY EU LAWS

97%

97% OF EUROPEANS AGREE
THAT IT IS OUR MORAL OBLIGATION
TO HALT THE LOSS OF NATURE

€300

NATURA 2000 PROVIDES BENEFITS
WORTH €200-300
BILLION PER YEAR

