

# EU NATURE LEGISLATION

## Promise, Performance & Perspectives

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Swedish Nature Conference  
26 April 2023

# Origins of EU action for biodiversity



1962 publication generated awareness of vulnerability of nature to chemical pesticides & triggered environmental movement



First UN Earth Summit, Stockholm (June 1972)



EEC Heads of State - Paris Summit (October 1972) – led to EU environmental action programmes



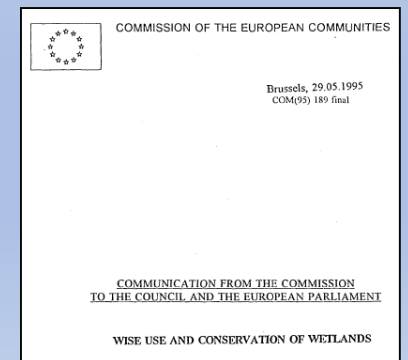
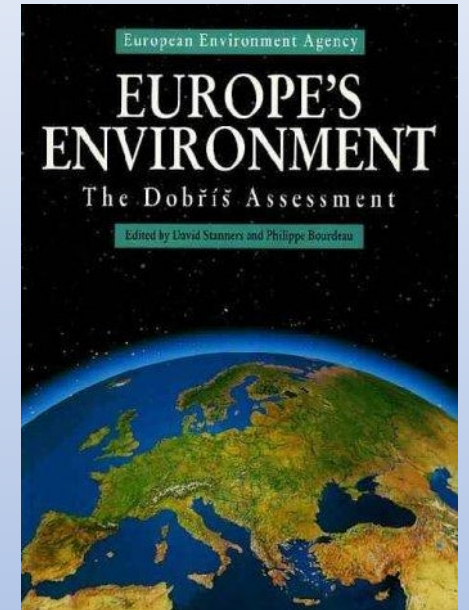
Second UN Earth Summit, Rio de Janeiro, Brazil (June 1992)



# Context for Nature Directive



- Serious declines in species in 20th century
- Major habitat loss (eg large scale drainage of wetlands)
- Pollution (eg use of pesticides)
- Pressures from hunting & trapping
- National/provincial laws differed widely
- Concern for ‘shared natural heritage’ of Member States



# Scope & Objectives of Nature Directives



## Scope & General objectives

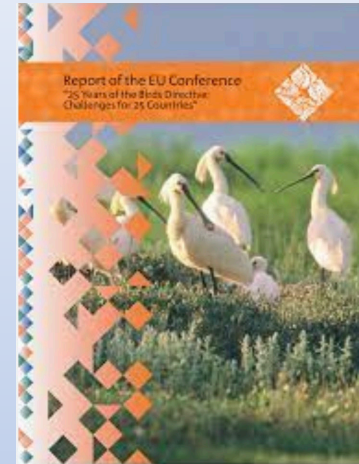
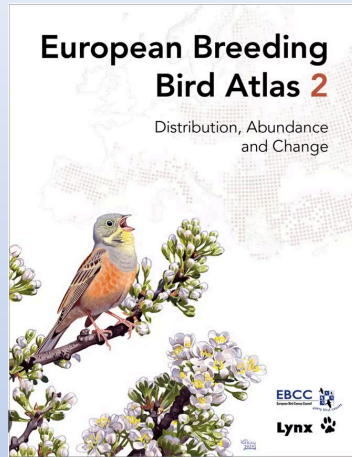
- maintain/adapt populations **all bird species** according to the ecological, scientific & cultural requirements, taking account of economic and recreational requirements
- Maintain/restore **natural habitats/species of Community interest** to favourable conservation status, taking account of economic / recreational requirements & regional/local characteristics



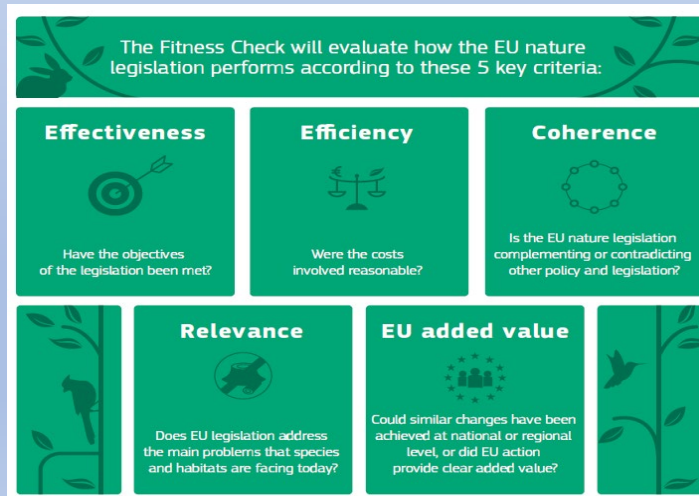
## Specific objectives

- A. Ensure most valuable sites are managed/protected & form coherent whole (Natura 2000)**
- B. Manage/restore habitats/landscape features**
- C. Ensure protection & sustainable use of species**
- D. Ensure adequate knowledge, data availability & awareness**

# Sources of evidence for evaluating performance

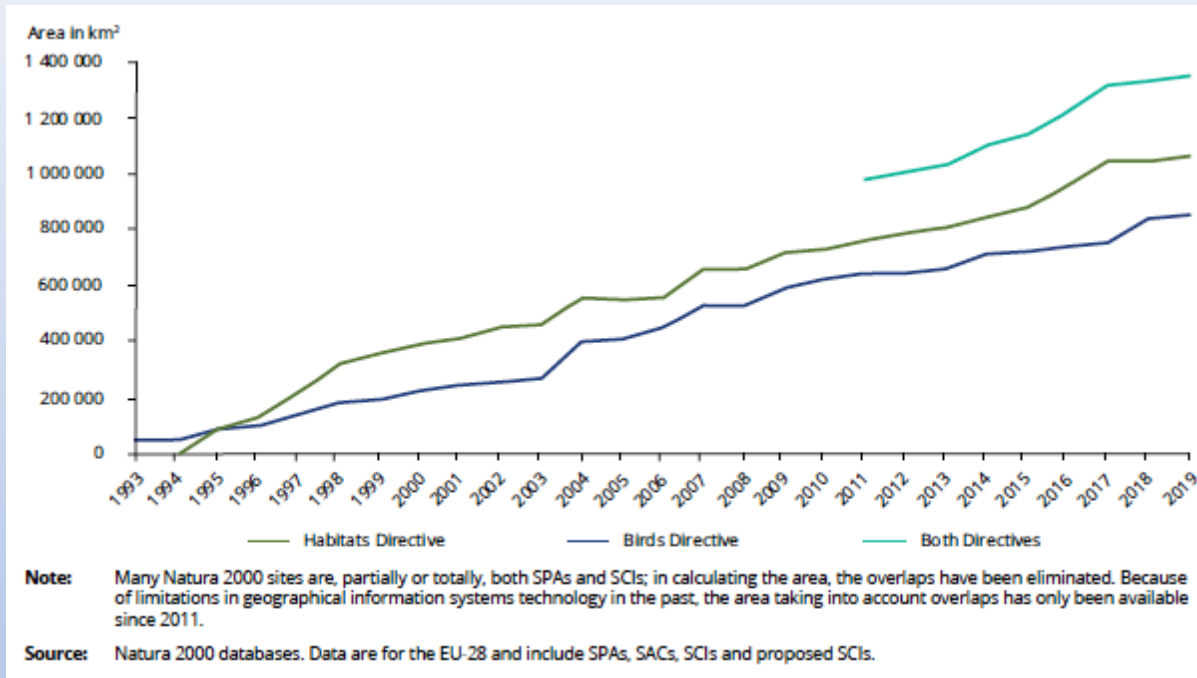


- State of Nature in EU assessments
- Monitoring schemes (eg EBCC)
- Natura 2000 barometer
- Scientific publications & studies
- Review conferences
- EU Court of Justice rulings
- Nature Directives Fitness Check evaluation



Member States	Natura 2000 network (terrestrial and marine)		TERRESTRIAL			
	Total N° Natura 2000 Sites	Total area Natura 2000 km²	SCI	SPA	Natura 2000 network	
			SCI area (km²)	SPA area (km²)	Natura area (km²)	% land area covered
SWEDEN	4125	78022	↗ 57246	26471	57756	13%
SLOVENIA	355	7682	6634	5066	7672	38%
SLOVAKIA	683	14633	6151	13105	14633	30%
EU – 27	27031	1219403	590153	527567	766917	18.6%

# A. Establishing NATURA 2000



- EEA and ETC/Biodiversity
- Biogeographical Seminars
- Improved knowledge (e.g. IBAs)
- LIFE Nature & other EU funds
- Better stakeholder engagement
- Guidance (eg marine Natura 2000)
- Infringements & EU Court rulings
- Threat to block EU Regional funds

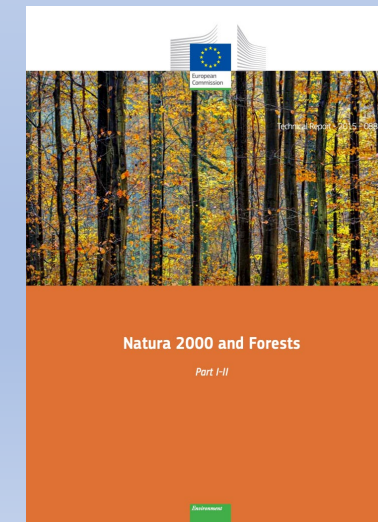
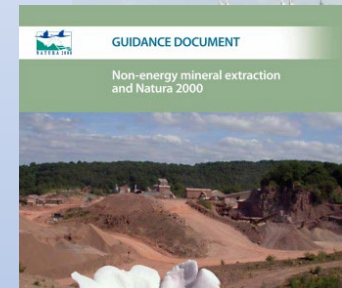
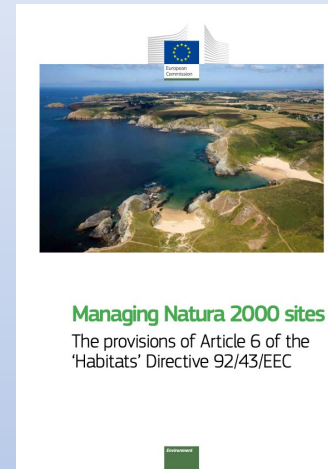
**Largest co-ordinated  
multinational network globally  
c. 27,000 sites  
18% terrestrial & 10% marine**



**Still need to ensure an effectively-  
managed network (conservation  
objectives & measures)**

# De-mystifying Natura 2000 & socio-economic objectives

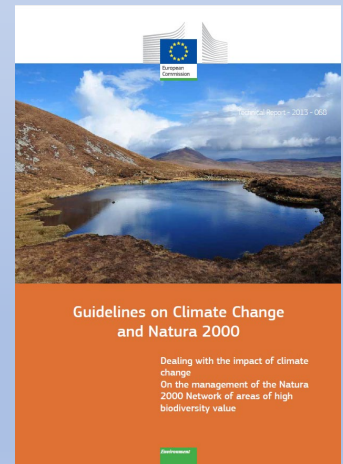
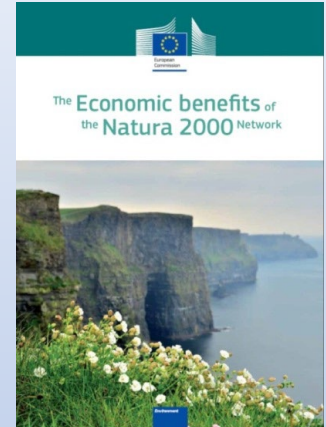
- Sites have strong protection
- yet more than nature reserves
- Article 6 HD procedure required clarification including on flexibility
- Sectoral guidelines + good practice developed
- Links to EIA/SEA Directives for more streamlined process



# Investing in management/restoration

- Estimated needs for EU27 is EUR 10.6 billion/yr
- Private sector opportunities but mainly public funds
- EU LIFE fund small but strategically important
- Integration strategy but no earmarking
- ‘Prioritised Action Frameworks’ developed as a tool for:
  - ✓ strategic planning;
  - ✓ identification of priorities
  - ✓ identification of financing sources

**Nature funding EU significantly increased but not sufficiently to meet needs of Natura 2000 & related Green Infrastructure**





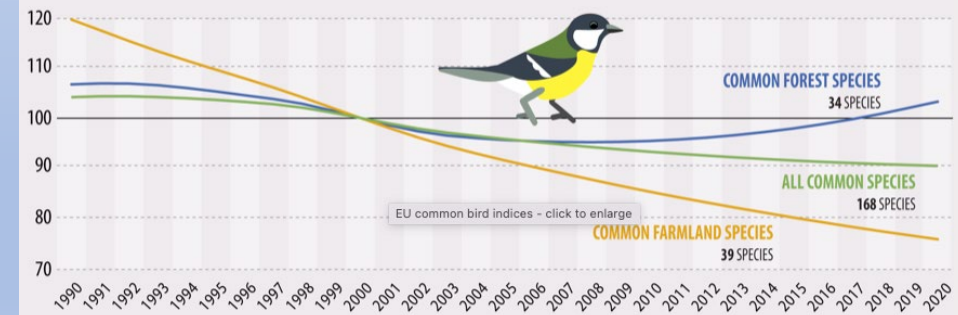
# B. Conservation in wider land & marine environment

- BD (Art. 3 & 4) and HD (Art 12)
- Limited jurisprudence (Case C-117/00 COM v IE)
- COM-funded guidelines by IEEP
- Opportunities under EU Green Infrastructure policy
- Links to other EU environmental legislation (eg WFD & MSFD) and sectoral policies (eg CAP)
- Some MS have developed approaches to promote ecological connectivity
- **Difficult to assess progress but evidence (eg common bird index) indicates limited progress**



## EU common bird indices, 1990 – 2020

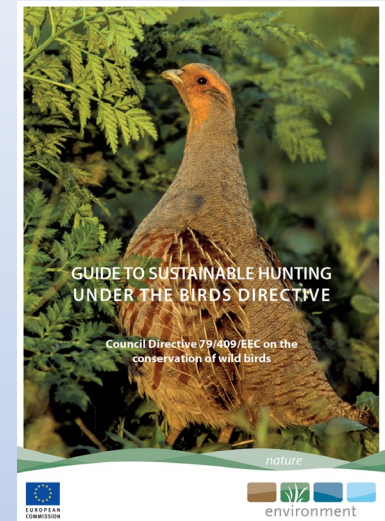
(index 2000 = 100)



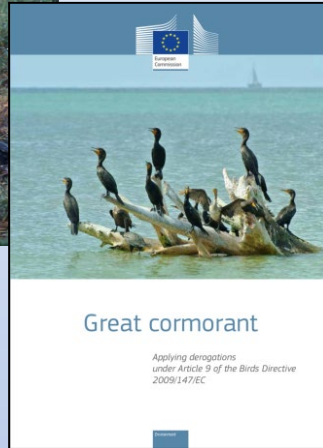
2020: data are estimated.  
Malta: data not available. As a result, the EU indices are based on 26 EU Member States.  
Sources: European Bird Census Council (EBCC); national BirdLife organisations;  
Royal Society for the Protection of Birds (RSPB); Czech Society for Ornithology (CSO)

# C. Species protection

- Created a more coherent protection systems across MS
- largely successful on commercialisation and illegal trade across MS
- Some success stories, especially for birds targeted by Species Action Plans & LIFE
- Sensitive issues in relation to hunting, conflict species and use of derogations
- Guidelines to assist better implementation



# Dealing with conflict species



**Great cormorant**

Applying derogations under Article 9 of the Birds Directive 2009/147/EC



TECHNICAL SERIES No. 71

AEWA

International Single Species Management Plan for the Greylag Goose (Northwest/Southwest European Population)

*Anser anser*

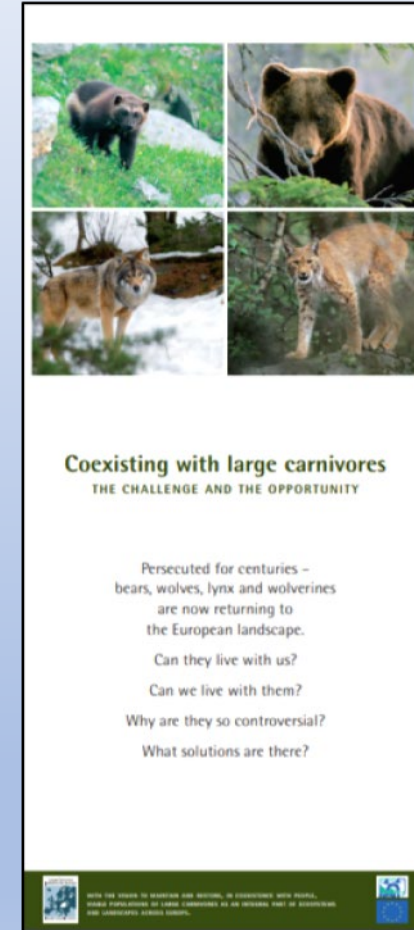
Logos of various organizations including the European Union, FAO, and others.



**EU PLATFORM ON COEXISTENCE BETWEEN PEOPLE & LARGE CARNIVORES**

Minimizing Conflict  
Finding Solutions

**Rural Development Programmes**  
Supporting coexistence between people and large carnivores



**Coexisting with large carnivores**  
THE CHALLENGE AND THE OPPORTUNITY

Persecuted for centuries – bears, wolves, lynx and wolverines are now returning to the European landscape. Can they live with us? Can we live with them? Why are they so controversial? What solutions are there?

Small text at the bottom: WITH THE SUPPORT OF EUROPEAN UNION FINANCING, IN COOPERATION WITH PARTNERS, EUROPEAN INSTITUTIONS AND OTHER CONTRIBUTORS AS THE MAIN PART OF THE FINANCING FOR LANDSCAPE REPAIR PROJECT.

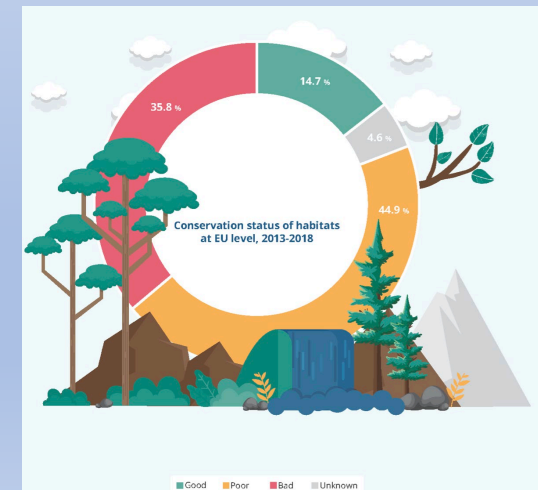
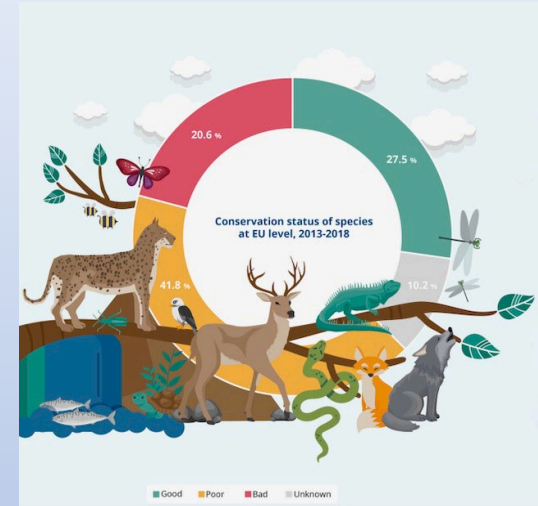
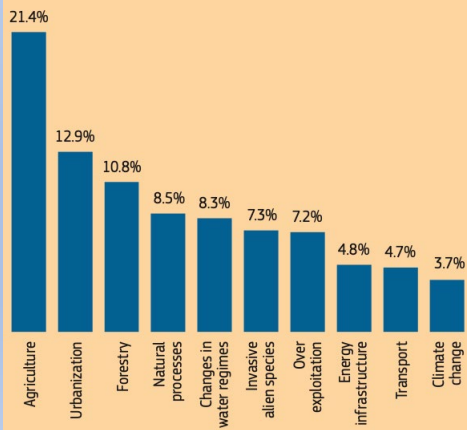
# D. Knowledge - Monitoring and reporting



## Important progress on monitoring under Directives

- 3rd cycle of assessments (2013-2018) shows some positive but more negative trends
- Pressures still too great & implementation insufficient to deliver significant recovery
- **Need further improvements to monitoring & reporting e.g.**
  - **Address knowledge gaps, especially for marine**
  - **Progress Favourable Reference Values**
  - **Measuring management effectiveness of Natura 2000**

Reported frequency of high ranking pressures (in %)



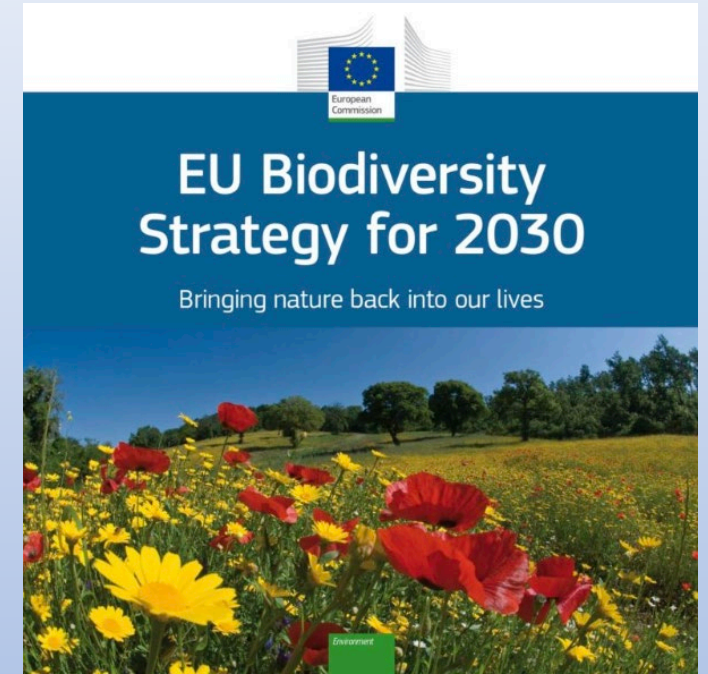
# Key drivers for successful implementation of EU nature legislation

- Political support, strong and coherent governance and effective supporting institutions with motivated staff
- Adequate and effective consultation and engagement of landowners and stakeholders
- Research and monitoring that provides context-relevant information on the ecological requirements of targeted species and habitats and the pressures affecting them
- Access to funding and other resources with the EU LIFE fund a major catalyst for improvements, particularly when supported by follow up investments under larger scale funds e.g agri-environment schemes
- Ensuring long term sustainability of conservation outcomes through commitments that provide on-going delivery of necessary measures



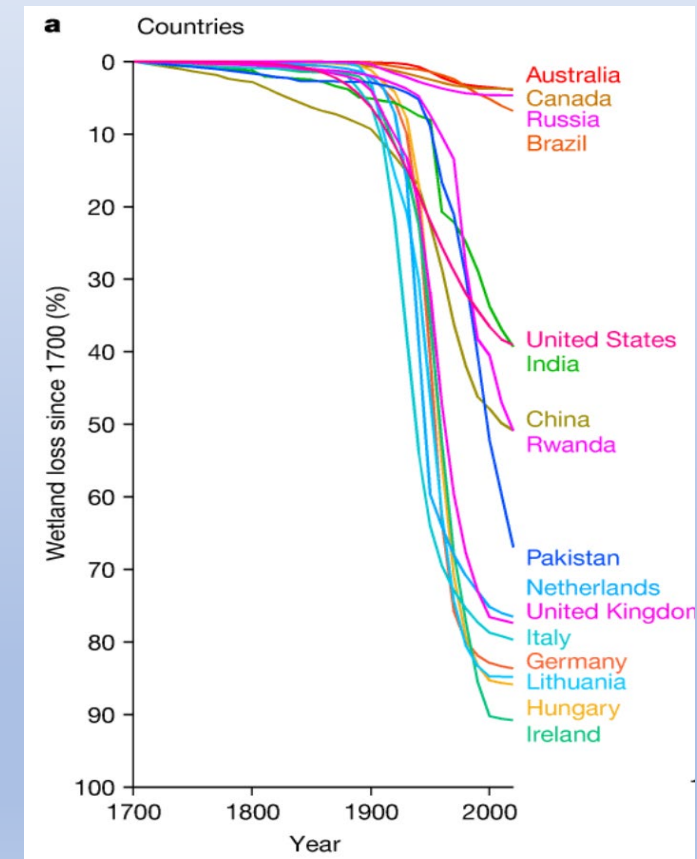
# Role of Nature Directives in achieving global & EU Biodiversity Policy for 2030

- Directives are central to achieving
  - 30% protected area target of land/marine including one third strictly protected
  - Measurable Improvements in conservation status for 30% of protected species/habitats
- Will only succeed through much better implementation – including enforcement
- Need to better integrate nature/biodiversity objectives into broader sustainable development goals – especially in relation to climate, food system & circular economy measures



# Strategic importance of new EU Nature Restoration Law (NRL)

- Nature seriously depleted in EU and need much stronger focus on restoration
- Birds and Habitats Directive critical – but no legal binding timeframe to achieve their objectives
- NRL will provide major impetus to recovery in setting legally binding targets, timeframes and mechanisms for restoration
- NRL will also address species and habitats not covered by BHD (eg pollinators)
- Offers real opportunity to strengthen synergy with climate agenda





Thank you