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# **Natura 2000 in Europe**

## **An NGO assessment**

Implementation status  
of the Habitats Directive  
in the EU-25 Member States,  
Bulgaria, Romania,  
Croatia and Turkey



*Caretta caretta*, Zakynthos, Greece, Mediterranean Biogeographic Region.  
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September 2006

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Caldera das Sete Cidades, Azores, Portugal, Macaronesian Biogeographic Region.  
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In 2004, the Heads of State of the EU committed themselves to halt the biodiversity loss in 2010. With such a short time frame, this ambitious goal needs a huge effort and high doses of political will to effectively ensure its achievement. Fortunately, some key elements were already in place when this political commitment was endorsed, namely the legal framework: the Habitats and Birds Directives.

The Natura 2000 network, deriving from both these Nature Directives, forms an area of protected sites within the territory of the European Union. It currently includes around one sixth of the EU terrestrial area and contains most of the Europeans endangered, rare, endemic or threatened species and habitats, listed in the annexes of these directives. To protect this biodiversity heritage, efforts both of Member States and the European Commission are needed: several measures should be put in place to a sustainable future for the Natura 2000 sites.

As those directives are by far the most significant pieces of legislation for nature conservation in Europe, WWF and partner organisations strongly support their solid and sustainable implementation in Europe and are therefore actively involved on both European and national level for this purpose.

The directives and Natura 2000 are in place for already some years in the European Union; however, they are far from being totally and adequately implemented in the Member States. More over, 10 new States joined the Union just two years ago; Bulgaria's and Romania's accession is imminent, and other countries like Croatia are preparing for their future involvement in the European Club. Since last year Turkey has got the official candidate status and has already started to negotiate and to prepare for EU accession, although a clear date is out of sight for the moment.

As a contribution for this task, WWF and partners regularly publish reports on the implementation of Natura 2000. Inputs from NGOs enlarge the perspective of European development and are highly appreciated both by the European institutions and European countries. Comparable reports on the implementation status of Natura 2000 and the directives in the accession countries were presented by WWF in 2003, 2004, and 2005. Additional efforts were made to support the implementation of a robust and scientifically based monitoring this year through the recent NGO contribution on "Towards a Biodiversity Monitoring in Europe", which was a joint study of NGOs and experts under the flags of IUCN, Birdlife, WWF and other relevant organizations<sup>1</sup>.

The implementation report 2006 follows the tradition of previous reports, but is the first NGO one, addressing the overall perspective of all EU Member States, Romania, Bulgaria, Croatia, and Turkey, and provides comprehensive and relevant information on both the European and the national situation. This pool of data may support politicians and decision makers to oversee the global status of Europe's most significant nature conservation legislation and serve as advice to take the right measures.

Although good progress has been achieved in many countries, there is still a lot of work to do, both in the old and new EU Member States, as well as for Accession and Candidate Countries, in order for them to achieve commonly set goals and targets of the so called EU Nature Directives.

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<sup>1</sup> Towards European Biodiversity Monitoring –assessment, monitoring and reporting on conservation status of European habitats and species: results, comments & recommendations of a NGO consultation: June 2006  
[assets.panda.org/downloads/iucn\\_monitoring\\_web\\_1\\_1.pdf](http://assets.panda.org/downloads/iucn_monitoring_web_1_1.pdf)



A major obstacle for success is the lack of public knowledge, interest and support, which in turn would influence the political agenda and ensure proper resource allocation for implementation. In the most recent public opinion poll on the attitudes of European citizens towards the environment (April 2005), concerns about the loss of biodiversity only rank eleven with water pollution, man made disasters and climate change issues at the top.

On the whole, the environment only ranks twelve in the latest Eurobarometer (July 2006) with concerns for jobs, crime, economy and health highest on the public agenda. The main challenge for the EU and organizations working on biodiversity conservation obviously is to make these issues more relevant to jobs and the economy, which also have been chosen as the two main targets for the so called Lisbon Strategy re-launched in 2005.

One may always keep in mind that as the EU still grows, the Natura 2000 network is doing the same. The enlargement of the territory of conservation areas on our continent will serve as a major cornerstone of a sustainable future for our society, not only for the habitats and species of concern but also for the people sharing this common space of land and water. This network – the European Web of Life – is globally unique and requires adequate investments to be established and maintained.

**Magnus Sylvén**

Director

WWF Europe/Middle East Programme



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## Acronyms

<b>BEF</b>	Baltic Environmental Forum
<b>DCP</b>	Danube-Carpathian Programme
<b>EEZ</b>	Economic Exclusive Zone
<b>EC</b>	European Commission
<b>EU</b>	European Union
<b>FWA</b>	Fédération Wallonne de l'agriculture
<b>LFN</b>	Latvian Fund for Nature
<b>MAFRD</b>	Ministry of Agriculture and Rural Development
<b>MoE</b>	Ministry of Environment
<b>MEWM</b>	Ministry of Environment and Water Management
<b>MP</b>	Management plan
<b>NGO</b>	Non governmental organisation
<b>OP</b>	Operational Programme
<b>PEEN</b>	Pan European Ecological Network
<b>pSCI</b>	proposed Sites of Community Interest
<b>SCI</b>	Sites of Community Interest
<b>SPA</b>	Special Protection Area
<b>SAC</b>	Special Area for Conservation
<b>SRFB</b>	Société Royale Forestière de Belgique
<b>WWF</b>	World Wide Fund for Nature
<b>ZSC</b>	SAC (French: Zone Spéciale de Conservation)
<b>ZPS</b>	SPA (French: Zone de Protection Spéciale)

## Country Acronyms

<b>AT</b>	Austria
<b>BE</b>	Belgium
<b>BG</b>	Bulgaria
<b>CY</b>	Cyprus
<b>CZ</b>	Czech Republic
<b>DE</b>	Germany
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<b>SK</b>	Slovakia
<b>TR</b>	Turkey
<b>UK</b>	United Kingdom





Teide National Park, Tenerife, Canary Islands, Spain, Macaronesian Biogeographic Region.  
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The European Union has developed two very significant positive legal tools in order to protect and manage the wild fauna and flora of Europe: the Habitats and the Birds Directives. These two main pieces of legislation aim to ensure the Favourable Conservation Status of European habitats and species.

For this reason, the Member States, together with the European Commission were mandated to establish a network of protected sites throughout Europe: the so called Natura 2000 network. Moreover, legal regulations needed to be put in place by each Member State in order to ensure the survival of habitats and species. Thus, the implementation of Natura 2000 requires ongoing integration and coordination with other policies and sectors, such as water management, agriculture, spatial planning and the provision of sufficient funds for implementing necessary measures.

Therefore, the implementation of Natura 2000 is in fact a challenging but tenable exercise that can be adequately achieved with the support of European and national authorities, together with NGOs, scientific experts and a continuous and intensive dialogue with concerned stakeholders. In turn, this network can provide populations affected with socio-economic benefits and all Europeans with basic environmental services, such as clean water and air.

WWF and partner organisations have regularly evaluated the implementation status of the Habitats Directive during the past few years, elaborating yearly reports for this purpose. As with previous reports, the following evaluation has been undertaken by a European network of NGOs and independent experts, using over 30 questions for assessing the implementation status of each country. The present report includes all EU-25 Member States, Accession countries Romania and Bulgaria, and Candidate countries Croatia and Turkey.

### Remaining challenges

One clear result from our assessment is that the ongoing work of implementing the Birds and Habitats Directive is still in the incipient stages. The assessment shows that just part of the work has been completed.

As a fundamental gap, in some cases the two Nature Directives have still not been sufficiently transposed into national laws and regulations. Moreover, the site designation process is still not completely finalized in the old EU ('EU-15'), and is still ongoing for the 10 new EU Member States. The marine dimension of the network is an entirely separate issue which is still under discussion. Major gaps have been detected in the overall context of management issues, such as elaboration of adequate management plans, species conservation measures and plans, and sufficient consideration of Article 6 assessments for plans and projects. Integration of Natura 2000 within other policies and sectors, both at the EU and at national levels is generally inadequate and the involvement of Environmental Authorities and NGOs in all relevant processes such as the elaboration of the EU funding national programmes could be certainly improved.

Obviously due to the recent date of Accession for some countries, as well as general differences in national policies and preconditions, European countries have quite different priorities and challenges to tackle. However, in terms of national priorities, most of the consulted experts show a remarkable consensus on detecting the lack of capacities and resources (personnel, finances), and cite filling these gaps as one of the main priorities for EU Member States, Romania, Bulgaria, Croatia and Turkey for implementing Natura 2000: if the 2010 goal is to be achieved, more determined political will is needed to address these issues.

Implementation is therefore the key challenge, on which all European countries are working hard, but is still at an early stage.

## Major achievements

Although the process is ongoing and has not yet been finalized, some very relevant results have been achieved during many challenging years of implementation.

Firstly, Europe now has a huge common network of protected areas, with common goals and procedures to achieve them, in a unique and unprecedented attempt to work together to achieve nature conservation and sustainable development at a continental scale: Natura 2000. This network is actually the basic pillar to achieve the “halting the biodiversity loss by 2010” goal in Europe.

Secondly, the whole implementation process has been – and is – a remarkable positive opportunity for all stakeholders to find common ways and learn together. For example, the new EU Member States have benefited greatly from the experiences of the old Member States, not repeating many of their mistakes. The site designation process was especially much better prepared in the new States, although with some remarkable exceptions, like in Poland and Cyprus. The experience from both old and new Member States may help to prepare the next Accession phase, and Bulgaria and Romania and other potential future EU Member States will likely profit from other countries’ experiences.

Moreover, the Nature Directives have supported a better understanding of nature values in Europe and focused the efforts of biodiversity research and conservation planning, involving most of the relevant institutions and experts across Europe, something which would never have been achievable without the obligatory EU legislation.

And finally, the implementation process has enabled all Europeans – not only authorities and politicians – to recognize the value of conserving our natural heritage in many European countries. The involvement of different parts of the general public, NGOs, land users and other relevant stakeholders is supported in many European States and will hopefully increase further in the near future.



### The Birds Directive<sup>3</sup>

The Birds Directive is the oldest piece of EU nature conservation legislation and was adopted by the Council in 1979. It was designed to ensure the long-term protection and management of all wild bird species and their habitats.

This Directive sets out a range of requirements to protect bird species, including the designation of Special Protection Areas (SPAs). It also includes a provision for banning activities that directly threaten birds (such as the deliberate destruction of nests and the taking of eggs) and associated activities such as trading with live or dead birds. Hunting rules have been established under the Directive which limit the number of species which may be hunted.

### The Habitats Directive<sup>4</sup>

The Habitats Directive was adopted in 1992 by the Council and was designed to ensure biodiversity conservation in the EU through the comprehensive protection of a range of habitats, animal and plant species. It has the specific objective of maintaining and restoring, to Favourable Conservation Status, all natural habitats and wild animal and plant species of Community Interest (as listed in the Directive's annexes). A wide range of forest, freshwater, and marine and coastal habitats are considered to be of Community Interest. Species of Community Interest include those that are endangered, rare or endemic.

In total 218 habitats and 887 species are listed as of Community importance in Annexes I and II of the Habitats Directive, respectively<sup>4</sup>.

The Directive sets out a number of measures to achieve this objective, including the designation of some protected areas as Special Areas of Conservation (SACs). It provides safeguards to protect these SACs, including statutory, administrative or contractual measures, management plans, the prior assessment of potentially damaging plans and projects; the requirement that these plans and projects be approved only if they represent an overriding public interest and only if no alternative solution exists; and compulsory compensatory measures in the event of damage. Finally, a strict protection regime is established for 1009 species (Annex IV), including the protection of breeding and resting places of certain animal species, and preventing the capture or killing of some animal species and the destruction of certain plant species in the wild.

The Habitats Committee was established under the Habitats Directive to assist the Commission in its implementation, and consists of representatives from all EU Member States. The Habitats Committee Scientific Working Group reports to the Habitats Committee, and works specifically on scientific aspects of the implementation of the Directive, such as monitoring and assessment of conservation status. This working group includes NGO representatives from the European Habitats Forum<sup>5</sup>.

<sup>2</sup> Birds Directive, 1979.  
[www.europa.eu.int/comm/environment/nature/nature\\_conservation/eu\\_nature\\_legislation/birds\\_directive/index\\_en.htm](http://www.europa.eu.int/comm/environment/nature/nature_conservation/eu_nature_legislation/birds_directive/index_en.htm)

<sup>3</sup> Habitats Directive, 1992.  
[www.europa.eu.int/comm/environment/nature/nature\\_conservation/eu\\_nature\\_legislation/habitats\\_directive/index\\_en.htm](http://www.europa.eu.int/comm/environment/nature/nature_conservation/eu_nature_legislation/habitats_directive/index_en.htm)

<sup>4</sup> European Topic Centre Biodiversity, 2006:  
Number of Habitats types and Species in the annexes of the Birds and Habitats Directives  
[http://biodiversity.eionet.europa.eu/activities/Natura\\_2000/documentation](http://biodiversity.eionet.europa.eu/activities/Natura_2000/documentation)

<sup>5</sup> European Habitats Forum, IUCN  
[www.iucn.org/places/europe/rofe/rofe\\_at\\_work/ehf.htm](http://www.iucn.org/places/europe/rofe/rofe_at_work/ehf.htm)



## The Natura 2000 Network<sup>6</sup>

Together the SPAs and SACs designated under the Birds and Habitats Directives form the Natura 2000 network, which currently represents about one sixth of the total land area of the EU. The aim of the Natura 2000 network is to maintain, or where appropriate restore, the most important European habitats and species, to Favourable Conservation Status. This does not mean that all socio-economic activities should be prevented in these areas, but rather that care must be taken to ensure that human activities in these areas do not damage the wildlife and habitats present there. In fact, Natura 2000 can bring socio-economic benefits to local populations, such as increasing tourism or adding value to local products. Moreover, the protection of biodiversity affords human beings basic valuable environmental services, such as clean water and air, protection against flooding and other natural disasters, and recreation facilities. Where necessary, detailed management plans should be prepared for sites in order to ensure that the conservation objectives for each area are realised. Once fully in place, this network should ensure that the best examples of EU natural habitats and areas that host rare and endangered plant and animal species, are conserved and protected.

All lists of sites have been approved by the European Commission for the old Member States (EU-15), although there are still some gaps in these lists that should be filled. New Member States (EU-10) are currently finalising their site designation process. The European Commission expects to complete the terrestrial component of Natura 2000 by the first half of 2007. Accession and future Member States have to submit their lists of proposed sites for the Natura 2000 network by the date of Accession.

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<sup>6</sup> More information on Natura 2000 at:  
[www.europa.eu.int/comm/environment/nature/home.htm](http://www.europa.eu.int/comm/environment/nature/home.htm)

## Natura 2000 implementation report 2006

15

### Why a Natura 2000 report?

WWF and partner organisations are convinced that the Habitats and the Birds Directives provide an excellent approach for protecting Europe's natural heritage and strongly support their committed implementation. In this report, WWF and partners affiliated with previous reports – e.g. 2005 Natura 2000 implementation report in the new EU Member States<sup>7</sup> – have evaluated the ongoing implementation status of the Habitats and Birds Directives in European countries.

The main goal of this report is to encourage National Authorities – the main parties responsible of the implementation of the Habitats Directive – to improve their efforts related. The European Commission recently adopted the Biodiversity Communication, and, as the Environment Commissioner Stavros Dimas recently said during the opening session of Green Week 2006, the main focus of this Communication is on accelerating implementation<sup>8</sup>.

The report describes the current status of implementation of the Habitats Directive in Europe from an NGO perspective, in an attempt to provide the relevant stakeholders, including the national implementing authorities, with an overall description of the main issues involved. We hope it will help push the responsible authorities to improve their performance in a common approach to achieve the commitment of halting the biodiversity loss by 2010.

The recent report covers all EU Member States (the Belgium report covers the Wallone and Brussels Capital Region, but omits the Region of Flanders), Bulgaria, Romania, Croatia and Turkey. This is the first comprehensive picture currently available about the implementation of Natura 2000 in Europe, as prepared by NGOs. It intends to provide a global European perspective, integrating both old (EU-15) and new (EU-10) Member States, as well as Accession and potential future Member States.

### How was it developed?

The information analysed herein is based on a standardised questionnaire, which was completed by WWF National offices, partner Organizations and independent experts. The information collected by the national contributing experts reflects the perspective of each specific organisation, but also includes knowledge of other involved experts and national authorities following intensive consultations.

It is important to mention that the Member States are in quite different phases of implementation of Natura 2000 and the Habitats Directive, firstly due to different Accession dates. Furthermore two assessed countries, Romania and Bulgaria, are quite close to Accession, whereas Croatia and Turkey, also included in this report, are involved in the first steps toward European integration. All in all, the same basic conditions vary across countries. However, all States that are, or probably will become part of the EU face the same challenges and needs in terms of sufficient implementation of the Habitats Directive.

Therefore, WWF and partners decided to treat all Member States (25 countries) equally in evaluating the adequate implementation of the Habitats Directive, bearing in mind that time schedules and preconditions are different.

Bulgaria and Romania are evaluated separately, using the same questionnaire, whereas the implementation status of Croatia and Turkey – current EU candidates – is given just as a description.

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<sup>7</sup> Natura 2000 in the new Member States, Bulgaria, Romania and Croatia, September 2005, [www.panda.org/epo](http://www.panda.org/epo)

<sup>8</sup> More information on the Green Week and Mr. Dimas speeches in: [http://ec.europa.eu/environment/index\\_en.htm](http://ec.europa.eu/environment/index_en.htm)



Evaluations were mainly undertaken through assessing the status of implementation of the following issues:

- **Legislation**
- **Natura 2000 network**
- **Financing**
- **Management**
- **Monitoring**
- **Communication**
- **Country priorities**
- **Country challenges**

The questionnaire consists of 32 questions, which can be found in the Annex of this report, asking for specific information. In most cases the contributing authors were required to define an overall assessment based on the following multiple choices:

- ✓      yes/sufficient
- ✗      no
- ±      inadequate or insufficient
- ?      no information

Country questionnaires provide flexibility and space for detailed information and comments for individual countries. In fact, many of the reports present a very rich source of information on the national implementation of Natura 2000. This report includes all the information collected for each question country by country within the Annex. This information represents the first global NGO overview of the implementation status of Natura 2000 in Europe.

**The information in this report is current as of May 2006.**



# The Report: Status of implementation of Natura 2000 in the European Union

## Legislation

### Background

The Birds and the Habitats Directive are legally binding texts; all Member States are required to transpose them within their national legislation. The EU Nature Directives provide the legal framework and give Member States freedom for their national implementation. Accession countries are required to adequately transpose these Directives by the date of accession.

### Compulsory transposition

## Evaluation

AT	✓	FR	✓	NL	✓
BE	±	GR	✓	PL	±
CY	±	HU	✓	PT	x
CZ	x	IE	✓	SE	✓
DE	✓	IT	x	SI	✓
DK	✓	LT	✓	SK	±
EE	✓	LU	✓	UK	✓
ES	✓	LV	✓		
FI	x	MT	✓		

- ✓ yes/sufficient
- x no
- ± inadequate or insufficient
- ? no information

### General comments

Seventeen of 25 Member States have transposed the legislations adequately based on the NGO assessment, although deficiencies still remain in some of those countries. For example transposition is completed in the Wallone Region and in Brussels Capital Region, although the implementation still suffers criticism. Estonia has correctly transposed the legislation with minor exceptions and Austria was evaluated to have an overall sufficient transposition, even when not all Austrian “Bundesländer” – responsible for nature conservation – have transposed the legislations adequately to date. Germany is now assessed as having transposed the Nature Directives correctly, but has been sentenced by the European Court of Justice for insufficient transposition of certain Articles of the Habitats Directive. The country had implemented a general exception for land use in cases where habitats and species were not deliberately harmed by the land user. Discussion concerning the appropriate implementation of these Articles is currently underway.

The European Commission requested that other countries (e.g. Cyprus, Greece, Latvia, Lithuania) improve their national laws after completing the screening of legal transposition early this year. And according to the latest (July 2006) official news, infringement procedures also took effect for some countries, such as Poland and Hungary. The Czech Republic, Italy, Luxembourg and Portugal were evaluated as not having adequately transposed their legislation for different reasons. Greece has received a reasoned opinion for the insufficient transposition of the Birds Directive and also for insufficient transposition of Articles 6.4 and 12 of the Habitats Directive. Major deficiencies were identified in Italy, where transposition at the regional level, particularly in southern regions, is hampered by obvious administrative delays, although transposition is complete at the national level. In Cyprus, it has been observed that the national law had been drafted in such a way that it led to a fragmentation of power between competing authorities (ministries)<sup>9</sup>.

<sup>9</sup> For more information related to with the European Court of Justice cases, see: [www.curia.europa.eu](http://www.curia.europa.eu)



## **Other issues related with legislation**

### **General comments**

A lack of integration within other European bodies of legislation and sectors (agriculture, water management, Environmental Impact Assessment) as well as within relevant national policies has been cited as a major weakness of the implementation of the Birds and Habitats Directives. In many countries, limited integration or a complete lack of integration has been identified. Some constraints occur due to separated levels of responsibility in some countries (e.g. Austria, Germany), where nature conservation falls under the jurisdiction of regional governments, resulting in different legal regulations and practices within a country and/or divided responsibilities for the implementation of Natura 2000. To some extent, incomplete implementation of other policies such as the EU Environmental Impact Assessment Directive hinders effective implementation. However, in Slovakia, a recent EU Member State, Natura 2000 is starting to become included within other sectoral policies, although it is still more on a minimal level and as an "EU obligation", not as a voluntary approach. In October 2005 the European Court of Justice ruled that the UK had failed to transpose the provisions of Articles 6.3 and 6.4 of the Directive into UK Law. The court found that as a result of the failure to make land use plans subject to appropriate assessments, the Directive had not been transposed completely. This situation is now being addressed by an amendment to the Regulations, due to come into force in September 2006.

## **Natura 2000 Network**

### **Background**

The designation of sites follows a clear, standardised and transparent procedure, where the European Commission, alongside the European Environmental Agency, the participating Member States, independent scientists and relevant stakeholders such as NGOs are invited to evaluate the Member States' proposals in so called Biogeographic Seminars. After the seminars, a bilateral negotiation phase between EC and Member States begins. Finally, SACs must be designated in each country.

The process is very advanced: all site lists of the old Member States (EU-15) have been adopted by the European Commission, and the remaining lists for the new Member States are expected to be adopted by the beginning of 2007. However, this does not mean that the lists are complete, as there are several ongoing infringement procedures against some Member States because of insufficient transposition. On the other hand, marine sites follow a special process that is expected to be finalized by 2008.



## Status of SCIs and SACs in the EU-15<sup>10</sup>

### General comments

The process of identifying, selecting and proposing sites under the Habitats (pSCI) and Birds Directives (SPAs) has been very active within the past few years and is almost finished for a few countries (e.g. Austria, Denmark, Malta). SACs are designated – at least partly – in Austria, Germany, Denmark, Finland, Sweden, and the United Kingdom (some additional sites are still outstanding). In the Netherlands all 162 sites have been designated.

Delays have occurred in other countries such as Ireland and Italy, where the European Commission started an infringement procedure against these countries for not having classified enough sites under the Habitats Directive. Incomplete lists are one of the reasons why the process has been significantly slower in the Mediterranean region (this list has ultimately been very recently adopted by the European Commission). Other deficiencies in the process of designating SACs arose due to national constraints (lists differ in quality within decentralized Member States, like in Austria), discussions on site borders and site dimensions (Germany and Cyprus), disputes and conflicts with land users about zoning vs. conservation, as well as disputes about some conflicting projects (e.g. golf courses in Malta) affecting relevant areas. In Spain the site designation process is not yet finished due to the fact that there are no SACs designated under Spanish law, which is the responsibility of the Spanish regions (Comunidades Autónomas). The site designation process has been completed for the Alpine, Atlantic and Macaronesian regions, but the regions are still waiting for the Mediterranean list, which was recently passed.

## Status of proposals for SCIs

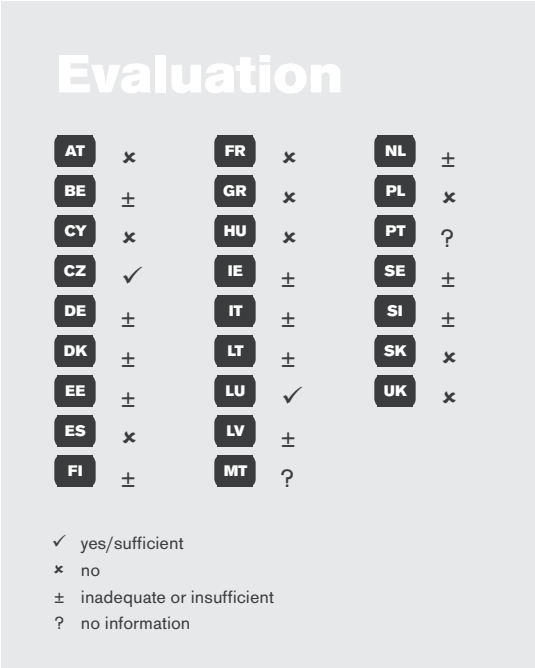
### General comments

The designation process is only complete for all terrestrial sites in the Netherlands and Finland; Finland has actually already designated all sites at the national level, so that all sites should be protected by the end of 2007. In most other countries the process is still unfinished, although the Habitats Directive gives a clear timetable for implementation; the whole process is delayed mainly due to political reasons. In essence, all EU Member States have chosen completely different means of identifying, designating and communicating the designation of Natura 2000 sites. The list of pSCIs of the majority of European countries such as Cyprus, Czech Republic, France, Greece, Germany, Estonia, Hungary, Lithuania, Latvia, Luxembourg, Poland, Portugal, Slovenia, and Slovakia still show deficiencies and must be improved, in many cases both SCIs and SPAs proposals. It is important to note that NGO Shadow Lists have played an important role in identifying omitted areas and in assisting the EC to move forward.

All in all, the site designation process is still far from completion, especially for those countries which joined the EU in May 2004. Nevertheless in many cases these countries have prepared better site lists than some of the old Member States.

<sup>10</sup> Old member states for the Macaronesian, Alpine, Boreal, Atlantic and Continental biogeographical regions.

Integration of connectivity within  
in the Natura 2000 network

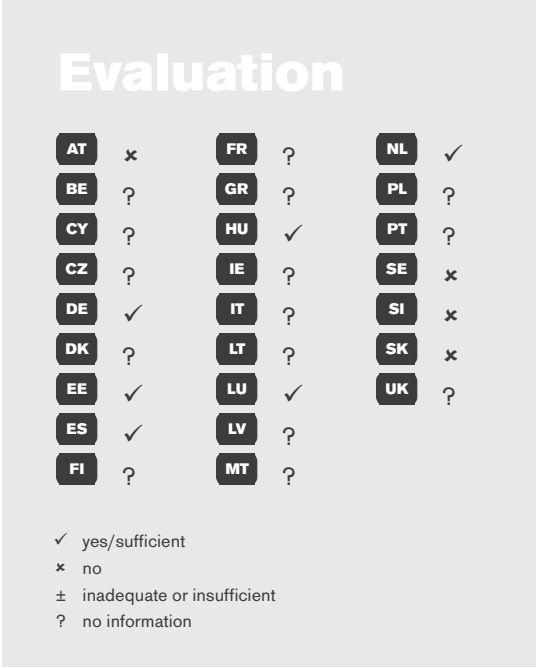


General comments

Only two EU Member States (the Czech Republic and Luxembourg) are reported to have integrated the connectivity aspect within the site designation process, either at the regional, national or international level. In most Member States, site designation has only been seen as national obligation, so that international cooperation within this context has been secondary. In general, connectivity planning for pSCIs was rather insufficient in some countries. For example, Italy had elaborated very sound scientific studies, but the coordination between national and regional authorities and among regional authorities themselves was insufficient. Moreover, integration of ecological networks, buffer zones and ecological corridors within the Italian proposal was very much delayed. In Slovenia, connectivity was taken into account in many cases, but the process still reveals major deficiencies. For example: the Austrian part of the river bordering the two countries is part of the Natura 2000 network, while the Slovenian part is not. In Spain, 25% of the country is designated for the Natura 2000 network, so that it may be apparent that there is some connectivity between sites, but no concep-

tual approach was undertaken by the Spanish Regions. In Finland, connectivity aspects were not satisfactorily integrated during the establishment of the Natura 2000 network, and in Greece connectivity aspects were not taken into account (including biological corridors) although site designation was in principle a country-wide process independent of regional borders. In some countries such as Italy and the Czech Republic, communication between different relevant bodies was insufficient. Eight Member States: Austria, Cyprus, Spain, France, Greece, Hungary, Poland and Slovakia did not take coherence of the network into consideration while planning their sites. No information on connectivity was obtained from Malta and Portugal.

National support for a Working Group  
on Article 10 (connectivity)



General comments

The European Commission, together with the Member States, discussed the establishment of a specific European working group to address the connectivity aspect of the European nature conservation network. In many countries it remains unclear whether Member States would be in favour of such working group or not. Article 10 working groups are only supported in Germany, Hungary, Estonia, the Netherlands, Spain and Luxembourg.

## Marine sites included in pSCI proposals

### Evaluation

<b>DE</b>	✓	Atlantic region	Only the marine sites in the EEZ/ additional sites in the 12 nautical mile zone are planned.
<b>DK</b>	✓		
<b>ES</b>	✓		Marine sites are included; however the proposal is clearly insufficient.
<b>FR</b>	✓		Some sites include large marine areas, but the proposal is clearly insufficient. The evaluation of marine sites is still to be done.
<b>IE</b>	✓		There are a number of marine sites around Ireland, but it is not clear whether they are sufficient in number.
<b>PT</b>	✓		On Portuguese mainland there are sites that include marine areas. It is recognized by specialists that marine sites are insufficiently covered by the network.
<b>EE</b>	✓	Boreal region	The Estonian proposal included marine sites, but adequate representation of all marine habitats and species was not discussed in the biogeographical seminar.
<b>FI</b>	✓		Some habitat types given in the Habitats Directive are lacking, as well as offshore sites.
<b>LT</b>	✓		According to the Biogeographic Seminar (Latvia, 5–7 December 2005) Lithuania is required to undertake serious scientific research on marine sites.
<b>LV</b>	✗		Latvia must propose marine sites by 2008. The Baltic Environmental Forum is currently implementing a LIFE-Nature project to identify the marine Natura 2000 sites. So far only marine extensions of the terrestrial Natura 2000 sites have been included in the national proposal.
<b>SE</b>	✓		There are marine sites on the list which have been approved by the Commission, and some more sites are in preparation. However, there are large gaps in the proposal and more sites need to be proposed (Codes 1110+1170). The evaluation of marine sites (Codes 1110+1170) have not yet been completed. The definition of habitat type 1110, e.g. by which depth habitat is defined, is particularly problematic.
<b>DE</b>	✓	Continental region	See comments under Atlantic region.
<b>DK</b>	✓		
<b>IT</b>	✓		The current proposed marine sites are insufficient to coherently protect marine biodiversity.
<b>NL</b>	✗		
<b>PL</b>	✓		Three sites (considered as coastal waters, in fact beyond marine sites).
<b>SE</b>	✓		See comments under Boreal region.
<b>ES</b>	✓	Macar.	
<b>PT</b>	✓		Marine sites are included on Madeira and Azores islands' lists. It is recognized by specialists that marine sites are insufficiently covered by the network
<b>CY</b>	✓	Mediterranean region	Some marine sites are included, but the proposals are very insufficient, as marine/coastal areas have been largely excluded. Pressures for tourism/housing are huge. Also in the occupied areas of Cyprus, although identified through a LIFE project, all sites have been temporarily excluded.
<b>ES</b>	✓		Marine sites are included; however the proposal is clearly insufficient.
<b>FR</b>	✓		Some sites include large marine areas, but the proposal is clearly insufficient. The evaluation of marine sites is still to be done.
<b>GR</b>	✓		Marine sites (coastal sites and marine areas between islands) are included but relatively few, taking into consideration the extensive coastline of Greece.
<b>IT</b>	✓		The current proposed marine sites are insufficient to coherently protect marine biodiversity.
<b>MT</b>	✓		
<b>PT</b>	✓		On Portuguese mainland there are sites that include marine areas. It is recognized by specialists that marine sites are insufficiently covered by the network.

Macar. = Macaronesian region

✓ previous proposal includes marine sites | ✗ previous proposal does not include marine sites

## General comments

In general, designation of marine sites is complex; most countries still encounter a lack of data and/or choose different approaches to designate areas. However, all countries have integrated marine sites within their proposal, except Latvia (Boreal), which plans to propose sites by 2008, using the frame of a LIFE Nature project for identifying marine sites. Most of the Member States proposals for marine sites were evaluated to be insufficient to protect marine habitats and species such as those for Italy, Germany and the some Baltic Countries. Ireland reported many designated marine sites, though the adequacy of this list remains unclear. On the Greek and Portuguese mainland there are sites that include marine areas. Respectively, marine sites are included on Natura 2000 sites on several Greek islands as well as on the Madeira and Azores islands. Sweden has designated marine sites but still reports gaps in the lists of its Continental and Boreal regions.

## Financing

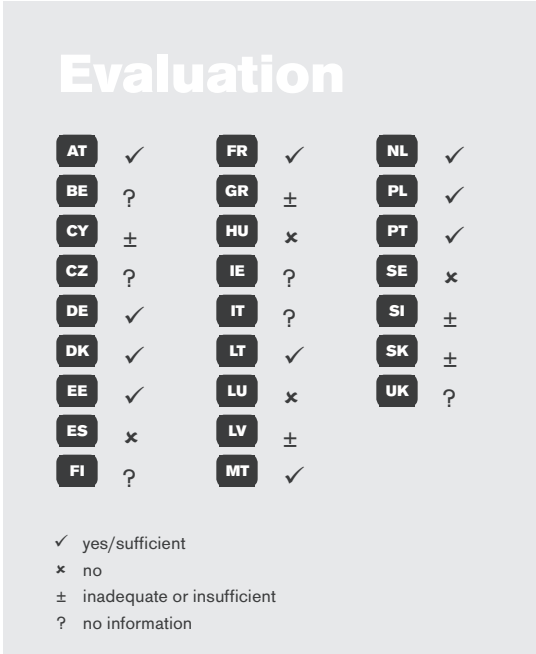
### Background

Conservation without money is conversation. The European Commission calculated an amount of € 6.1 billion per year for the implementation of the Habitats and Birds Directives<sup>11</sup>. Some small funds were available from LIFE Nature until 2005 – the only specific Natura 2000 fund of the Union – , together with some compensation measures which were made available after the mid-term review from 2003 onwards. For the next EU financing period (2007–13), the so called integration option has been chosen for the financing of Natura 2000, which means that all EU funds can be used for this purpose nationally. The only funding line exclusively available for Natura 2000 would be one of the 3 axis of the LIFE+ fund, which would comprise a very small percentage of the total EU budget. Nevertheless, responsibility for funding Natura 2000 is shared between the European Commission and the Member States, and the political commitment of the latter is fundamental for this purpose. Therefore, all relevant stakeholders – from National Ministries and the European Commission to NGOs – have an important responsibility to ensure adequate national funding, and proper use of European funds. It is obvious that the increased cooperation and involvement of Environmental Authorities and NGOs is critical for ensuring sufficient funds from both European and national sources. In this sense, the recently finished Natura 2000 Financing Handbook (available in all EU languages in the European Commission's webpage) together with the national workshops on Financing Natura 2000 all over the European Union is a positive example of involvement of NGOs in the issue.

<sup>11</sup> Commission Communication on Financing Natura 2000, COM (2004) 31



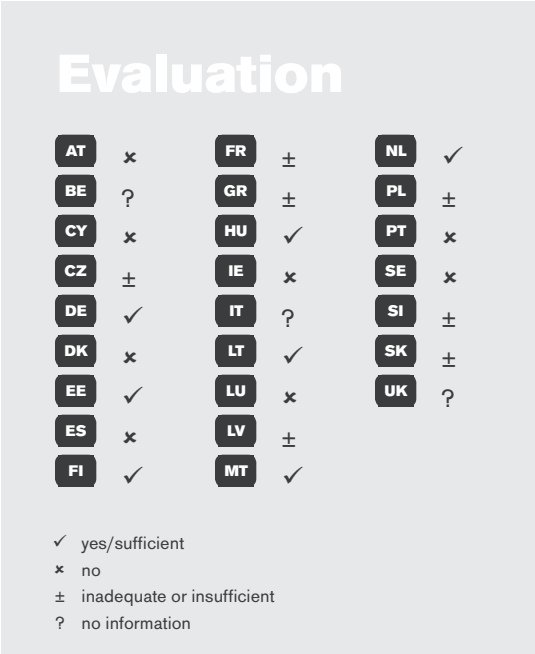
**Involvement of Environmental Authorities in the EU funding programming processes**



**General Comments**

Environmental authorities, such as Ministries of Environment and others within regional governments are clearly involved just in some of the EU Member States. However, the degree of involvement varies widely among different countries. In Germany environmental authorities are included in “lively” discussions in many federal states, whereas Environmental Authorities in Denmark are leading the process at the national level. In Greece there was no coordination between the Ministry of Environment (responsible for the implementation of Natura 2000) and the Ministry of Finance (responsible for the overall programming). In Spain the Ministry of Environment is involved only in discussions on Rural Development – no effort has been made to, discuss other funds for Natura 2000. Formal legislative integration is currently underway in Lithuania and Latvia, but due to their limited capacities, the input is not too substantial. In Luxembourg, the involvement of Environmental Authorities is restricted to specific issues. In Finland, although no definitive information could be collected, it seems that all relevant partners and stakeholders have been invited to participate in the process. Estonia seems to be one of the few EU Member States with an Operational Programme (OP)<sup>12</sup> coordinated by the Ministry of the Environment.

**Involvement of Environmental NGOs in the EU funding programming processes**



**General comments**

NGO involvement in these processes is rather poor, even when there are formal means of involvement such as in Austria, Cyprus, Czech Republic, Germany, Spain, Slovenia, Slovakia, and Poland. NGOs have problems making substantial inputs or participating more than marginally: they are often asked for recommendations but those recommendations are rarely taken into account, with final results depending mostly on the personal contacts. In the Baltic States some consultation processes are taking place, but in Latvia – as in Greece – only the major NGOs are invited to participate, and in Lithuania the representation of NGOs in different working groups is too small to generate substantial inputs. Despite the fact NGOs are sometimes invited to participate, they are often burdened with resource and capacity issues and are therefore not able to participate extensively.

<sup>12</sup> An Operational Programme (OP) is a national multi-annual program document, which plans outlines the strategic use of EU structural funds and cohesion instruments for 2007–13.

## Environmental input into the EU funding programming processes

Evaluation											
From Environmental Authorities						From NGOs					
AT	✓	±	FR	?	×	NL	✓	✓			
BE	?	?	GR	?	?	PL	✓	×			
CY	?	×	HU	×	×	PT	✓	×			
CZ	?	×	IE	?	×	SE	×	×			
DE	±	±	IT	?	×	SI	±	±			
DK	✓	?	LT	✓	✓	SK	±	±			
EE	✓	✓	LU	?	×	UK	?	?			
ES	×	×	LV	?	?						
FI	?	?	MT	✓	×						

✓ yes/sufficient  
 × no  
 ± inadequate or insufficient  
 ? no information

### General comments

According to our assessment, involvement of Environmental Authorities and NGOs during the critical phases of planning the use of EU funds is not standardized in the European Union. In fact, it seems that even the most relevant authorities (e.g. Ministries of Environment) do not have the necessary access, or capacities to participate and submit their inputs adequately. Inputs from NGOs are sometimes taken into account (Lithuania, Estonia, Netherlands); sometimes to a lesser extent (Austria, Germany, Slovenia, Slovakia). In Spain NGO inputs are only taken into account in terms of the Rural Development issues. In many cases NGOs are not informed whether their comments have any influence or whether they were are into account during the revision of drafts, as in Greece, which never received any official feedback on the comments it submitted to the Ministry of Environment. In Italy and Cyprus, no NGO involvement has taken place yet, whereas NGOs in Poland, despite the fact that they are invited for participation, do not have their inputs taken into account. It is too early to analyse the involvement of NGOs in Luxembourg, Latvia and Denmark, as several major components of the programming and planning processes for the 2007–13 period are still underway.

## Access to information during the EU funding programming processes

Evaluation											
Accessible						Timely					
AT	✓	±	FR	±	±	NL	✓	✓			
BE	?	?	GR	✓	×	PL	✓	✓			
CY	±	±	HU	×	✓	PT	✓	?			
CZ	✓	±	IE	?	?	SE	?	?			
DE	✓	✓	IT	±	✓	SI	±	✓			
DK	✓	?	LT	✓	✓	SK	✓	✓			
EE	✓	✓	LU	✓	?	UK	?	?			
ES	✓	✓	LV	✓	±						
FI	✓	?	MT	?	?						

✓ yes/sufficient  
 × no  
 ± inadequate or insufficient  
 ? no information

### General comments

Our evaluation shows that only Germany, Estonia, Lithuania, Poland, Slovakia and the Netherlands had the necessary documents to participate in the process accessible and on time. In all other countries, the results have been mixed. In Spain, information is accessible and on time, but only the information for Rural Development programming. Even in cases such as in Germany and Greece where documents have generally been accessible, not all were available and various responsible ministries noted variations. Documents were published or accessible in most cases; for Germany not all of them, and – for Austria and the Czech Republic sometimes at a very late stage. Access to documents was available, but delayed in Luxembourg, and available just after repeated NGO requests in Latvia. In Italy WWF Italy reports having no access to documents, with the disclaimer, that such information is more readily available at the regional or local level than at the national level, with quite disparate data quality between regions. In Slovenia, there is little transparency governing relevant documents or the timelines of relevant processes. In general it is still difficult for most countries to collect information regarding ongoing processes, particularly on the status of inter-ministerial consultations.



## National budget for Natura 2000

### Evaluation

AT	x	FR	✓	NL	x
BE	x	GR	±	PL	±
CY	±	HU	x	PT	x
CZ	✓	IE	?	SE	✓
DE	x	IT	?	SI	✓
DK	±	LT	x	SK	±
EE	✓	LU	x	UK	✓
ES	x	LV	x		
FI	✓	MT	✓		

- ✓ yes/sufficient
- x no
- ± inadequate or insufficient
- ? no information

## General comments

Generally, it is rare that national funds are specifically earmarked for Natura 2000 in the EU Member States. Ten Member States do not dedicate specific national funds for the implementation of the Habitats Directive. In some other countries like Estonia, Slovenia and Poland, some funds are reserved specifically for the implementation of Natura 2000, although these funds are very limited. In Finland funds are particularly lacking for species conservation measures, many of which fall under Natura 2000. In Latvia all Natura 2000 areas are nationally protected areas, therefore all budgets allocated to these areas can – to some extent – be earmarked for Natura 2000. Similarly, in Lithuania all funding for protected areas, including Natura 2000 is provided by state budget lines. Special funds for Natura 2000 are occasionally appropriated in Slovakia, but for specific measures in an unstrategic, ad hoc manner. In Denmark funds are only available for certain aspects of the implementation of Natura 2000, such as forest related issues, and finance laws make no mention of Natura 2000. In Greece, the State covers personnel costs as well as the salaries of some of the wardens, who are locally responsible for Natura 2000, as well as some activities in areas within Natura 2000 sites. In Italy, as far as we are concerned, no specific funds are in place for Natura 2000, but national or regional funds for existing protected areas can be used for the management of Natura 2000 sites.

## Management

### Background

The implementation of sound management measures within Natura 2000 sites, as well as the protection regime for species, are the essence of the Habitats and Birds Directives. Moreover, the management of natural values may ensure the socio-economic sustainable development of affected local populations. Management is therefore more than just the elaboration of specific plans. This report assesses the extent to which the management approaches of relevant countries ensures Favourable Conservation Status of sites, habitats and species.

### Staff exclusively employed for Natura 2000

#### Evaluation

AT	±	FR	✓	NL	✓
BE	✓	GR	±	PL	±
CY	x	HU	✓	PT	✓
CZ	✓	IE	✓	SE	✓
DE	✓	IT	✓	SI	✓
DK	✓	LT	x	SK	✓
EE	?	LU	?	UK	✓
ES	✓	LV	x		
FI	✓	MT	?		

✓ yes/sufficient    ± inadequate or insufficient  
x no    ? no information

### General comments

Obviously every country must have some individual resources for addressing Natura 2000 management. But the our assessment focuses on the concern that managing Natura 2000 should not merely be considered a secondary task within a multifaceted working plan for an individual person. Implementing EU Nature Directives requires active involvement, engagement and resources in terms of dedicated staff, in order to address the various relevant challenges. These needs were recognised by several countries such as Hungary, Sweden, Spain and Slovenia (see table), which have dedicated specific staff to address these issues. No staff are dedicated exclusively to the implementation of Natura 2000 in Cyprus, Lithuania or Latvia. Actually, in most countries, Natura 2000 is one governmental responsibility among many others often shared between national, and regional and local levels (e.g. Austria, Germany, Greece) or delegated to affiliated institutions such as protected areas services, national environmental agencies, universities or other institutions. Site selection (scientific studies, reports) and concrete management responsibilities are often delegated by national authorities to lower-level administrative personnel, and external expert opinions are used to support site designation obligations, such as those from the Agency for Nature Conservation and Landscape Protection in the Czech Republic. In Luxembourg the situation seems to be insufficient and Italy reports an improvement of staff resources over the last several years, although the situation is not totally sufficient.

Table 1: **Staff exclusively dedicated to Natura 2000 implementation in EU Member States (collected information only)**

Different Natura 2000 issues	BE *	DK	ES **	HU	IT	LU	PL	SE	SI
Sites list elaboration	40	10–12		35	5	1,5	3	4	0,4
Art. 6.3 and 6.4 ass.	+/- 32		2	0	1	1	11	30	5
Site/species management		12		150	2	2	3	30	1
Scientific studies		10		100		0	10	0	1
Monitoring report				30	2	1	?	2	1
Communication	4			10		0	1	4	1
Management of sites/species				150	2	0	3	30	1
Others			1	-		0	-		

\* Information from the Wallone and Brussels Capital Regions (Information from Flanders not included)

\*\* Staff within the Spanish Ministry of Environment (information from Regional Governments not included)



## Measures taken for the protection of SACs

### General comments

Although only countries with sites already adopted by the European Commission may have SACs, countries could have designated SACs in advance at the national level. For this reason we surveyed all assessed countries (EU-25) on this issue. A great number of the countries, such as Cyprus, Czech Republic, Denmark, France, Greece, Italy, Lithuania, Luxembourg, Malta, Poland, Sweden, Slovakia, and Slovenia have not taken measures for establishing SACs. Legal protection is obviously lacking in Malta and Poland, where no legal regulations for SACs have been published so far. Around October 2006, all sites will be officially published in the Netherlands. The site selection process is still in progress in Italy, where not all SPAs have been designated so far; and for the pSCIs – deficiencies remain in terms of surface area and borders. Cyprus and Greece have not designated their SACs so far and Czech Republic, Slovakia and Slovenia must complete their national site lists according to the results of the ,most recent Biogeographic Seminar. In the Czech Republic and Slovenia, sites proposed as SACs or SCIs, have provisional protection already. In Slovakia (SPAs and pSCIs) and in Slovenia all proposed SPAs are provisionally legally protected. Measures are in place in Austria (in some Federal States), Ireland (statutory and administrative, although contractual measures are still insufficient and/or incomplete) and Finland, where some Natura 2000 sites are former National Parks and therefore already have adequate structures in place. In Latvia, all sites are legally protected, but due to a lack of funds, capacity, and political will, the implementation of the network has not yet ensured the Favourable Conservation Status of habitats and species concerned. In the case of Germany, necessary measures will soon be established: the federal states are currently working on contracts with land owners and land users.

## Procedures for assessment of projects and plans under Article 6

### Evaluation

AT	?	FR	✓	NL	✓
BE	±	GR	x	PL	±
CY	±	HU	?	PT	✓
CZ	✓	IE	±	SE	✓
DE	✓	IT	x	SI	✓
DK	±	LT	±	SK	x
EE	±	LU	±	UK	✓
ES	?	LV	±		
FI	?	MT	✓		

- ✓ yes/sufficient
- x no
- ± inadequate or insufficient
- ? no information

### General comments

In total, 18 of 25 EU Member States have incorporated adequately the Article 6 procedure to assess projects and plans within their regular legal procedures at least to some extent, although with remarkable variation among countries. In some countries such as Austria and Finland, NGOs are aware of Article 6 assessments which have already been undertaken, but nobody had assessed whether those procedures were adequately implemented. In Austria there is no framework for public participation for project assessment under Article 6.

In general, no country was judged to have fully implemented this fundamental component of the Habitats Directive within their national systems. Some examples reveal further deficiencies: In the Czech Republic Article 6 has been legally implemented, but practically no assessment of their project's influence on Natura 2000 sites has been conducted. The European Commission has initiated infringement procedures against Greece regarding non-conformity with Article 6 of the Habitats Directive, as the transposition instrument refers only to the assessment of projects, and excludes the assessment of plans. In contrast with other pieces of EU legislation such as the EIA Directive (project level) or the SEA Directive (programmes and plans levels) some unresolved issues remain, particularly in Estonia, Lithuania and Latvia, such as gaps in national implementation praxis or lack of capacity. In Portugal the administrative procedures are correct but show some interpretational deficiencies (e.g. alternatives to projects with impact on Natura 2000 sites are not recognized or ignored by authorities). In Italy major administrative delays are evident and there is a lack of procedural guidelines and executive acts in Poland. In Slovakia Article 6 is not transposed properly into the legislation and the procedures for assessing projects and plans are implemented based on an older EIA act and on past criteria for assessing projects and plans.

## Application of compensation measures

### General comments

Our assessment shows that the application of adequate compensatory measures is not common or is insufficient in all countries. However, in most EU Member States the issue is currently the focus of serious discussion and at least in some cases, demonstrates that governments attempt to integrate the compensatory measures principle within their procedures. The upcoming Article 6.4 guidelines which are being developed by the European Commission will tackle the issue and hopefully shed some light on this discussion. In Poland there have not been any investments so far that would warrant compensation. However, there are several huge investments planned (e.g. Nieszawa Dam, Via Baltica, S-8 Express Way etc.) and a few smaller investments, both of which would require EIA and thus surely require compensation if realized – as planned. Finland reported numerous plans where assessments have been undertaken in compliance with Article 6, but it is unknown whether compensation measures were applied. A very repugnant example from Zakynthos/Greece – a significant nesting area for *Caretta caretta* – was reported, where sufficient compensation measures have not been applied, although that Greek case has already been heard at the European Court of Justice<sup>13</sup>. In addition, the European Commission has commenced infringement proceedings against Greece for inadequate transposition of Article 6.4 of the Habitats Directive, as the relevant transposition instrument does not provide for required compensatory measures when a project has the potential to impact a Natura 2000 site. In fact, especially for large investments, the discussion of adequacy of compensations is still ongoing, as the example of the bridge project between the Italian continent and Sicily demonstrates<sup>14</sup>. Ireland reports in one example, that compensatory measures were implemented to the Boyne Estuary dredge disposal after the works were challenged in the High Court by an NGO. The situation in Slovakia is even less satisfactory due to the fact that Article 6.4. is not implemented whatsoever within national legislation, making compensation measures moot.

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<sup>13</sup> For more information related with to the European Court of Justice cases, see: [www.curia.europa.eu/](http://www.curia.europa.eu/)

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<sup>14</sup> See previous footnote.

## Management plan methodologies

# Evaluation

AT	x	FR	✓	NL	✓
BE	✓	GR	✓	PL	x
CY	±	HU	x	PT	✓
CZ	x	IE	?	SE	✓
DE	✓	IT	✓	SI	x
DK	x	LT	✓	SK	✓
EE	x	LU	✓	UK	✓
ES	x	LV	✓		
FI	✓	MT	✓		

✓ yes/sufficient  
x no  
± inadequate or insufficient  
? no information

### General comments

A systematic approach for elaborating management plans is indispensable for protecting sites and harmonising discussion among stakeholders. In Cyprus and Italy some guidelines were developed as part of LIFE projects, whereas in other countries such as Germany, approaches vary radically from Federal State to Federal State (e.g. on participation, implementation measures, surveying and mapping depth etc.). However there is a regular exchange of methodologies between the German Federal Nature Conservation Agency and the Agencies of nature conservation of the Federal States. In the German Federal State Schleswig-Holstein, for example, local alliances have been established to elaborate the management plans. In Slovenia, methodologies for management plans for five Natura 2000 sites are in the process of development in a LIFE III project and an action plan for Natura 2000 will soon be adopted. It will contain management measures based on existing scientific expertise, already used as basic studies for Natura 2000.

BirdLife Slovenia has already prepared a management plan for one SPA and three other management plans are being developed. In Finland the Metsähallitus Natural Heritage Service has created a framework in which management plans will be prepared for government-owned lands while regional management measures will be developed by regional environment centres for privately owned lands. Robust management plan methodologies have also been developed in Slovakia, but after several rounds of drafts – the main constraint for the adequate implementation of the plans is still the lack of a legal foundation for the management plan methodologies. The Greek government elaborated general guidelines and distributed them to all established management bodies of protected areas (including Natura 2000 sites), but no management plans have been actually developed or funded in Greece. In Estonia, Latvia, and Lithuania the governments provide general methodologies and guidelines with different legal status and specifications from each other (insufficient for Estonia). In Spain only one Region, Navarra, has developed a specific management methodology<sup>15</sup>. The government of the United Kingdom produced guidance for establishing management schemes on marine sites – but each process and scheme differed. Other Member States such as the Czech Republic, where the SCIs are to be included in existing categories of nature conservation, where general rules for management exist, still lack methodologies or guidelines. In Hungary and Poland no such methodologies are in place, with the exception of an NGO proposal to prepare them in Poland. However in Hungary a law addressing management issues is planned to take effect in the near future.

<sup>15</sup> Guide for the elaboration of management plans for the sites in Navarra  
[www.cfnavarra.es/MedioAmbiente/downloads/guiaLIC.pdf](http://www.cfnavarra.es/MedioAmbiente/downloads/guiaLIC.pdf)

## Management plans for Natura 2000 sites and species

Evaluation					
Sites			Species		
AT	✓	✓	FR	✓	✓
BE	±	×	GR	×	×
CY	?	×	HU	×	×
CZ	?	?	IE	✓	✓
DE	✓	✓	IT	✓	✓
DK	×	×	LT	✓	✓
EE	±	✓	LU	✓	×
ES	×	×	LV	±	✓
FI	×	✓	MT	✓	✓
NL	×	✓	PL	✓	×
PT	✓	±	SE	✓	✓
SI	±	±	SK	✓	✓
UK	✓	?			

✓ yes/sufficient  
 × no  
 ± inadequate or insufficient  
 ? no information

### General comments

Management plans represent one of the major pillars for the sustainable development of Natura 2000 sites, by supporting the adequate and long term protection of habitats and species. Austria, France, Germany, Italy, Lithuania, Malta, Sweden, Slovakia and also Latvia and Estonia to a great extent, are positive examples within this context, with sound management plans for both sites and species. In Ireland most sites have drafted management plans, although they have not been finalised or published in most cases; these management plans were also produced without any form of NGO/public consultation. Four species action plans have been developed and published in Ireland so far, and were subject to public consultation.

A significant part of these plans was developed in the framework of projects financed or at least co-financed with EU funds, such as LIFE Nature, PHARE and INTERREG. Nevertheless, in many EU Member States the situation is less promising. Cyprus was asked – through the 2004 LIFE Nature programme – to prepare management plans for some important sites: although it was

announced that the plans would be ready in the near future, nothing has materialized so far. Countries such as Denmark, Greece and Hungary do not have management plans for sites or for species. Management plans for marine sites in Finland only cover areas of existing National Parks, which were later on designated as Natura 2000 sites, and for other sites owned by the government, management plans are in preparation or complete, but not yet implemented. Slovenia reports that only a few management plans related to economically important species have been developed (hunting and freshwater fishery breeding-management plans) to date.

In Spain only one region (Navarra) has developed a general methodology (see previous question) and only one SCI and one SAC have approved management plans (both in Navarra). In terms of species there are national strategies for some endangered species as well as some Regional Recovery Plans for endangered species, but they are not focused on Natura 2000 because they were developed following the National Law of Conservation of Biodiversity.

### Measures from management plans already implemented

Evaluation					
AT	✓	FR	✓	NL	✓
BE	×	GR	×	PL	±
CY	×	HU	×	PT	±
CZ	±	IE	?	SE	✓
DE	✓	IT	±	SI	±
DK	×	LT	✓	SK	×
EE	✓	LU	±	UK	✓
ES	×	LV	±		
FI	✓	MT	✓		

✓ yes/sufficient  
 × no  
 ± inadequate or insufficient  
 ? no information



### General comments

The main goal of this question was to detect whether elaborated management plans for sites and species exist only on paper or are already the subject of concrete implementation. Our assessment shows clear deficiencies in terms of “on the ground” implementation of such plans. Some countries have already some experience in the implementation of such plans, as the examples of the Brown bear (Austria) and management plans for national parks and “old conservation areas” of the 1990s (Finland, Estonia) show. In Latvia management plans are currently being implemented – e.g. LIFE-Nature projects implementing management plans, projects funded by the Environmental Protection Fund and the Nature Protection Board, and other concrete measures. In Lithuania management plans are being implemented, but only due to pressure from NGOs. Countries which have already elaborated management plans but not sufficiently implemented them include the Czech Republic, Italy, Latvia, Luxembourg, Poland (a few pilot cases), Portugal and Slovakia. Italy reports a unique situation, where local management structures (administrative and technical staff, etc.) have been created solely for Natura 2000 sites, which are located inside of official protected areas such as national or regional parks. Poland still lacks legislative regulations for putting management plans into action.

### Management via other management tools

#### General Comments

Implementing Natura 2000 is a very complex issue with many connections to other areas of policy, particularly agriculture and forestry. For these reasons some aspects of implementing Natura 2000 can be shared with other sectors. Such cooperation may help to better integrate Natura 2000 within other policies, raising awareness for the network and saving financial resources. Through our NGO assessment, some of these connections have been identified in Austria (“Waldfachplan”, “Almwirtschaftsplan”), Belgium (forest management plans), Cyprus (rural and building zoning regulations), the Czech Republic, Spain (National Parks, Natural Parks), Ireland (Agricultural ‘Rural Environment Protection Scheme’ for farmers; National Parks ‘Farm Plan Scheme’ for landowners in Designated Areas and Com-

monage sites), France and Germany (regional development plans), Latvia (municipal territorial plans) and Slovenia (some protected areas, forestry management plans, hunting and freshwater fishery breeding-management plans, and measures of Slovenian agriculture-environmental programme). In Denmark and Greece no clear decisions have been taken on the issue. In Denmark it has been suggested that landowners could offer to take over some responsibilities; and the same situation is reported in Finland, where private owners manage Natura 2000 sites included within their property. In Greece some management requirements for specific land-use – types may be included in e.g. agri-environmental measures.

### Measures for species conservation

Evaluation			
AT	✓	FR	±
BE	?	GR	±
CY	x	HU	x
CZ	✓	IE	✓
DE	✓	IT	x
DK	x	LT	✓
EE	✓	LU	✓
ES	x	LV	✓
FI	✓	MT	x
NL	✓	PL	✓
PT	✓	SE	✓
SI	✓	SK	±
UK	✓		

✓ yes/sufficient  
 x no  
 ± inadequate or insufficient  
 ? no information

#### General comments

The United Kingdom is the only Member State which has a Biodiversity Action Plan for most of all listed species. In other Member States some species listed under Annexes IV and V of the Habitats Directive have been, and still are subject to, management measures such as in Austria (Brown bear), France (Brown Bear, European Hamster, European Mink), Greece (Brown bear, Monk seal, Loggerhead turtle), Ireland (salmon and pearl mussel, although these are reactionary measures based on sustained public pressure rather than strategically planned measures),

Lithuania (*Emys orbicularis*, *Salmo salar*, *Hyla arborea*), Latvia (*Tetrao urogallus*), Netherlands (e.g. Geese) and Slovenia (the Wild Game and Hunting Act and Freshwater Fisheries Act regulates also the management of some species from the Habitats Directive). In Finland several activities with many species take place every year, and most of them – but not necessarily all – are linked to Natura 2000. In seven assessed Member States – including Cyprus, Denmark, Hungary, Italy, Malta and Spain – no such measures have been implemented so far.

### Species protection regime derogations

#### General comments

Derogation reports as described in Article 16 of the Habitats Directive must be completed by all Member States every two years. It is quite interesting that only a few reports have been consulted by the interested public. In Latvia there were 6 derogation cases between May and December 2004. Similarly Malta reported spring shooting (mainly birds), which is a current following an infringement procedure. Finally, Poland is unofficially planning a report on the shooting of the Woodcock (*Scolopax rusticola*).

## Monitoring

### Background

Member States are obliged to report on the implementation of the Habitats Directive within their territory every six years. The first report was due in 2000, and concentrated on the transposition of legislation and the current status of the site designation process. The second report, covering the period from 2001 to 2006, will include a first assessment of the conservation status of all species and habitats of Community Interest listed in the Habitats Directive based on best available information, and is expected within the next 12 months. The upcoming report will establish the basic framework and baseline for the Favourable Conservation Status of habitats and species from now on, and is therefore especially important. Moreover, the report will include information about the status of the implementation of the Habitats Directive from the perspective of the national authorities.

### Monitoring – Basic understanding

## Evaluation

AT	✓	FR	✓	NL	✓
BE	✓	GR	✓	PL	✓
CY	±	HU	✓	PT	✓
CZ	✓	IE	✓	SE	✓
DE	✓	IT	✓	SI	✓
DK	✓	LT	✓	SK	✓
EE	✓	LU	✓	UK	✓
ES	✓	LV	✓		
FI	✓	MT	✓		

- ✓ yes/sufficient
- × no
- ± inadequate or insufficient
- ? no information

General comments

All the EU Member States were assessed as having principle understanding of the monitoring obligations of the Habitats Directive. In Cyprus the level of undersatnding of this obligation could be improved.

Has the planning of the national monitoring report under Article 17 started?

Evaluation		
AT	✓	
BE	✓	
CY	x	
CZ	?	
DE	✓	
DK	✓	
EE	✓	
ES	✓	
FI	?	
FR	✓	
GR	x	
HU	✓	
IE	✓	
IT	✓	
LT	✓	
LU	✓	
LV	x	
MT	✓	
NL	✓	
PL	✓	
PT	✓	
SE	✓	
SI	✓	
SK	✓	
UK	✓	

✓

 yes/sufficient

x

 no

?

 no information

General comments

As the next monitoring report must be presented in about one year, in principle all Member States should have already started to collect at least some of the basic information needed for the report. In fact, many countries have already begun, such as Germany, where the Federal Nature Conservation Agency is collecting the 16 federal states' reports and will elaborate a German report, which is already in preparation. However, some EU Member States show deficiencies such as Cyprus, Greece and Latvia, where almost no progress has been made to date on this report.

Identified responsibility for national reporting

Evaluation		
AT	✓	
BE	✓	
CY	✓	
CZ	✓	
DE	✓	
DK	✓	
EE	✓	
ES	✓	
FI	✓	
FR	?	
GR	x	
HU	✓	
IE	✓	
IT	✓	
LT	✓	
LU	✓	
LV	✓	
MT	✓	
NL	?	
PL	✓	
PT	?	
SE	✓	
SI	✓	
SK	✓	
UK	✓	

✓

 yes/sufficient

x

 no

?

 no information

General comments

Just Greece is reported to have an unclear situation in terms of having an identified clear responsible for the elaboration of the monitoring report. In most EU Member States, the Ministry of Environment or an affiliated institution is in charge of the reporting task. In Austria a working group of all "Bundesländer" is occupied in doing the reporting and monitoring. One exception, concerning the main responsibilities for this duty is shown in Luxembourg, where not the Environmental Authorities, but one person from the forestry administration has been identified as responsible for the monitoring report.

### Concrete budget or resources for monitoring

# Evaluation

AT	x	FR	?	NL	✓
BE	x	GR	x	PL	x
CY	x	HU	✓	PT	?
CZ	?	IE	?	SE	✓
DE	✓	IT	?	SI	?
DK	?	LT	x	SK	✓
EE	✓	LU	x	UK	✓
ES	✓	LV	x		
FI	✓	MT	✓		

✓ yes/sufficient  
x no  
? no information

### General comments

Most EU Member States have not allocated special funds for monitoring, including Austria, Belgium, Cyprus, Greece, Lithuania, Luxembourg, Latvia and Poland. In the case of Slovenia, concrete budgets and resources are only sufficient for monitoring activities: reporting on the implementation of the Habitats Directive is the responsibility of the Ministry of Environment and no special resources have been made available for the elaboration of the compulsory monitoring report. Other countries such as Estonia and Luxembourg have not established a special budget line, but have reserved some resources. In Poland the process of preparing the report has been officially halted by a lack of financial resources. On the other hand, some EU Member States do provide resources for elaborating the report, such as Finland, Germany, Hungary, Malta, the Netherlands, Spain, Sweden, Slovakia and United Kingdom. For Germany, the Federal Nature Conservation Agency currently finances two projects on reporting and monitoring.

### Coordination with other countries

# Evaluation

AT	x	FR	?	NL	?
BE	x	GR	x	PL	?
CY	x	HU	x	PT	?
CZ	?	IE	?	SE	✓
DE	✓	IT	x	SI	?
DK	x	LT	x	SK	?
EE	✓	LU	x	UK	?
ES	x	LV	✓		
FI	?	MT	✓		

✓ yes/sufficient  
x no  
? no information

### General comments

Reporting under Article 17 is mainly a national duty, whereas the European Commission is responsible for compiling general biogeographical reports derived from all national reports. Nevertheless NGOs strongly recommend that cooperation be strengthened among neighbouring countries to ensure that basic issues such as transboundary aspects and connectivity are considered. Germany currently undertakes such cooperation and collaborates on the national level, e.g. with Austria, Belgium and Slovakia. Other cooperation activities were reported from Estonia together with Finland and Sweden, and from Latvia with neighbouring countries with the participation of the European Commission. Cooperation activities in the Baltic Region are also held through the support of the Baltic Environmental Forum. Swedish authorities are planning such international cooperation in the near future.



## Communication

### Background

For the implementation of the Natura 2000 network, as well as during the ongoing management of sites and species (e.g. negotiations on the assessment of plans and projects) intensive and broad communication is absolutely necessary to ensure awareness raising, coordination and cooperation with all the interests, including land users, regional development and conservation sectors and to avoid further conflicts. For this reason, EU legislation – and common sense – dictates adequate public consultations.

### Public participation

## Evaluation

Site designation | Elaboration of management plans | Art. 6. assessment

<b>AT</b>	x	✓	?	<b>IT</b>	x	✓	✓
<b>BE</b>	x	±	±	<b>LT</b>	✓	✓	✓
<b>CY</b>	✓	x	x	<b>LU</b>	x	x	x
<b>CZ</b>	✓	x	✓	<b>LV</b>	±	✓	±
<b>DE</b>	✓	✓	✓	<b>MT</b>	x	x	?
<b>DK</b>	✓	x	x	<b>NL</b>	✓	✓	?
<b>EE</b>	✓	✓	✓	<b>PL</b>	✓	x	x
<b>ES</b>	x	x	x	<b>PT</b>	x	✓	x
<b>FI</b>	✓	✓	✓	<b>SE</b>	x	x	x
<b>FR</b>	±	±	✓	<b>SI</b>	x	✓	✓
<b>GR</b>	x	x	x	<b>SK</b>	✓	✓	x
<b>HU</b>	✓	x	x	<b>UK</b>	✓	✓	x
<b>IE</b>	±	±	±				

- ✓ yes/sufficient
- x no
- ± inadequate or insufficient
- ? no information

## Site designation process

### General comments

Most EU Member States report at least basic involvement of relevant stakeholders during the site designation process. However, the quality and level of involvement of the different national processes have varied. In Cyprus some public participation has taken place, in Denmark and France only some relevant stakeholders have been consulted. In Estonia as well as in Poland very little time has been allocated for comments and review of site lists, whereas in Hungary, WWF and Birdlife conducted common projects to actively inform relevant stakeholders about Natura 2000. In Austria, Greece, Ireland, Italy, Latvia, Luxembourg, Malta and Portugal the integration of public expertise and opinion has been very limited or insufficient, as well as in Sweden, where all landowners were simply informed about the existence of the Natura 2000 network. The situation is, very similar in Slovenia, where the public was only informed just before the designation of Natura 2000 sites, without broader public discussions. Due to legal obligations, participation within the designation process of SPAs is now standardized in Slovakia. No adequate communication has taken place so far in Malta, but it is planned for the future. In Spain no process of real participation has been undertaken.



## Elaboration of management plans

### General comments

Our assessment shows that involvement of relevant stakeholders for elaborating management plans is insufficient in most Member States. Positive examples of integration are reported in major parts of Austria, Germany, Estonia, Latvia and Slovenia, where, according to the legislation all plans should be publicly exhibited, demonstrating that all stakeholders were adequately involved during the development of the management plans. In the Czech Republic and Poland – where a pilot Commission was established more to inform than to involve the broader public – some public participation activities have been quoted, as well as for some regions in Italy. In Ireland and Sweden only land owners have actively participated. In Malta such processes are planned for the future as well as in Slovakia, where the management plans are not yet prepared, but will soon be discussed with relevant stakeholders, under Slovakian law. In France the management plan for each site is elaborated by a working group which includes relevant stakeholders; once the plan is approved, citizens can check it at his town hall.

### Assessments of plans or projects under Article 6

#### General comments

Integration of public opinion within the context of Article 6 Assessment of Plans and Projects is quite limited throughout the EU Member States. Good examples are reported in Estonia, where public participation is obligatory for evaluating the effects of plans and projects, and is regulated by the same provisions as the EIA. In Latvia public participation is given by law, but no special efforts have been taken to educate the public on participation rights. The same is true for Slovenia and France, where according to their legislation, all plans should be publicly exhibited (within 30 days), but in practice the announcement is usually not transparent enough. In Ireland public participation only takes place where EIAs are required, but even then, the degree of participation is variable and inconsistent. No clear picture could be drawn for the Czech Republic and Slovakia, where this Article has not yet been properly transposed, and it is difficult to predict how public participation will be established/accommodate.

## Communication strategy

# Evaluation

AT	x	FR	±	NL	✓
BE	±	GR	±	PL	x
CY	±	HU	x	PT	x
CZ	?	IE	±	SE	±
DE	x	IT	±	SI	x
DK	±	LT	±	SK	±
EE	±	LU	±	UK	x
ES	x	LV	x		
FI	±	MT	±		

✓ yes/sufficient  
x no  
± inadequate or insufficient  
? no information

### General comments

Interestingly, just the Netherlands answered this question with a clear “yes”, and in the Czech Republic no information could be gained by NGOs about Natura 2000 communication strategies. In general, it is evident that many countries are making efforts and undertaking informational activities concerning the implementation of Natura 2000, but in a strategic manner. In Slovenia a strategy was first developed in 2003, but currently there is no longer any strategy although a new one is planned for the near future. In Estonia, communication/awareness raising is part of the State objectives for implementing Natura 2000 and Greece has provided some funds for this purpose, but both still lack a coherent strategy. This is in contrast to the Slovakian situation, where a communication strategy was elaborated and approved, but never implemented. Finland reported, which is probably true for many “old” EU Member States, that such a communication strategy might have been necessary ten years ago, but that they are now somehow too late for current implementation activities.



Member States have chosen quite different ways to communicate and inform the public about Natura 2000. In Germany a CD-ROM with many facts on Natura 2000 was published and plans exist for nation-wide communication, which could be – if it comes to fruition – an adequate strategy. Italy published national brochures but their distribution was insufficient, and in Lithuania, representatives from the Ministry of Environment as well as from the State Service for protected areas, participated in or organized some campaigns, although the administrations of national protected areas are responsible for information and communication. Besides these positive activities no adequate efforts have been reported in many other Member States, such as in the case of Poland, where most citizens probably have a very vague idea about Natura 2000. The French MoE launched a website containing the main information on each Natura 2000 site (location, species, habitats), but this information is not considered enough.

## **Examples of good communication**

### **General comments**

A great variety of different communication activities indicate that Natura 2000 is already well established in many parts of Europe, and many regions benefit from it; moreover, in some areas they are proud to own parts of Natura 2000 sites. Besides some activities on distributing informational material via the internet or brochures (Luxembourg), via videos and video exhibitions (Latvia, Estonia), many successful examples have been reported at the regional and local levels. In Lithuania sites were added by the request of private land owners, who were informed by botanists about the importance of these areas. However, in most cases, communication work within public consultation processes, particularly in terms of site designation or elaboration of management plans, is ultimately very challenging, as many examples make clear. Nevertheless, the efforts are worth the challenge for man and nature. Examples from Germany, Latvia, Austria, Slovenia, and Slovakia underscore that mediation processes can be successful, but can take a long time: many workshops and informational events are needed, sometimes against strong opposition. In Latvia, communication activities are mainly implemented by NGOs. For example, the Latvian Fund for Nature has prepared an open air photo exhibition about Natura 2000 that is travelling to all Latvian regions in 2006. A region in Austria used butterfly species listed in the Habitats Directive and introduced them as a label for local and regional products within their overall marketing strategy. No good communication examples were reported from Cyprus, Spain, Greece or Poland.

## Priorities

### Background

Not all EU Member States have had the same amount of time for implementation, but it is also true that the recently added 10 Member States benefited remarkably from the experiences of the EU-15. In addition, different political conditions led to different rates of complete implementation of the Nature Directives at the national level. Therefore, national priorities can vary from country to country.

### Three global priorities, one message: Implementation!

Twelve aspects of Natura 2000 implementation were detected as important priorities for the EU Member States, but management, financing, and communication & raising awareness were chosen to be by far the most important priorities. These priorities reflect the overall basic need to focus on implementation as the main issue related to the Habitats and Birds Directives. This includes ensuring sufficient funds, combined with concrete (management) measures, as well as the basic need to communicate and mediate in order to avoid or solve conflicts between conservation and land use or spatial planning interest.

### Implementation of the Habitats Directive: National priorities

	Legislation	Financing	Management	Monitoring	Site designation	Sectoral planning & integration	Communications & awareness raising	Art. 6 assessment	Enforcement of legislation	Marine issues	NGO involvement	Capacity building
AT		•	•	•							•	
BE	•				•		•					
CY		•	•	•	•	•		•	•			
CZ		•	•				•					
DE		•	•				•					
DK			•					•		•		
EE			•				•	•				
ES		•	•			•						
FI	•	•										•
FR		•	•		•	•						
GR		•	•			•						
HU		•	•			•	•					
IE		•					•		•			
IT		•	•	•			•					
LT			•		•							
LU		•		•			•					
LV			•	•			•		•			
MT	•	•	•									
NL				•			•				•	
PL		•	•		•						•	
PT		•	•				•					
SE			•	•			•			•		
SI			•	•			•					
SK	•	•	•		•							
UK			•			•	•					
Σ	4	16	20	8	6	6	14	3	3	2	3	1



## Challenges

	Challenge 1	Challenge 2	Challenge 3
<b>AT</b>	Lack of dedicated capacity and finances.	Quality of management plans.	Good quality monitoring system.
<b>BE</b>	Enforcement of the establishment of an effective protection regime.	Opposition of land owners.	Enforcement of information and communication in various aspects of Natura 2000 implementation.
<b>CY</b>	Site designation. As explained in more detail previously, there are many problems with sufficient designation of sites. For this purpose three NGO letters of complaint have been sent to the European Commission recently.	Lack of integration into relevant sectoral policies. The Habitats Directive and its protective articles need to be integrated into other sectoral policies (particularly tourism, transportation, agriculture and spatial planning). Because this is not done for habitat fragmentation, habitat loss and deterioration is undertaken occurring at a very large pace high rate in Cyprus. Due to its limited land resources as well as the progressively big large threats, particularly from tourism and building development, possibly no valuable habitat will be left after 10–15 years.	Monitoring, Management Plans and Enforcement of legislation have to take place.
<b>CZ</b>	Lack of dedicated finances.	Lack of communication on the purpose of Natura 2000, too small difference between existing methods of Nature conservation and Natura 2000.	Lack of information on possibilities of development & political conflicts with designation on some sites.
<b>DE</b>	Lack of money/finances.	Lack of suitable financial and other instruments for implementing Natura 2000 the measures in some Federal States.	Lack of professional personnel for moderation and communication & Global climate change.
<b>DK</b>	Lack of finances (and hence staff), unawareness lack of awareness of the amount of money needed.	Nature protection as a whole is considered a low priority for the Government.	At least marine sites not ecologically coherent.
<b>EE</b>	Secure adequate assessment of plans and projects.	Secure adequate management of semi natural habitats.	Address problems with public opposition to Natura 2000 without diminishing already compact sites.
<b>ES</b>	Adequate financing.	Development and enforcement of management plans and measures.	Integration with other policies (transport, infrastructures, agriculture).
<b>FI</b>	Lack of human and financial resources.	Communication with private land-owners.	Management of semi-natural landscapes in the future.
<b>FR</b>	Convince all the actors (States, socio-professionals/professionals actors) of the need to complete the Natura 2000 network in order to ensure the good state of conservation of habitats and species.	Obtain a strong commitment from all the Ministries to an ambitious implementation of Natura 2000 (larger designation of sites, better financing) in order to show the importance of Natura 2000 and to answer to the ecological challenges (to halt the loss of biodiversity, climate change) and economic challenges (economic relocation, development of local products).	Make the biodiversity protection integrated in the daily acts of each citizen and therefore the protection of Natura 2000 sites.
<b>GR</b>	Lack of integrated planning and of a national strategy for the Habitats Directive.	Lack of sufficient funding .	Lack of political will and support.
<b>HU</b>	Lack of dedicated finances.	Acceptance of Natura 2000.	
<b>IE</b>	Lack of mandate and political support.	Bringing landowners on board.	Lack of enforcement.
<b>IT</b>	Lack of human and financial resources.	Lack of dedicated finances.	Lack of dedicated management structures (personnel, surveillance, experts) .
<b>LT</b>	Lack of scientific information.	Lack of financial resources for scientific researches.	Lack of qualified staff for conservation and management.
<b>LU</b>	Adequate capacity and finances.	Raise awareness among agricultural stakeholders and interest groups.	Implementation of the monitoring system.

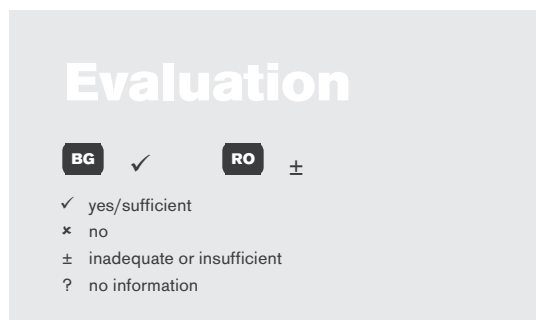
<b>LV</b>	Underestimation of resources (financial and capacity) needed for successful implementation of Natura 2000 network.	Lack of political will, resulting in lack of finances and capacity, especially in regions.	Integration in other sectors, e.g. spatial planning, agriculture, forestry.
<b>MT</b>	Lack of Finances.	Lack of Human resources.	Lack of law enforcement.
<b>NL</b>	It is vital that the management plans work.	Climate change adaptation measures have to be identified and taken into action.	Constantly be alert on forces which want to put funding on the agenda in order to shift money to other less 'green' plans.
<b>PL</b>	Proper site designation process.	Well programmed national funds.	Preparation and implementation of management plans.
<b>PT</b>	Lack of effective implementation.	Financing.	Low level of awareness of the citizens regarding the opportunities presented by Natura 2000.
<b>SE</b>	Improvement of the communication to the public.	Management of conservation actions in the sites & implementation of a good monitoring system for the sites.	Designation of relevant sites in Marine areas, including offshore areas.
<b>SI</b>	Lack of the baseline studies of fauna, flora and habitats.	Conduction of adequate monitoring.	Development of adequate management plans.
<b>SK</b>	Discussion about the past, present and future of the nature protection, their real problems, and necessities and connected issues (barrier for economical growth, for tourism development and so on).	Finances for nature protection – lack of understanding of integrated financing of Natura 2000.	Lack of understanding, what brings the nature protection for Slovakia – negative view on nature protection from almost all sectors.
<b>UK</b>	Improve relationship between conservationists and other stakeholders via capacity building and intensive communication .	Improve management and marketing of sites, species and related issues.	Strengthens the directives "spirit" in terms of integrated management more than focussing just on specific habitats and species.

### More capacity and resources for implementation

Scanning the assessed challenges globally, it turns out that the main challenge is the sufficient dedication of resources – either in terms of finances and/or personnel – to tackle the implementation of Natura 2000. NGOs see this issue as crucial, because dedication of staff and financial resources shows the commitment of the countries and the importance Natura 2000 has within a particular country. Concrete implementation issues like site designation, communication and mediation and the implementation of proper legislation frameworks are to a major extent very strongly related to the capacity and resource issues.

## Legislation

### Compulsory transposition



### General comments

Accession countries must adequately transpose the EU Directives by the date of Accession.

The assessment of Bulgaria shows that although there are still some omissions and discrepancies, in general Bulgaria has almost completely implemented the Habitats and Birds Directives within their national laws. However, the integration of the Habitats and Birds Directives within other legislations' administrative policies has not yet been undertaken.

On the other hand, Romania has insufficiently implemented the legislation, because there are important Articles from the EU Directives that are not adequately reflected in the national legislation, like Article 6.4 and Article 10.

## Natura 2000 Network

### Site selection

#### General comments

Bulgaria and Romania are required to present their list of pSCIs and SPAs by the date of Accession; however, national proposals are not yet complete.

In Bulgaria the draft list of 551 provisional sites covers about 34% of the national territory (without marine sites). The remarkable aspect of site selection in this country is that the Bulgarian government has assigned the preparation of scientific proposals for potential SCIs to two environmental NGOs. For many of these sites required maps and standard data forms are incomplete and in many cases additional field inventories are needed. Moreover, site designation has recently become a serious problem because the financing of the preparatory work for 2006 was delayed by the government for over six months. Because NGOs have been given responsibility for pSCI identification in Bulgaria, the connectivity principle is taken into account, and biocorridors and stepping stones are included in proposals. However, there is no guarantee that these suggestions will be included in official governmental proposals. There is also little cross-border coordination: there is no communication with Greece between the governments or NGOs.



In Romania the current total surface area covered by Natura 2000 proposals represents about 21%, according to MEWM. However, it is important to note that many of the proposed pSCIs still need significant work in order to complete the standard data form. SPAs are proposed primarily by two NGOs – Birdlife Romania and Milvus Group – and cover about 16% of the area of the country. No special consideration given to connectivity. There is no comprehensive coordination at the national level. In terms of marine sites, two sites will be listed as marine pSCIs for the Pontic (Black Sea) biogeographical region.

## Evaluation

	BG	RO
N 2000 – Connectivity	?	×
Working group – Connectivity	?	✓

- ✓ yes/sufficient
- × no
- ± inadequate or insufficient
- ? no information

## Financing

**EU funding programming processes: stakeholder involvement, access to information and environmental input**

## Evaluation

	BG	RO
Stakeholder involvement – Authorities	±	✓
Stakeholder involvement – NGOs	✓	✓
Input – Authorities	±	±
Input – NGOs	±	±
Access to information – Extent of accessibility?	✓	✓
Access to information – Timelines	?	?

- ✓ yes/sufficient
- × no
- ± inadequate or insufficient
- ? no information



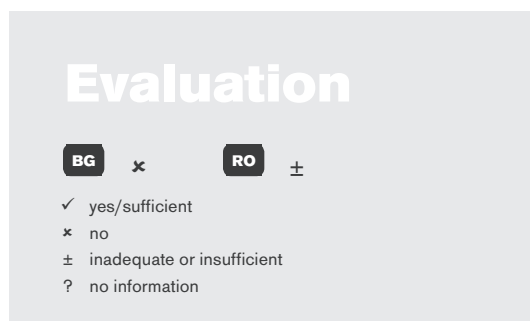
## General Comments

In Bulgaria, Environmental Authorities are participating in the EU funding programming process to some extent for the next six-year period, but it is already evident that this degree of participation is insufficient, particularly for preparation and implementation of the National Rural development programme and the National Operational Programmes. The communication and cooperation between ministerial experts in Bulgaria is insufficient and the quality of developed programmes more often reflects political rather than professional expert opinion. A representative of each of the NGOs is invited to participate in relevant working groups particularly, in order to elaborate these programmes and plans. Nevertheless, NGO capacities and resources are still limited. Furthermore, NGOs are granted only one vote in the working groups and therefore their impact on the results is often negligible, except for their impact on the Natura 2000 Measure within the National Rural development programme. Finally, in Bulgaria the documents related to the Natura 2000 measures within the National Rural development programme are accessible, but there are accessibility problems with all other relevant documents.

In Romania communication between MEWM and MAFRD was unsatisfactory until late May 2006. Although the overall involvement of Environmental Authorities in the EU funding programming process is quite effective at the national level (Environmental Authorities have been invited to participate in the programming process), it is weaker at the regional level.

Concerning the input needed by MEWM and MAFRD for the programming phase, they are having difficulties obtaining information and communicating efficiently with the biodiversity department from MEWM and with the forestry department from MAFRD. The ministries requested and considered inputs from NGOs for the elaboration of relevant programming instruments, and consultation meetings were organized by the MEWM. WWF-DCP and Birdlife Romania facilitated a dialogue between representatives of the two ministries supporting their work towards an agreement on EU funding for Natura 2000.

## National budget for Natura 2000



## General Comments

In Bulgaria no specific budget lines have been established for the implementation of Natura 2000 to date. The funding for Natura 2000 activities comes from the budget of the Ministry of Environment and Water and the Ministerial Enterprise for Management of Environmental Protection Activities, but it is not specifically earmarked for Natura 2000. This creates a lack of transparency and uncertainty as such funding could be cancelled in any moment for unknown reasons.

In Romania a governmental decision was issued (GD 964/25.08.2005) to appropriate funds from the budgetary reserve to the MEWM for 2005 (Of. J. no.793/31.08.2005) for the establishment of a database for collecting information for the designation of Natura 2000 sites. 21 billion RON (about € 600.000) were allocated to fulfil financial obligations for the establishment of Natura 2000 but are still far from sufficient according to NGO evaluations.

## Management

### Evaluation

	BG	RO
Staff for Natura 2000	✓	✓
Article 6 assessment	✗	±
Management plan methodologies	✗	✗
Management plans for sites	✓	✓
Management plans for species	✓	✓
Measures of MP already implemented	✗	?
Measures for species conservation	✓	?

- ✓ yes/sufficient
- ✗ no
- ± inadequate or insufficient
- ? no information

Table 2: **Staff exclusively dedicated to Natura 2000 implementation in Accession Countries (collected information only)**

Natura 2000 issues	BG	RO
Site list elaboration	1+?	60
Art. 6.3 and 6.4 assessment		
Site/species management	ca. 100	
Scientific studies	ca. 100	
Monitoring report	3	
Communication		
Other (please specify)	1	

## General comments

In general, there is insufficient governmental staff capacity with regards to Natura 2000 in Bulgaria. There is staff working in the field of biodiversity at the national and regional levels (Table 2). However, they do not serve specific Natura 2000 functions but are focused generally on biodiversity and protected area study, management, monitoring, and guarding. Authorities have so far relied very heavily on NGO capacity for pSCI preparation and for communications.

Concrete measures needed to manage sites are insufficient in Bulgaria (bearing in mind that SACs are not yet officially designated and the pSCI list is not yet ready). The most serious problem at present is that no specific measures are taken to protect identified sites, as mandated by Article 6. In fact, this Article is still not fully implemented according to the Accession Treaty and no adequate compensation measures are in place. A detailed methodology for developing protected areas management plans has been elaborated in Bulgaria with criteria for short- and long- term planning of scientific research, monitoring of sites, etc., and it is a compulsory regulation under the Protected Areas Law. It is very likely that the elaboration of Natura 2000 management plans will be based on the same legislation. Bulgaria has been very active in preparing pilot management plans for sites and species. Although these pilot projects are at an early stage and are not implemented for sites, Bulgaria has engaged in some activities for Natura 2000, especially in terms of species protection. All National and Nature Parks generally must, according to Bulgarian law, have management plans, some of which are already in place, others of which are in preparation. Moreover, all Bulgarian parks will become part of the Natura 2000 network. As many of the species and habitats of the Habitats Directive are also included in the Bern Convention, to which Bulgaria is a party, they are usually included in the management measures for these protected areas. In Bulgaria, particular NGOs are very active in species conservation and the Government supports these activities, although the Government has no clear species conservation policy.

In Romania staff from the biodiversity department of the National Environmental Protection Agency, from the Regional Environmental Protection Agency and from the Environmental Protection Agencies have tasks related to Natura 2000. However they also have other obligations related to biodiversity issues at the national, regional and county levels, respectively that prevent them from devoting more time to Natura 2000 issues. Globally, law enforcement, especially with regards to impact assessment, is very weak. Procedures for assessing projects and plans exist, but are not adequately implemented and there are no clear compensation measures for any projects/plans affecting existing protected areas (potential Natura 2000 sites). Concerning the development of management plans, general guidelines for Natura 2000 sites are currently available as draft guidelines, according to the MEWM. In addition, a manual for Natura 2000 management plans has been proposed to the MEWM in the framework of "The implementation of EU Nature Conservation Legislation" project in Romania, funded by the Dutch Government. Concrete plans are still in development for both sites and species.



## Monitoring

### Evaluation

	BG	RO
Basic understanding	✓	?
Elaboration of monitoring report	✓	?
Identified responsibility	?	✗
Budget and resources	✗	✗
Coordination with other countries	?	✗

- ✓ yes/sufficient
- ✗ no
- ± inadequate or insufficient
- ? no information

### General comments

The Bulgarian Ministry of Environment and Water is to some extent aware of monitoring obligations, but does not see them a priority for now. Their primary concern is elaboration of the list of sites to be proposed to the EU. Nevertheless a national Biodiversity Monitoring System was developed for the Executive Environmental Agency. Software was developed for gathering monitoring data which was specifically designed to be compatible with the Natura 2000 software so that the data can be used for monitoring reports required under the Habitats Directive. Some of the funds there could be used mainly for gathering of scientific data.

Romania has not yet begun to prepare for monitoring under Article 17 of the Habitats Directive.

Communication

Evaluation		
	BG	RO
Public participation – Site designation	x	x
Public participation Elaboration management plans	x	?
Public participation – Art. 6. assessment	x	?
Communication strategy	?	x
✓	yes/sufficient	
x	no	
±	inadequate or insufficient	
?	no information	

General comments

The Bulgarian Ministry of Environment and Water does not consider public awareness-raising a priority for Natura 2000 preparation. Until now all awareness-raising activities were initiated and implemented by NGOs. However, with the amendments in the Biodiversity Act in Autumn 2005, an Article was included obliging the Ministry of Environment and Water and the Ministry of Agriculture and Forests to carry out intensive national information campaigns about Natura 2000, requiring them to reach out to all important parties concerned, and to the wider public. Furthermore, public consultation and participation seems to be poor in Bulgaria, generally. During the site designation process no participation is foreseen, although there are other options for expressing opinions (Natura 2000 site drafts will be made public and there will be an opportunity for written notices and statements). Possibilities for the public to participate in the elaboration of management plans will be possible in the context of management of national protected areas. No communication has been implemented so far for assessments under Article 6, as this Article has not yet been fully implemented nationally.

In Romania the general public is, for the time being, not included in the site designation process, elaboration of management plans or implementation of Article 6. Furthermore, no strategy for communicating Natura 2000 exists, although a draft strategy has been developed as part of a PHARE project.

Priorities

	Legislation	Financing	Management	Monitoring	Site designation	Sectoral planning & integration	Communication & awareness raising	Art. 6 assessment	Enforcement of legislation	Marine issues	NGO involvement	Capacity building
BG		•			•	•	•	•			•	
RO	•				•		•					
Σ	1	1			2	1	2	1			1	

Bulgaria

Priorities for Bulgaria are the sufficient preparation of sites under the Birds and Habitats Directives, but, in addition, ensuring pSCI protection through proper implementation of EIAs and SEAs until Accession and full implementation of Article 6 after Accession. It is also critical for Bulgaria to ensure effective and adequate planning and implementation of financial mechanisms within the national programming derived from the EU funding regulations.

Furthermore the recognition and enforcement of independent NGO assessments is crucial, such as evaluation of the coherence of the official Natura 2000 proposals and cooperation with neighbouring countries (especially Romania).

Romania

Just as in Bulgaria, site selection and awareness-raising are important, but the enforcement of legislation is also considered an important priority in his country.



## Challenges

	Challenge 1	Challenge 2	Challenge 3
<b>BG</b>	Proper and timely finalization of a high-quality and representative pSCI list. Ensuring real protection of sites until their official designation.	Good communication among all stakeholders, land and forest owners, authorities, etc. concerned with the establishment of Natura 2000. Providing stakeholders with sufficient information about the consequences and especially benefits arising from Natura 2000, as well as the financial opportunities from EU funds.	Secure sufficient funding for Natura 2000 from the national operational programs and the national rural development plan. Build up sufficient expert capacity in the relevant ministries to guarantee sound management of the network.
<b>RO</b>	Ensure consistent national coordination in the site designation process.	Adequate financial support for the designation process and adequate planning for national and EU funds earmarked for the management of Natura 2000 sites.	Raising awareness on the importance of the future Natura 2000 network for the key stakeholders (MAFRD, Ministry of Finance, Ministry of Tourism, private land owners and/or resource users).



Croatia and Turkey are currently negotiating potential future entry into the EU. Nevertheless, the two countries have already begun taking necessary steps to implement EU nature conservation legislation, as part of the conditions that they will have to fulfil in order to be entitled to full EU membership. In fact, although no Accession date is fixed for either country yet, both Croatia and Turkey are currently making serious efforts to become part of the European Union. For these reasons, the Status Report for those countries is merely descriptive, as any comparison with other EU Member States and Accession states with fixed dates would be unfair and unbalanced at this point.

A close look at the inclusion of the EU *acquis communautaire* within Turkey's national laws reveals that Turkey has already partly included EU nature conservation legislation within its legal system, whereas Croatia still faces deficiencies. Integration of such legislation within other national policies has not been taken so far for either country.

Obviously, the list of sites for the Natura 2000 network is not available for either country yet, although in Turkey a very small number of sites has already been considered. In Croatia a draft map of the National Ecological Network has been elaborated as part of the PEEN, which could serve as the basis for the future Natura 2000 network. The National Ecological Network (NEN) was drafted through the LIFE III CRO-NEN project which commenced in 2002 and ended in 2005, and will be established under Croatia's nature protection legislation in 2006.

The above-mentioned CRO-NEN project in Croatia has identified the presence and distribution of Natura 2000 species (269) and habitats (70), based on existing data. For each of these species and habitat types, a distribution map with marked known localities has been created, based on data from the Red List of Threatened Plants and Animals of Croatia, Red Data Book of Birds of Croatia and maps of habitats prepared by OIKON – Institute for Applied Ecology. Moreover, the Croatian Academy of Sciences and Arts, Department of Ornithology has prepared an analysis of Important Bird Areas for all Natura 2000 bird species, as well as a proposal of SPAs. Based on this, the State Institute for Nature Protection published a book in 2005 called "National Ecological Network – areas important for birds in Croatia". The process of data collection is still ongoing, but the final lists with all proposed sites should be available by the end of 2006. It seems that the State Institute for Nature Protection is using all available scientific data in the preparation of this list. What is questionable is the quality of these data: there is a lot of old data no scientific research has been undertaken in many areas for several years. Therefore important areas are at risk of being omitted due to lack of data). There is also a lack of experts and expert volunteers needed for data collection: this leaves some doubts concerning the availability of all the data needed for the preparation of an adequate timely proposal for Natura 2000.

In addition, there is a significant lack of interest among experts and scientists working in relevant faculties or other scientific institutions in becoming involved in the process of data collection for species of the Habitats Directive. This is partly because these experts are often not able to publish their results (data) in scientific papers and also because of lack of funding for such research. Moreover, scientific institutions in the Dalmatian counties (southern Croatia) are not sufficiently aware of the importance of establishing the Natura 2000 network.

Most likely due to the early stage of the process, connectivity does not play an important role in the elaboration of the national lists for Croatia and Turkey. Connectivity will be partly covered through the national concept of the "National Ecological Network", at least in Croatia

In terms of marine site designation, Turkey may have started to identify some sites for the future network; however, they are only coastal.

Several factors seem to be unclear in terms of financing strategies for Turkey and Croatia. Information on EU funding for these two countries is poor. In addition low technical skills are a constraint against authorities and NGOs in Turkey for taking advantage of EU funding possibilities which already exist (e.g., knowledge about the project proposal cycle or foreign languages). Government employees do not have the motivation or the technical capacity to coordinate EU projects. Moreover, they are often not open to cooperation with NGOs, which makes work more challenging.

No specific budget lines have been established for the implementation of Natura 2000 yet in Croatia. However, some funds have already been reserved for this purpose in the annual budget lines of the Ministry of Culture, pre-accession funds (mostly PHARE) and indirectly through projects financed by different European foundations and governmental funds (such as MAVA, SIDA). No national funds have been reserved in Turkey for the implementation of Natura 2000.

Staff-related issues for Natura 2000 are included among other duties of governmental staff in Croatia, similar to most of EU Member States, while Turkey has not yet dedicated staff for Natura 2000. No official sites have been proposed in either country, of course, so these countries are not yet required to protect them as they would be under EU law. Some sites for bird protection have been developed in Turkey with some statutory and administrative measures in place, although they are insufficient. Turkey has started to address some implementation issues (environmental impact assessment, compensation measures, management plans), but not sufficiently and not for the purpose of implementing Natura 2000.

As concerns monitoring, the NGO evaluation shows an unclear situation in Croatia. The government has not presented any information has in terms of monitoring obligations. Most of the efforts are focused on defining the presence of species/habitats and populations necessary for the submission of Natura 2000 sites. Currently there is not enough data to initiate the monitoring process in Croatia. However, the Turkish government was assessed to be at least partly aware of EU monitoring responsibilities. Both governments probably do not appropriate any resources for monitoring issues. In Croatia monitoring is partly included in the LIFE III CRO-NEN project "Building-up the National Ecological Network as part of the Pan-European Ecological Network & Natura 2000 Network".



Involving the general public in all steps of the decision-making process has proven to be a crucial element for sufficient implementation of EU legislation, both in the old and new Member States. Therefore, it is never too early to start the public consultation process. For this reason, public participation is actively being incorporated into a LIFE III and a PHARE project in Croatia.

Financing, communication & awareness raising, as well as site designation and management were identified as major priorities for these countries.

	Challenge 1	Challenge 2	Challenge 3
HR	Lack of interest among experts for data gathering and lack of necessary funding opportunities.	Lack of NGO capacity to follow the Natura 2000 process.	Lack of necessary inter-sectoral collaboration, including between different state organisations and between governmental and non-governmental organisations.
TK	Lack of government capacity.	Lack of government transparency.	Nature conservation is at the bottom of the government's list of priorities.





## European perspective

We collected our data for this report through a questionnaire, completed by WWF National Offices, national organizations and consultants, who collected their data from different national sources, including governmental authorities. An overview to the general table of the following page gives us the following general conclusions:

- If we are to achieve the 2010 goal, all countries still need to make a significant effort to implement the Habitats Directive.
- Countries such as Belgium, Cyprus and Greece face greater challenges related to the implementation of the Habitats Directive than countries such as Estonia, Germany, Lithuania, and the Netherlands, quite remarkable in the cases of Estonia and Lithuania, two countries which joined the European Union very recently (2004).
- The Accession countries Romania and Bulgaria are at a very early stage of implementing the Habitats Directive, therefore quite a few challenges remain for them, especially for Romania.
- Croatia and Turkey – according to our evaluation – are obviously countries which need the most preparation and activities.

## Results from the NGO questionnaire about the implementation status of Natura 2000 in the EU Member States and Accession Countries

✓ yes, sufficient | ✗ no | ± inadequate or insufficient | ? no information

	AT	BE	CY	CZ	DE	DK	EE	ES	FI	FR	GR	HU	IE	IT	LT	LU	LV	MT	NL	PL	PT	SE	SI	SK	UK	BG	RO
<b>Legislation</b>																											
Compulsory Transposition	✓	±	±	✗	✓	✓	✓	✓	✗	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	±	✗	✓	✓	±	✓	✓	±
<b>Natura 2000 Network</b>																											
Connectivity of Natura 2000 network	✗	±	✗	✓	±	±	±	✗	±	✗	✗	✗	±	±	±	✓	±	?	±	✗	?	±	±	✗	✗	?	✗
WG on Article 10 (connectivity)	✗	?	?	?	✓	?	✓	✓	?	?	?	✓	?	?	?	✓	?	?	✓	?	?	✗	✗	✗	?	?	✓
<b>Financing</b>																											
EU-Funding involvement – Environmental Authorities	✓	?	±	?	✓	✓	✓	✗	?	✓	±	✗	?	?	✓	✗	±	✓	✓	✓	✓	✗	±	±	?	±	✓
EU-Funding involvement – NGOs	✗	?	✗	±	✓	✗	✓	✗	✓	±	±	✓	✗	?	✓	✗	±	✓	✓	±	✗	✗	±	±	?	✓	✓
EU-Funding Input – Environmental Authorities	✓	?	?	?	±	✓	✓	✗	?	?	?	✗	?	?	✓	?	?	✓	✓	✓	✓	✗	±	±	?	±	±
EU-Funding-Input – NGOs	±	?	✗	✗	±	?	✓	✗	?	✗	?	✗	✗	✗	✓	✗	?	✗	✓	✗	✗	✗	±	±	?	±	±
EU Fundings – Accessible information	✓	?	±	✓	✓	✓	✓	✓	✓	±	✓	✗	?	±	✓	✓	✓	?	✓	✓	✓	?	±	✓	?	✓	✓
EU Fundings – Timely information	±	?	±	±	✓	?	✓	✓	?	±	✗	✓	?	✓	✓	?	±	?	✓	✓	?	?	✓	✓	?	?	?
National budget for Natura 2000	✗	✗	±	✓	✗	±	✓	✗	✓	✓	±	✗	?	?	✗	✗	✗	✓	✗	±	✗	✓	✓	±	✓	✗	±
<b>Management</b>																											
Staff specific for Natura 2000	±	✓	✗	✓	✓	✓	?	✓	✓	✓	±	✓	✓	✓	✗	?	✗	?	✓	±	✓	✓	✓	✓	✓	✓	✓
Implementation Article 6 procedure	?	±	±	✓	✓	±	±	?	?	✓	✗	?	±	✗	±	±	±	✓	✓	±	✓	✓	✓	✗	✓	✗	±
Methodologies for MP are elaborated?	✗	✓	±	✗	✓	✗	✗	✗	✓	✓	✓	✗	?	✓	✓	✓	✓	✓	✓	✗	✓	✓	✗	✓	✓	✗	✗
MP are elaborated for Sites?	✓	±	?	?	✓	✗	±	✗	✗	✓	✗	✗	✓	✓	✓	✓	±	✓	✗	✓	✓	✓	±	✓	✓	✓	✓
MP are elaborated for Species	✓	✗	✗	?	✓	✗	✓	✗	✓	✓	✗	✗	✓	✓	✓	✗	✓	✓	✓	✗	±	✓	±	✓	?	✓	✓
Measures of MP already working	✓	✗	✗	±	✓	✗	✓	✗	✓	✓	✗	✗	?	±	✓	±	±	✓	✓	±	±	✓	±	✗	✓	✗	?
Measures for species conservation	✓	?	✗	✓	✓	✗	✓	✗	✓	±	±	✗	✓	✗	✓	✓	✓	✗	✓	✓	✓	✓	✓	±	✓	✓	?
<b>Monitoring</b>																											
Monitoring basic understanding	✓	✓	±	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	?
Planning Article 17 report started?	✓	✓	✗	?	✓	✓	✓	✓	?	✓	✗	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓	✓	?
Responsibilities – focal person?	✓	✓	✓	✓	✓	✓	✓	✓	✓	?	✗	✓	✓	✓	✓	✓	✓	✓	?	✓	?	✓	✓	✓	✓	?	✗
Concrete budget or resources	✗	✗	✗	?	✓	?	✓	✓	✓	?	✗	✓	?	?	✗	✗	✗	✓	✓	✗	?	✓	?	✓	✓	✗	✗
Cooperation plans with other countries	✗	✗	✗	?	✓	✗	✓	✗	?	?	✗	✗	?	✗	✗	✗	✓	✓	?	?	?	✓	?	?	?	?	✗
<b>Communication</b>																											
Public participation – site designation	✗	✗	✓	✓	✓	✓	✓	✗	✓	±	✗	✓	±	✗	✓	✗	±	✗	✓	✓	✗	✗	✗	✓	✓	✗	✗
Public participation – elaboration MP	✓	±	✗	✗	✓	✗	✓	✗	✓	±	✗	✗	±	✓	✓	✗	✓	✗	✓	✗	✓	✗	✓	✓	✓	✗	?
Public participation – Art. 6 assessment	?	±	✗	✓	✓	✗	✓	✗	✓	✓	✗	✗	±	✓	✓	✗	±	?	?	✗	✗	✗	✓	✗	✗	?	?
Communication strategy	✗	±	±	?	✗	±	±	✗	±	±	±	✗	±	±	±	±	✗	±	✓	✗	✗	±	✗	±	✗	?	✗



Analysing the information from a global perspective, some general conclusions can be taken:

**Legislation:** Nearly two thirds of all analysed countries have already sufficiently transposed the European legislation within national laws and regulations. This legal basis is instrumental for adequate implementation; therefore deficiencies in the legal transposition of both Nature Directives should be resolved as soon as possible.

**Site designation:** The process of designating sites for the Natura 2000 network is almost complete for the EU-15 Member States and should be finalized soon. The 10 new Member States, which joined the EU in May 2004, should dedicate enough capacity and political will to quickly finalize the biogeographic process. It is important to keep in mind that many different issues like projects and plans assessment under Article 6 and the elaboration of management plans are strongly linked to the site designation process. Accession and candidate countries should be supported and encouraged by the other Member States as well as the European Commission in order for them to be able to adequately develop proposals for the national lists of sites.

**Financing:** Obviously financial support for Natura 2000 is insufficient. According to the information provided, this section is, on the one hand, quite poorly implemented, and the other hand, an important priority to ensure the success of the Natura 2000 network.

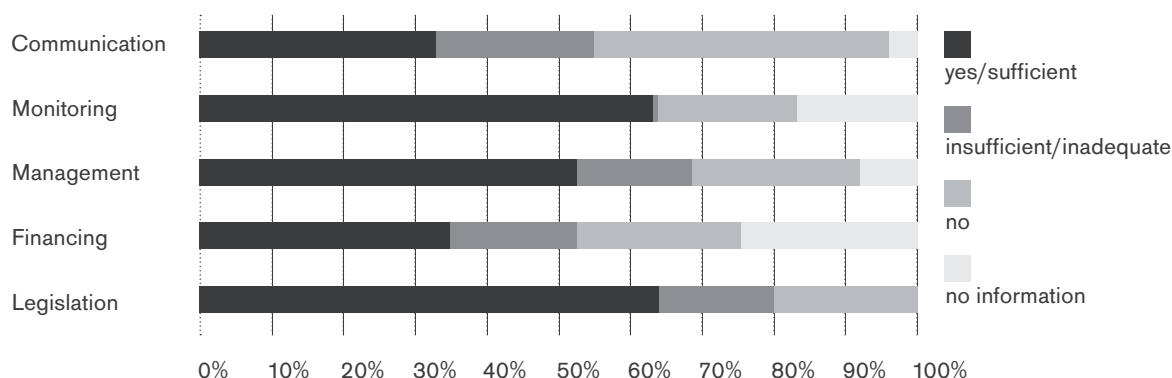
**Management:** The management situation mirrors the financing situation: while this is one of the priority issues for implementing Natura 2000, it shows quite a poor level of implementation in general. The main backlogs detected include the Article 6 assessment of plans and projects, and the realisation of adequate compensatory measures.

**Monitoring:** More than the half of the analysed countries (including the accession countries) seems to be prepared for monitoring under the Habitats Directive. We do not have sufficient information from half of the countries, and the other half does not seem to be ready for fulfilling its monitoring obligations.

**Communication:** Most of the countries present deficiencies related to public participation and awareness-raising, including the lack of, or unclear communication strategies, as well as insufficient and inadequate implementation of public participation in various fields of application (e.g. site designation, elaboration of management plans or Article 6 impact assessment processes).

**Overall,** European Member States and Accession countries have taken important steps to transpose and to start implementing European nature conservation legislation, which is the most important legal tool currently in existence for achieving the 2010 goal to halt biodiversity loss. But, if this goal is actually to be realized, there is an urgent need to strengthen these efforts, especially in terms of management, financing, monitoring and communication: these are the main challenges and need to be addressed as soon as possible.

## Comparative implementation status of Natura 2000 in the European Union (EU-25) by sections (results from the NGO's questionnaire)



## Recommendations

After analysing the status of implementation of Natura 2000, the description of priorities and the countries' challenges for the coming months and years, twelve important recommendations are given in support of the further implementation of Europe's most important conservation legal tools, the Habitats and Birds Directives.

- 1.** In order to achieve the goal of "halting biodiversity loss in 2010", the European Commission and Member States should redouble their efforts to implement the Habitats and Birds Directives as soon as possible within their national legislative frameworks, in order to create a solid basis for further and sustainable development of the European Union.
- 2.** It is essential to improve integration of the Birds and Habitats Directives within other sectoral policies at the European and at national levels in order to harmonize the goals of European and national legislations, planning and financing processes.
- 3.** The European Commission and EU Member States should accelerate the site designation process for the Natura 2000 Network; the Commission should ensure that all necessary terrestrial lists are passed by mid-2007, as stated in the draft EU Biodiversity Communication. The European Commission should particularly support Bulgaria, Romania, Croatia and Turkey in their current preparatory work.
- 4.** EU Member States and future and potential EU members must improve their efforts related to the marine site designation process, including the elaboration of inventories of habitats and species, the selection of sites, carrying out adequate public participation processes, and preparing site proposals. The process of the selection and designation of marine sites should move ahead in a timely and effective manner. The Biogeographic Seminars have proven to be an effective tool for ensure the success of such processes, as was the case in the selection of terrestrial sites.
- 5.** The European Commission and Member States should consider more effectively connectivity aspects within the Natura 2000 network, including updating the Natura 2000 sites lists within this context, based on sound scientific data. Accession countries and other future candidates may be encouraged to integrate these connectivity aspects within their proposals from the beginning.
- 6.** EU Member States and future and potential EU members should improve the involvement of Environmental Authorities and NGOs in EU financial planning, including timely and accurate access to relevant information.
- 7.** EU Member States and future and potential EU members need to significantly increase their dedicated resources, including personnel and financial capacities, for adequate implementation of Natura 2000.
- 8.** EU Member States should accelerate the concrete legal, statutory and administrative protection of SACs, as well as ensure the implementation of the necessary management measures to ensure the achievement of the conservation goals for Natura 2000 sites, including the elaboration of management plans.
- 9.** The adequate implementation of the assessment of plans and projects under Article 6, including the consideration of alternatives and the application of compensatory measures is still an important challenge in most of the countries. This is one of the key issues of the implementation for the proper implementation of the Natura 2000 network, and Member States should dedicate special attention to it.
- 10.** The species protection regime is still at a very early stage of implementation, and related efforts are very much needed. The results and elaboration of the species derogation report (Article 16 of the Habitats Directive) should be made more public. Relevant stakeholders such as environmental NGOs should at the very least, be informed about its results.
- 11.** EU Member States should improve their work related to monitoring under Article 17, especially in terms of providing sufficient data, budget and resources, taking into account transboundary aspects. Biogeographic Seminars for monitoring should be considered to ensure the success of the process.
- 12.** EU Member States and future and potential EU members should develop and implement adequately communication strategies related to the Natura 2000 network. The communication in general has not been applied adequately till now; instead, this is a key issue to ensure the success of Natura 2000.



European bison, Bialowieza National Park, Poland, Continental Biogeographic Region.  
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# Annex

**Questions and answers from national questionnaires**



### Question 1 / Transposition

**Is the compulsory transposition of the Habitats or Birds Directives already finalized in your country?**

**AT** Not all “Bundesländer” (“Federal States”) have transposed the legislation adequately.

**BE** Transposition is complete in the Wallone Region (Decree N2000/LCN 1973), and also in the Brussels Capital Region but still subject to criticism.

**CY** The Federation of Environmental and Ecological Organizations of Cyprus (FEEO) sent letters of complaint (29.8.2003 and 13.10.2003) to the European Commission stating that Cyprus has passed ineffective legislation regarding nature protection because the national law was drafted in such a way that it leads to fragmentation of powers between competing authorities (two separate Ministries are responsible for Natura 2000 areas). This has resulted in inadequate safeguards for environmental protection. In addition, some Articles in the Habitats and Birds Directive have not been correctly transposed into national legislation.

**DE** Sentenced by the European Court of Justice because of the insufficient implementation of Articles 12–13 of the Habitats Directive, Germany implemented a general exception for landuse if habitats and species are not deliberately derogated by the landuser. Discussion about the appropriate implementation of these Articles is currently ongoing.

**FR** Transposition of the European Directives seems complete. Nevertheless, France Nature environment has some reserves regarding the effective implementation of this transposition.

**GR** Both the Habitats and the Birds Directives have been transposed into national legislation. Until recently there were no objections from the EC, but in December 2005 Greece received a reasoned opinion for the insufficient transposition of the Birds Directive and also for insufficient transposition of Articles 6, 6.4 and 12 of the Habitats Directive.

**LV** Favourable Conservation Status of habitats and species of EU importance is not defined yet, which is one significant problem. Other main requirements have been fulfilled, but there are still some problems related with the implementation.

**LT** Recently a letter was received from the EC (10 April 2006, No. SG-Grefe (2006)D/201860) indicating insufficient transposition of the Birds Directive and requesting comments. The Ministry of the Environment in Lithuania is now preparing the explanatory paper to the EC about the transposition of the above-mentioned Directive.

**IE** Article 6.1 of the Habitats Directive does not provide specific jurisdiction for relevant public authorities to integrate conservation management plans into their own plans.

**IT** The compulsory transposition of the Habitats and Birds Directives is complete at the national level. However, at the regional level, particularly in the southern regions, there are some administrative delays. Therefore, even if the transposition seems adequate in theory, its application is inadequate, resulting in several infringement procedures related with the Habitats and Birds Directives.

**LU** The new law in January 2004 “Protection of Nature and Natural Resources” integrated and transposed the two directives.

**PT** The NGO Liga para a Protecção da Natureza, supported by WWF, submitted a complaint to the EC indicating that some aspects were not correctly transposed into national law. The EC, however, answered that following a new amendment to the law, it was decided to dismiss LPN's complaint.

**SK** Although the new Act on Environmental Impact Assessments was approved this year, Article 6 of the Habitats Directive is still not properly transposed in our legislation.

**UK** Amendments to the legislation are currently being progressed.



**BG** Especially following the amendment of the Biodiversity Act (which is the national piece of legislation transposing the EU Birds and Habitats Directives) in autumn 2005, which was possible through the active participation of NGOs, the transposition of the two EU directives to national legislation has been relatively successful. However, there are still some deficiencies. Some species (fish species, invertebrates, etc.) from Annex 2 of the Habitats Directive are left out of the annexes to the national law, although they are present in Bulgaria. The Act does not include any provisions for the management bodies of Natura 2000 sites and it is not clear who is responsible for them. Thus, the legislation does not provide the optimal framework for implementation of Article 6.1 of the Habitats Directive. There are texts in the Biodiversity Act which lay out the basis for the implementation of Article 6.3 of the Habitats Directive, but the Act requires additional legislation from the Council of Ministers for its practical implementation. This last regulation has not yet come into force, thus the implementation of the requirements of Article 6.3 of the Habitats Directive is not possible at this stage. Furthermore, the hunting seasons for Corvidae species set out by the national legislation are in contradiction with the Birds Directive.

## Question 2 / Others

### Are there any other relevant comments related to legislation (integration of the Habitats Directive into other sectoral legislation, others):

**AT** Apart from legislation governing nature protection, the provisions of the Habitats and Birds Directive are integrated into different additional legislative sectors such as hunting and fishery legislation as well as spatial planning and legislation on forestry.

**BE** In the Wallone Region, provisions of the Birds and Habitats Directives have begun to be integrated in land management and agriculture, but still at an insufficient level. In Brussels Capital Region, the Directives are not integrated into in any other forms of legislation.

**CY** The Federation of Environmental and Ecological Organizations of Cyprus has detected a lack of integration of the Birds and Habitats Directive into other policy sectors, which seems to be the major weakness of these laws. There is an urgent need to integrate the Habitats and Birds Directives into relevant sectoral and national policies (tourism, agriculture, spatial planning, water management, etc.), but no action has been taken with regard to such integration.

**CZ** SCIs are included in the existing nature conservation categories. Unfortunately it often means that negotiations on management issues with stakeholders are still quite prescriptive. Nature protection authorities are not accustomed to negotiating with land owners and land users. There are concerns that authorities will not try every means possible to arrange the management of the site with the land user, because it is more convenient to prescribe it by law. The relationship between nature protection authorities and land users is often tense.

**DE** There is a federal nature conservation law, but nature conservation is primarily the responsibility of the Federal States, and each of the 16 Federal States in Germany has integrated the directives into their laws, thus resulting in 16 different sets of legislation in Germany.

**EE** Raised the problem of Environmental Impact Assessments (EIA) within Natura 2000 sites. The Estonian EIA and Environmental Auditing Act do not require the government to implement compensatory measures or to inform the European Commission about such measures. However, there is a draft law being prepared which should eliminate this problem.

**GR** There are references to the Habitats Directive and to Natura 2000 sites in other types of legislation but these are rather general.

**IE** Article 6.3 and 6.4 and Development Plans: Section 10(2)(c) of the Planning and Development Act 2000 and Article 12 of the Planning and Development Regulations 2001 do not represent proper transposition of Article 6(3) and 6.4 of the Habitats Directive. Section 10(2)(c) only provides for consideration that must be taken into account by the Planning Authority and The Planning Appeals Board. It clearly does not provide for any prior assessment of development plans in regards to Natura 2000 sites (prior to adoption) while Article 6.3 of the Directive clearly requires assessment to be carried out prior to the adoption of the Development Plan. There is an attempt to transpose the requirements of Article 6.3 in 'Local Area Plans' (5.19 of Planning and Development Act 2000) and Waste management plans (5.22 of the Waste Management Act 1996), in terms of carrying out assessments prior to the adoption of these plans and determining how they could affect Natura 2000 sites.

Cumulative effects of Plans and Projects: This is required under Article 6.3 but in general the Irish Habitats Regulations (1997–2005) do not allow for the cumulative effect of projects of different types (e.g. planning permission and a waste licence) to require an assessment, and the same is true for the cumulative effect of plans and different types of plans – there is no requirement for assessment under the 1997–2005 Regulations.

Operations and activities on land outside of Natura 2000 sites: Article 18 as substituted by Article 7 of the 2005 regulations allows the minister by way of motion to a court to seek to prohibit the commencement/continuation of an operation/activity. The cumulative impacts of “operations and activities” with other operations and activities (e.g. development as defined under the Planning and Development Act 2000), need not to be considered. So this Article is very narrow in its scope and enforcement.

**IT** There is no integration at national level. It is likely that there is more integration at the regional level, but WWF does not have information about this. Integration of the Habitats Directives into other types of legislation is currently underway.

**LT** Lithuania has encountered difficulties in transposing the Habitats Directive Article 6.3 and 6.4. Legislation concerning SEA (plans and programmatic level) is in place, but legislation concerning EIA (project level) is not fully finished.

**LV** The integration of nature conservation into other sectors is weak in Latvia; territorial/spatial planning does not often take into consideration the requirements of nature conservation.

**MT** Law enforcement is still very poor. Protected birds have been shot down by hunters and illegal activities are still ongoing in some sites.

**PL** The Birds and Habitats Directives have been transposed into the Act on Nature Conservation (OJ 2004/92/880) and Environmental Law (OJ 2001/62/627). While Art 6(3) of the Habitats Directive provides for soliciting public opinion on projects – the Act on Nature Conservation does not provide this opportunity.

**PT** The SEA Directive is not yet completely transposed into national law. This obviously weakens both SEA and implementation of the Habitats Directive in Portugal.

**SI** Integration into the forestry, freshwater fishery and agriculture bodies of legislation is still an issue in Slovenia.

**SK** Natura 2000 is starting to be included in other sectoral policies, but it is more exceptional and as an “EU obligation,” not as a voluntary approach.

**UK** In October 2005 the European Court of Justice ruled that the UK had failed to transpose the provisions of Article 6.3 and (4) of the Directive into UK Law – the court found that as a result of the failure to make land use plans subject to appropriate assessments, the Directive had not been transposed completely – this situation is now being addressed with an amendment to the Regulations due to come into force in September 2006.

**BG** Natura 2000 is not integrated into other forms of legislation in general or the administrative basis of other sectors, and is poorly integrated into the normative basis of the environmental sector. Some texts pertaining to the Natura 2000 network can be found in the Forest Act and in the Water Management Act, but they are very general, therefore more detailed provisions are needed at lower levels.

**RO** There are Articles from the EU Directives that are not adequately reflected in the national legislation, such as Article 6.4 and Article 10.

**HR** Integration of the Habitats Directive into other sectoral legislation is inadequate and further work is still needed.

### Question 3 / SCIs & SACs

**Please briefly comment on: the completeness of the sites' lists, whether SACs have already been designated (and how: by a legal or administrative act), and other general comments about site designation of SCIs and SACs in your country.**

**AT** Site Designation in Austria has been completed by the “Bundesländer” (Federal States) which means that nine different processes run in parallel. The lists are nearly complete – the Federal States are currently nominating sites in order to cover the species and habitats which were addressed as “insufficiently covered” by the Commission. SACs have been partly designated to date. Apart from national parks, site designation is undertaken through administrative regulations.

**BE** In the Wallone Region 220.828 hectares (13% of the territory), more or less 200.000 ha, have been designated as SAC and more or less as much as SPA. The Wallone government must still legally designate the sites. In the Brussels Capital region, 14% of the territory has been designated as SAC.

**CZ** The SPAs have already been designated (except one, where some political problems occurred) and have their own category – Birds Area. The results of the Biogeographic Seminar for the continental region indicate that the Czech Republic must add some sites. The sites will be designated by legislative act – the government will issue an order. Sites will be incorporated into existing categories.

**DE** The SCIs proposal is finally completed, but there are still discussions about site borders and site dimensions in a few cases. Several sites were already designated as various kinds of nature reserves (e.g. national parks, nature protection areas, landscape conservation areas, biosphere reserves etc.) prior to becoming Natura 2000 sites. SAC designation will be implemented through both legal and administrative acts for the other Natura 2000 sites.

**DK** Several SACs have been designated, both terrestrial and marine, as Natura 2000 areas.

**ES** The major problem in Spain is the fact that the site designation process is not yet finished. Under Spanish law there are no designated SACs. This is a responsibility of the Regions: Comunidades Autónomas. The long delay of the Mediterranean region has caused a general delay in overall SAC designation, the development of management plans and the implementation of the Habitats Directive in general. In fact only 1 SAC has been officially designated.

**FR** France is only concerned by the SCIs lists for the Alpine, Atlantic and Continental bio-geographic regions, already adopted by the European Commission. France has not yet designated SACs for the three regions, as it needs to complete the lists with further sites proposals. France focused on this complementation in order to respect the 30th April 2006 deadline. According to available information, SCIs cover approximately 30% of the surface of the Alpine Region in France, but only 5,9% in the Atlantic and 4,30% in the Continental Region.

France Nature Environnement considers that the proposals are particularly insufficient in the Atlantic and the Continental Regions, where the most important threats on biodiversity take place (It is particularly the case for the areas of plains and medium mountains). We also must remind that France has a specific responsibility for the Atlantic region, as 1/3 of this region surface being in France. Regarding the Alpine Region, perimeter adjustments should be realised in order to address consistent entities from an ecological point of view. The transmission to the EC of some other sites should be considered as a second step and a special attention to tourist areas should be given.

**FI** SACs have been designated, but they are referred to as SCI and others are referred to as SPA according to legislative and administrative acts, depending on the particular site.

**GR** Formal adoption of SACs is still pending for the Mediterranean region. The pSCIs are included in the national list and their boundaries are generally communicated to the responsible regional and prefecture authorities. There is formal (gazetted) designation for only a very small number of Natura 2000 sites at the national level.

**IE** Ireland was prosecuted by the Commission in 2001 (Case C-67/99) for failing to fulfil its obligations under the Habitats Directive by not transmitting to the Commission the full list of sites together with the information on each site required by the second subparagraph of Article 4.1 thereof. Ireland thus failed to fulfil its obligations under this Directive. The list provided at that time was found to be “manifestly inadequate, and that inadequacy far exceeded the margin of discretion given to Member States.” Ireland has since provided a list within the three-year period granted us. Whilst there are still gaps in the list, detailed data are not available. Although the terrestrial list is still incomplete, the sites listed are still open to alteration at the appeal of the landowner, and alteration to site boundaries is carried out without the required notification to the European Commission.

**IT** SACs are not designated. Natura 2000 comprises approximately 19% of the national territory. SCIs comprise 14,6% and SPAs 9,8%, respectively (5,4% overlapping). The overlapping between IBAs and SPAs is incomplete. Proposed IBA areas comprise about 25%. The EU Court of Justice has denounced Italy for not having classified enough areas under the Habitats Directive.

**LU** In January 2004, Luxembourg adopted a new law for the “Protection of Nature and Natural Resources”, and a definition of SCI is given in Art 34. Annex 4 lists the SPA (=IBA) and Annex 5 is a national list of sites from which the SACs will be designated. The designation of the SPA + SAC has not yet been finalized. One “Règlement Grand-Ducal” (administrative act) will give, for each designated site, a precise geographical delimitation and (1) a precise list of species and habitats to protect (how precise is under discussion with the EC), (2) defined conservation aims and (3), will confer a legal basis on the status of SPA and SAC. This procedure is currently being elaborated.

**MT** All sites have been designated and are now protected by local legislation. There are still a couple of sites over which there is still some dispute – e.g. Ta cenc Cliffs. NGOs are asking that the entire area should be included, however so far only parts of the area have been protected. There are applications for development, including a golf course, in other parts of the territory, and the Government is actually supporting a golf course application.

**NL** All 162 sites have been designated and approved, except for the marine sites.

**PL** The list is far from complete. There are still no Legal Regulations for establishing the SACs from SCIs already designated and approved by the EC (as of May 2004). Since that time, there has also been no official list of SCIs.

**PT** Although the quality of the present list is quite good, there is still a need to include some sites in order to adequately preserve priority habitats and species.

**SK** Following the Biogeographic Seminars (Alpine, Pannonic), Slovakia is working on amendments of new sites to the list of proposed SCIs. It is unclear when the whole process will be completed, but Slovakia is required to add new sites to the approved governmental list of SCIs. The designation of SACs will begin only after discussions with DG Environment. Until that time only SPAs are being designated.

**SE** At the moment, the European Commission has adopted all proposed Swedish 3992 SCI sites except 1. Conservation plans with targets (measurable and possible to monitor) for Favourable Conservation Status, and relevant conservation actions needed for each SCI are currently being determined. After all site-related plans are produced, they will serve as the basis for the government decision. On December 31<sup>st</sup> 2005

conservation plans for about 40% of the sites were produced. At the end of 2007 all 3992 site plans are planned to be ready. Currently, the Swedish Environmental Protection Agency is proposing approximately 70 additional SCI sites in order to fill gaps in certain Swedish biogeographical regions. If these additional sites are designated, the Swedish Natura 2000 obligations will be fulfilled under the Habitats Directive for the Alpine biogeographical region and for the continental biogeographical region. The requirements for the Boreal region will be fulfilled if more sites are proposed for Habitats 1070 and 1110 and Species 1364, 1365, 1351, 1938 and the gaps are filled for habitat types 7110 and 7140, especially sites in the mire protection plan in the county of Kronoberg. There is also a gap in the Boreal region for habitat type 1130 for one important site (Indalsälve). In the boreal region there are still some gaps connected to Species with the codes 1032 and 1308. As regards designation of SACs, the concept is incorporated into the legislation and requires that the government formally designate sites. To date, approximately 2000 sites have been designated and the rest, approximately 2000 sites, will be designated by the end of 2007.

**UK** All SPAs and SACs are based on ‘Sites of Special Scientific Interest’ (SSSI). The boundaries of these sites were drawn tightly to the features of interest and as a result do not adequately take into account or protect natural processes on which the site interest depends. This has also had significant problems for coastal sites where for example a boundary has been drawn around a mobile feature on a dynamic coast and as a result the feature (e.g. mobile sand banks) has moved outside the boundary.

**Question 4 / Proposed SCIs**  
**In terms of the list of sites proposed by your country to the EC which still have not been approved, please comment briefly on the use of shadow lists, completeness of the current proposal or provide general comments about site designation.**

**AT** For Austria all sites have already been adopted by the EU (Continental and Alpine Region). Austria does not have any more WWF Shadow Lists although Birdlife comments that there are still some areas missing from the official list. Past site designation was a long process –most of the Federal States nominated areas which were already protected. Later, they added additional sites to the list based on the WWF Shadow List. Therefore, unfortunately the

process was not really based on scientific knowledge but rather on existing information from the Federal State. Only Niederösterreich (Lower Austria) based its site designation process on sound scientific data.

**BE** All the proposed sites have been already adopted by the EC.

**CY** The site proposals of the Cypriot government are not complete. The Cypriot authorities have only proposed 6,8% of the island for site designation, which puts many habitats and species at risk. A LIFE-supported project from the European Commission in 2002 had identified, indicated and proposed 38 sites for an area of the island of 27.9% (the occupied and government controlled part as well as area in the British military bases). Out of this, approximately 7% falls in the occupied part of the island and therefore could not be proposed at present as a potential Natura 2000 site. 18.9% falls within the government controlled area. The Cypriot Government has significantly reduced the identified areas from this scientific list to only 6.8%. Six sites have not been proposed yet, including the Akamas peninsula, and all the remaining sites have largely been reduced from scientific designation. Several letters of complaint have been sent from the FEEO to the European Commission for this important matter (including those dated 11.11.2003, 13.4.2004 and the latest on 1.6.2005). The Cypriot authorities have not taken any sufficient corrective measures so far. The proposed areas consist mainly of state land and core areas in order to avoid any conflicts with land owners and building zones.

**CZ** The governmental proposal is based on a high-quality methodology but was affected by a lack of time to elaborate all necessary mapping. Therefore, some sites were omitted due to delayed mapping results. Some sites are missing for political reasons. NGOs also criticize the governmental proposal for insufficient coherence. There was a shadow list elaborated by the NGO Coalition for Natura 2000.

**DE** Thanks to NGOs, shadow lists have finally been more or less implemented in the official proposals.

**DK** All proposed sites have been formally adopted, with a general reservation regarding marine sites. The marine sites are quite inadequate according to WWF's shadow list, published in autumn 2005.

**EE** The quality of the governmental list is above average; Natura 2000 sites cover 16% of the territory (terrestrial area). However, abundance of several habitat types was considered insufficient in the Biogeographic Seminar (less so concerning species); and the presence of 2 and sufficiency of 5(7) habitat types is still under question (scientific reserves). The shadow list was compiled before the seminar and would add 2% of terrestrial territory to the Natura 2000 network.

**FI** All sites should be under protection by the end of 2007. The majority of sites are strictly protected (no logging or building allowed), and some larger areas are also protected but with lower restrictions.

**FR** For France, only the Mediterranean region is concerned. The transmitted Mediterranean site list comprises about 15%. According to France Nature Environment, some perimeter adjustments should be realised in order to address consistent entities from an ecological point of view. The transmission to the EC some other sites should be considered as a second step and a special attention to tourist areas should be given (coasts and marine areas).

**GR** The national list of pSCIs is in general complete and satisfactory but there were some issues following the last Mediterranean Biogeographic Seminar. There is an open case regarding SPAs as the list of IBAs includes many more sites.

**HU** Following the Pannonic Biogeographic Seminar, it was determined that the Hungarian Government needs to propose more sites. They have started to compile the list of proposed sites but have difficulties in intersectoral negotiation. The NGOs proposals are being considered in the process.

**IT** Sufficient terrestrial completeness. However, there are some marine areas (i.e. Tuscany) not included in Natura 2000.

**LT** During the Boreal Biogeographical seminar in Latvia, 5–7 December 2005, Lithuania presented a list of 276 pSCIs, which covers about 10 % of the national territory. At the moment Lithuania is adding new areas to the list (the Ministry of Environment receives proposals from scientific institutes about new areas). So, at the moment the list of pSCIs is not complete.



**LU** Several sites (12) of a first scientific list (shadow list) have not been listed in annex 5 of the national law in 2004. The government has been encouraged to propose new sites to have representative surfaces for 2 habitats (code: 6410 + 6510). New SPAs have to be designated in order to fulfil the obligations under Article 4 of the Birds Directive. First proposals have been done.

**LV** SACs have been designated and were evaluated during the Boreal Biogeographic Seminar at the end of 2005. All SACs in Latvia are at the same time protected areas of national importance (nature reserves, strict nature reserves, national parks, nature parks, protected landscape areas or microreserves). They are provided by the Rule of the Cabinet of Ministers, except National parks designated by Parliament. The government proposal was based on scientific recommendations prepared during the EMERALD project, implemented by the Danish consultancy company Darudec with the assistance of the Latvian Fund for Nature and Latvian Ornithological Society. The Shadow list was presented during the Biogeographic Seminar, as prepared by the Baltic Environmental Forum, Latvian Fund for Nature, and the Latvian Botanical society. It contained only minor differences with the official list, as most of the site designation proposals were adopted by the Government in the process of designating Natura 2000 sites.

**MT** Many of the sites still need an adequate management. Unfortunately most of the protected sites are still not being adequately protected. The need for management on such sites is very urgent. Such sites still require baseline studies, management plans, etc.

**NL** The lists are complete.

**PL** From the unofficial list sent to the EC in March 2006 over 30 pSCIs were removed (without scientific justification). "Coincidentally" these areas included investment conflict –hydro infrastructure, road infrastructure, tourism infrastructure. We are waiting for the Governmental Official List that is to be sent to the EC. Taking into consideration the latest personal changes in the Ministry's Department of Nature Protection it will not be soon. From the list of 193 pSCIs in the Shadow List, the Ministry "unofficially" sent the list of 98 sites.

**PT** There are shadow lists for SCIs presented by Liga para a Protecção da Natureza to the EC. Site designation was correctly done through technical criteria, but some priority species and habitats (e.g., Wolf, Iberian Lynx) need further site designation.

**SE** See above under question 3.

**SI** Slovenia proposed more than 35% of its national territory as Natura 2000. We consider the governmental proposal as relatively good but according to the conclusions of the Biogeographical seminars (Alpine and Continental) it still shows insufficiency in some cases. The shadow list was elaborated, but it does not reflect the true alternative toward governmental proposal.

**SK** As mentioned above, our governmental list was not properly completed, and Slovakia has to include new sites according to the Slovak expert, including the Shadow list sites.

**UK** There has been criticism that the UK did not sufficiently influence the original list of features: it is true that some habitats and species with strongholds in the UK – e.g. bluebell woodlands or certain coastal habitats- are not represented on the list and so do not qualify as SAC. Each site has been selected for certain key features for which it is one of the top sites in the UK – this means that even if a site supports other listed habitats or species they are not included in SAC objectives. This makes it difficult to take an ecological approach to management. For example the NE Kent European marine sites are SAC for reefs and sea caves and the focus of management up until recently has been on these features. However the site also has shingle vegetation and some small saline lagoons – but these are not the reason for SAC designation so not included in site objectives. While it might make sense from the point of the view of the relevant policy it makes very little sense ecologically.

**BG** According to Bulgaria's Accession Treaty, the pSCI list should be submitted to the EC by the date of accession. The draft list of 551 provisional sites covers about 34% of the national territory (without marine sites). The preparation of scientific proposals for potential SCIs is assigned by the Bulgarian government to two environmental NGOs. According to Bulgaria's Comprehensive Monitoring Report of the European Commission (October 2005) there are 551 scientifically identified pSCIs with completed standard data forms and maps. NGOs observe that this process is still not completed – for many of these sites the standard data forms and required maps are not complete and in many cases additional field inventories are needed. The finalization of the pSCI list preparation process has recently become a serious problem. After the very positive decision of the government in 2005 to dedicate national resources to the preparation of the list, financing for the work in 2006 has been withheld and delayed

for an undetermined period by the government. The work on the pSCI list has been stopped for several months already, which very seriously jeopardizes its quality in finalized form. A further delay would result in insufficiencies in the pSCI proposal or late submission to the EC. It should be also taken into account that according to the national legislation there are several decision-making stages (Environmental Minister, Council on Biodiversity, Council of Ministers), and the whole procedure for national approval before the list is sent to the EC requires about 6 months. If the pSCI list is to be sent to the EC by 1 January 2007, it must be completed and authorities must start the decision-making stages by 1 July 2006, which at this moment seems impossible. Another issue is the coordination of the preparation of the two lists – pSCIs and proposed SPAs (the latter comprise 22% of the national territory). Some of the SPAs include large territories of intensive agricultural lands, not always justified enough or prioritised. These factors limit the possibility of ensuring the necessary inclusion of areas for species and habitats from The Habitats Directive, as these large proposed SPAs add additional area to the overall coverage of the Natura 2000 and the SPA designation will take place earlier than the one of the SCIs.

**RO** Currently the total area covered by the SCIs proposals represents about 21% of the country's surface area, according to MEWM. However, it is important to mention that many of the proposed pSCIs still need significant efforts to have the standard data form completed. SPAs have mainly been proposed by two NGOs, Birdlife Romania and Milvus and cover about 16% of the area of the country. The policy of the government is to concentrate on existing protected areas (total area covering almost 8% of the country) and propose as many as possible as pSCIs. Specialists were hired to identify/confirm potential pSCIs in protected areas. As for areas outside of existing protected areas, proposals are being received from various institutions, organizations and persons. There is little if no coordination and guidance in the designation process, with no clear strategy and plan to direct efforts to priority areas and to avoid duplications. The designation process will have to include a stage when the different proposals will be analysed and decisions will be taken about the final list. There is no transparent preparation for this important stage, although promises for public debates on every site are being launched by the MEWM. The Environmental Protection Agencies are receiving orders from the MEWM to propose pSCIs, though there is not enough capacity in these institutions to cover the skills and knowledge requested for such a complex task. There are

concerns that much of the scientific information will only come from desk research, with very little confirmation on what really exists on the ground. In the context of rapid changes in land ownership (especially forests) and in land-use there is great likelihood that areas included in the list of pSCIs do not qualify for the Natura 2000 network. The government representatives seem not to be aware that these factors might have a significant influence in a later stage, when Romania will have to submit the national monitoring report. The Environmental Protection Agencies are also short in financial resources that should allow for field visits to the proposed sites at least for checking the current status of the sites and their pressures/threats.

**HR** The list of sites for Natura 2000 is not available yet. What is available is a draft map of the National Ecological Network that will serve as the basis for the Natura 2000 network. The National Ecological Network (NEN) is established through nature protection legislation. The nature protection law (NN 163/03) defines the National ecological network (NEN) as a network of nationally and internationally important areas. NEN, once established, will be included in The Pan-European Ecological Network (PEEN), which is an element of the implementation of the Pan-European Biological and Landscapes Diversity Strategy (PEBLDS). NEN was established through the LIFE III CRO-NEN project that started in 2002 and ended in 2005 and was implemented by the State Institute for Nature Protection. What has been achieved so far through this CRO-NEN project: the presence and distribution of Natura 2000 species and habitats based on existing data has been established. In concrete, the presence of 269 species and 70 habitat types has been determined. For each of the Natura 2000 species and habitat types a distribution map with marked known localities has been made based on data from the Red List of Threatened Plants and Animals of Croatia, Red Data Book of Birds of Croatia, and maps of habitats prepared by OIKON –Institute for Applied Ecology. Also the Croatian Academy of Sciences and Arts, Department of Ornithology has prepared an analysis of Important Bird Areas for all Natura 2000 bird species and a proposal of SPAs for Croatia. Based on this, the State Institute for Nature Protection published in 2005 the book "National Ecological Network – areas important for birds in Croatia". But the process of data gathering is still ongoing. The final list of proposed sites should be available in 2006 and circulated for comments. It seems that the State Institute for Nature Protection is using all available scientific data in preparing this list. What is questionable is the quality of this data (there is a lot of not updated information; for many areas there has been no

scientific research for several years and therefore some important areas could be omitted due to the lack of data). There is also a lack of experts and expert volunteers needed for data gathering – this leaves some doubt about whether all data needed for the proposal of Natura 2000 will be collected in a timely manner. In addition, there is a significant lack of interest among experts/scientists working with relevant faculties or other scientific institutions in becoming involved in the process of data collection for species under Natura 2000. One of the reasons of this lack of interest is the difficulty to publish the results in scientific papers. Moreover, scientific institutions in Dalmatian counties (South Croatia) are not adequately aware of the importance of establishing Natura 2000. It is important to add that at the moment there is no plan/project to work on shadow lists. However there is an ongoing effort to establish volunteer expert groups that would determine the presence of legally protected marine species and habitats (including those protected under the Habitats Directive) around the islands of mid- and south Dalmatia.

### **Question 5 / Connectivity**

#### **Has the connectivity – between regions, federal states or countries – been taken into account in the site designation process (planning, coordination, scientific studies), to ensure the coherence of the Natura 2000 network?**

**AT** The aspect of connectivity has not been taken into account when designating sites, although at the moment there is an initiative to attenuate the barrier effect of existing highways by building green bridges. These activities do not refer explicitly to Natura 2000 sites but contribute to the objective of achieving Favourable Conservation Status especially for large carnivores.

**BE** More or less taken into account between regions, but could be better. Inadequately done between Member States.

**CZ** Regions in Czech Republic have not been formally established for very long and the Czech Republic – as a small country – is still quite centralised. However, there is still insufficient communication between Ministry of the Environment and regions.

**DE** Connectivity has been adequately taken into account mainly on a regional basis and in some cases also on the Federal and EU levels. (e.g. Biosphere Reserve Rhön, National Parc Harz, River Elbe, on the border with Denmark).

**DK** All administrative levels have been consulted in the designation process. The principle of “ecological coherence” has not been applied in the designation process.

**ES** The large surface area included in Natura 2000 (almost 25% of the country) may indicate that there is a coherent approach on the connectivity between regions, but unfortunately every Region has developed its own proposal without any integration. At the same time there has not been any kind of technical meetings with representatives of neighbouring states. A good example is the Iberian lynx, which proposal, although quite strong, does not include some key corridors for the species.

**FR** According to France Nature Environment, Natura 2000 sites number and especially surface areas should be completed firstly since species need a meshing of favourable habitats as a priority, dense enough to live in and ensure their good conservation. The “biological corridors approach” was not considered in the definition of the Natura 2000 network in France, either between the regions or with the neighbouring countries. As it was hard for France to complete its network, the Government decided that addressing this concept would have been too difficult.

**FI** Connectivity was not really considered when the Natura network was built. The Network consists of habitat types and areas for species protection. Connectivity has mainly been considered for riverine (and some marine) sites.

**GR** Designation of sites was a country-wide process independent of regional borders, however, connectivity was not taken into account. Some areas are split into two, or more, neighbouring Natura 2000 sites (often for no apparent reason). In the few cases when there has been some planning and studies, the whole area is included. There is no provision for ecological corridors between sites.

**IE** Inadequate in relation to cross border areas, namely Lough Foyle and Carlingford Lough. For other areas, regions and provinces, it is not possible to determine the overall adequacy of connectivity considerations, though it is not considered likely that sufficient studies have been carried out to ensure the coherence of the network for all protected species.

**IT** Insufficient planning and insufficient coordination between State and regional authorities and between regional authorities themselves; although there are good scientific studies. General delay on ecological networking, buffer zones and ecological corridors.

**LT** During the designation process of Natura 2000 sites, no specific requirements concerning connectivity were taken into account. Most Natura 2000 sites are located near each other, however.

**LV** Regions and provinces: yes, all protected areas were designated by the national authorities, thus planning and coordination was done at the national level. National borders: no, although the situation in Estonia and Lithuania was assessed during evaluation of the protected areas system in preparation for Natura 2000, no special efforts have been taken to fine-tune the borders of protected areas with neighbouring countries.

**PL** In the Shadow List connectivity is taken into consideration but the Governmental List does not take connectivity into consideration.

**SE** In many cases connectivity has been a low priority between counties but improvements have been made. The worst case though concerns marine habitats and species, especially in the offshore areas, where it must be considered that connectivity between both regions and countries is inadequate.

**SI** Connectivity was taken into account in several cases (some river systems and the Alpine-Dinaric corridor). But the lack of connectivity was the most apparent at the border river in the northern part of Slovenia. The Austrian part of the Mura river is a Natura 2000 site, but the Slovenian part was not proposed as pSCI.

**SK** Although connectivity is mentioned in the Act on Nature and Landscape Protection (§ 28), it is not mentioned in a way which is understandable within Article 10 of the Habitats Directive. During the preparation of Natura 2000, discussion about connectivity were not taken into consideration – there was absolutely no time for these kinds of discussions, however it might come later.

**BG** In the course of pSCI designation, which is undertaken by NGOs, the connectivity principle is taken into account and biocorridors and stepping stones are proposed. There is no guarantee though that they will become part of the official governmental proposal. Furthermore, the Ministry of Environment and Water has not

coordinated the establishment of Natura 2000 with other national, regional or local authorities and institutions, which could adversely affect the political decisions of the Council of Ministers in adopting the list of potential SCIs. Even the regional units of the Ministry sometimes lack information about proposed sites in their territory. Too little is done regarding cross-border. There is no communication with Greece between the governments, and none between NGOs. The situation with Romania is similar with some exceptions. The projects for the conservation of the Danube river and floodplain are mainly cross-border and involve NGOs and authorities from both countries. On the other hand there is no cooperation for the preparation of cross-border pSCI proposals along common national borders and there is no joint NGO preparation for assessment of the network's coherence and common actions during the Biogeographic Seminars, which is certainly a weakness. There is no communication with authorities or NGOs from Turkey and the Former Yugoslav Republic of Macedonia regardless of the fact that in both countries designation of Emerald/Natura 2000 sites recently took place.

**RO** No special consideration is given to connectivity. There is no guidance/coordination at the national level,

**HR** The list of sites is still being prepared. Connectivity will be partly covered through the National Ecological Network that is established under the PEEN.

## Question 6 / Connectivity

**Is your country in favour of the creation of a Working Group on Article 10, as discussed at the last Nature Directors meeting in autumn 2005?**

**AT** No.

**DE** There is a working group on Paragraph 3 (Ecological Networks) of the federal nature conservation law in combination with Article 10 of the Habitats Directive; the working group includes federal agencies of nature conservation and the federal government. In addition there is a bilateral Working Group between Germany/Netherlands to discuss the issue at the EU level (e.g. International Workshop in 2005, Talks in Scientific Working Group and Habitats Committee).

**EE** It is important to put Natura 2000 sites in a wider context (to achieve a real network).

**FI** We have no information about this issue.

**IT** The European Landscape Convention was recently ratified and was adopted by the Government (it was signed by Italy in 2000).

**LT** The Lithuanian Fund for Nature did not receive any information from Governmental Institutions concerning a Working Group on Article 10 of the Habitats Directive.

**LU** This issue has recently been discussed by the working group Species-Habitats for the elaboration of a 5-Year "National Nature Protection Plan", that will be in effect from 2007 to 2013.

**LV** NGOs have received no information on this Working group.

**MT** This issue is very interesting for Nature Trust Malta.

**PL** There is no information available on this issue. The Ministry of Environment does not give the public this kind of information.

**SI** The government discussed the issue, but it did not take any position on it.

**SK** Slovakia still does not discuss the issue of Article 10 – connectivity of sites is at the bottom of our list of priorities for Natura 2000.

**BG** Bulgarian NGOs do not have information about the position of the Ministry of Environment and Water on this issue (and are unsure whether even the Ministry is informed at all), after inquiries submitted to the National Nature Protection Service (Ministry of Environment and Water).

### **Question 7 / Stakeholder involvement Are Environmental Authorities adequately involved in the drafting of relevant programming instruments for EU funding?**

**AT** Yes, nature conservation authorities have been involved adequately, especially for the European Agricultural Fund for Rural Development programming process. The same is true for the LIFE+ programming and the structural funds.

**CY** To our knowledge they have been involved, but we do not have any information to what extent nor on how this information will be used/taken into consideration.

**DE** In most federal states in Germany there is a lively discussion about the funding programming instruments.

**DK** The Environmental Authorities are leading the process – but heavily monitored by the financial ministry.

**ES** The Ministry of Environment has only been involved with issues related to Rural Development. No contacts have been established to work on Natura 2000 in the discussion of other funds. However, the situation changes a lot from region to region and one can find an array of different situations.

**FI** Normally all relevant partners/stakeholders are widely asked to participate (see answer under next question).

**GR** The Ministry of Environment (MoE) is actively involved in programming for the 2007–13 period, which is coordinated – in a quite centralized fashion – by the Ministry of Finance. But, it has focused mainly on the management of the programmes rather than their content and has presented very broad proposals for the National Strategic Reference Framework, without taking into account the environmental content of the proposals presented by the Ministry of Finance. This may be because many of the staff members and departments that have relevant expertise have not been included in the programming phase, a role undertaken by the leadership of the Ministry. In addition, the MoE has not cooperated for the programming regarding the European Agricultural Fund for Rural Development.

**IT** At the national level, a working group – including Environment and Agriculture authorities – has been created with the objective of optimizing both the structural funds and the rural development funds for Natura 2000.

**LT** Environmental authorities are involved in programming, but their representation in different working groups is considered too small to make substantial input.

**LU** They have been asked to participate just on specific points.

**LV** Authorities are formally involved, but their capacity is limited, thus not always resulting in substantive input.



**PT** The Ministry of Environment presented a study regarding agriculture and forest management that was partly taken in consideration for the programming of the application of the European Agricultural Fund for Rural Development.

**SK** The Ministry of Environment was included in all relevant working groups, but its voice was usually weak.

**UK** Not in a position to comment – probably NGO's would say they do not have much say. Recently, it was announced that the Department for Environment, Food and Rural Affairs (DE-FRA) has had to claw back £ 200 million from all the bodies it funds – this means a swinging 14 million claw back on English Nature's funds and any contracts or projects that have not been set up are being put on ice – this will affect all its work including SAC and SPA management. It is unclear what funding will be like in subsequent years.

**BG** Yes and no. There is some participation, but very insufficient. For instance there is insufficient involvement in the National Rural development programme, as well as in some of the National Operational Programs.

**RO** Communication between MEWM and MA-FRD was not adequate until late May 2006. Although the overall response is 'yes' with regards to the national level (Environmental Authorities have been invited to participate in the programming process), at the regional level the issue has not been the same. More information is available in the PHARE Twinning projects quoted in this report.

**TK** No desire or technical skills to prepare project proposals. Foreign language remains a big problem. Government employees do not have the motivation or technical capacity to coordinate EU projects. They are however not often open for cooperation with NGOs.

## **Question 8 / Stakeholder involvement**

### **Are environmental NGOs being sufficiently involved in the drafting of relevant programming instruments for EU funding?**

**AT** The involvement of NGOs in the programming of the European Agricultural Fund for Rural Development was inadequate. The Federal Ministry of Agriculture, Forestry, Environment and Water Management started the programming process quite early. NGO's were explicitly

excluded in these early stages. The only possibility for contributing effective input was after the presentation of a completed program in the final consultations and the margin for changes there was very small.

**CY** Environmental NGOs and specifically the Federation of Environment and Ecological Organizations of Cyprus have not been adequately involved. During the workshop for funding Natura 2000 sites that will take place on May, NGOs will be better informed and try to have input.

**CZ** NGOs have been submitting their comments to responsible ministries but their comments are often only taken into account subjectively, especially in the case of programme documents under the Ministry of Agriculture.

**DE** In most federal states in Germany there is lively discussion about the programming instruments for EU funding. On the other hand NGOs often have problems in becoming involved in the programming process or else their participation is only formal (e.g. they are asked about their needs, but these needs do not become implemented).

**DK** No NGOs have been consulted in this process.

**ES** Until now, WWF and Birdlife have only received one draft of the national plan for Rural Development and they have participated in one meeting (the meeting was bilateral and no other stakeholders were invited). Contact with the regional administrations has been scarce. In every case, contact was initiated only after a request from the NGO (except in one case). No contacts have been established regarding other funds.

**FI** We have been asked to participate, but due to lack of resources we have not had time to do so. We have received ample information about the various possibilities through joint projects with the EU.

**FR** France Nature Environment takes part in a few working groups but its proposals are generally not accepted.

**GR** Only a few (3–5) selected NGOs have been invited to participate in some consultations and conferences. WWF Greece has participated in consultation processes when asked. Processes for the use of the Structural Funds are more organised than for the Rural Development Fund. Also, the Ministry of Environment has not organized any consultation process in order to develop its own position on the programming for the 2007–13 period.

- HU** Rather informal, depends to a great extent on personal relationships.
- IT** NGOs are not involved at all in this phase.
- LT** NGOs are involved in programming, but representation in different working groups is considered too small to make a substantial input.
- LU** Absolutely not.
- LV** To some extent, major NGOs, yes. However, wide consultation processes are not taking place.
- PL** NGOs were included in the social consultancy process but the proposed amendments/comments were not taken into consideration.
- PT** NGOs were consulted for comments to the programming of European Agricultural Fund for Rural Development but at a very late stage.
- SI** The positions of NGOs (BirdLife Slovenia) were not taken into consideration.
- SK** Environmental NGOs were also included in all relevant working groups, but mainly as to be visible on the presentation list (show the implementation of the partnership principle), and their voices were usually ignored.
- BG** There is an environmental NGO representative in the working groups of each National Operational Program. NGOs also take part in the elaboration of the National Rural development programme.
- RO** WWF-DCP and some other NGOS have been invited to the working groups on the Sectoral Operational Programmes for Environment, Rural Development and Competitiveness. WWF-DCP and Birdlife Romania are facilitating the dialogue between the MEWM and the MAFRD.
- TK** Technical skills in the NGO community are insufficient to prepare a full project proposal for EU funding sources. Finding co-funding remains a big problem. Lack of transparency in Government procedures is another major obstacle for NGOs.

## Question 9 / Environmental input

**In general, are the contributions of Environmental Authorities and environmental NGOs taken into account during the drafting process of the relevant planning instruments for EU funding?**

- AT** They were taken into account to some extent, but most of the programmes were finalized before NGOs were consulted.
- CY** See under questions 8.1 and 8.2.
- CZ** NGO Cooperation with the Ministry of Environment is better than it is with Ministry of Agriculture.
- DE** In some cases yes, in others no. Very often compromises have had to be accepted on both sides. With Structural Funds Environmental Authorities' and NGOs' ideas were little regarded, except in the case of the European Agricultural Fund for Rural Development.
- DK** For NGOs it is too early to know.
- EE** Hopefully: Estonia seems to be one of the few EU Member States with an Operational programme coordinated by the Ministry of the Environment. For NGOs in most cases.
- ES** Both authorities and NGOs proposals were taken into consideration only for Rural Development and only partly
- FI** Normally all relevant partners/stakeholders are widely asked to participate (see answers under questions 8.1 and 8.2).
- FR** The Ministry of Agriculture's positions are often accepted, contrary to those of the MoE. This is not particularly favourable for Natura 2000.
- GR** It is not easy to evaluate the extent to which the proposals of the MoE have been taken into account since most of the interministerial consultations take place without the presence of NGOs. Also, no revised draft of the National Strategic Reference Framework has been circulated. However, it is clear that an interministerial conflict is underway, making it difficult for the responsible ministries to cooperate. It should be noted that the proposal presented by the Ministry of Finance integrated the environmental dimension even if not in the most satisfactory way. WWF Greece has submitted position papers and specific comments on the National Strategic Reference Framework and the proposal of the Ministry of Environment for this same document. We have received no feedback on the comments

that we submitted and have been not informed on any revisions of earlier drafts. There has been minimal consultation with respect to the European Agricultural Fund for Rural Development.

**IE** The NGOs are requesting input for this process.

**IT** For Environmental Authorities as above under question 8.1. NGOs are not involved in this phase at all.

**LT** In general yes, but some relevant proposals were rejected.

**LU** Too early, as no final decisions have been taken.

**LV** Probably no, rather than yes, although this is hard to evaluate at the moment. The Rural development programme is still underway. The Single Programming document did not include environmental concerns to the extent proposed by Environmental Authorities.

**PL** For NGOs same as above under question 8.2.

**PT** NGOs' considerations are usually taken into account, but in most cases at a very late stage – for instance the programme for the European Agricultural Fund for Rural Development was completely designed before NGOs were consulted.

**SI** Some of the proposals of Environmental Authorities were taken into consideration, and some were not. The positions of the NGO (BirdLife Slovenia) were not taken into consideration.

**SK** Yes, but only partially, and only what was acceptable for the main responsible authorities.

**BG** Regarding the Environmental Authorities: yes and no. The exchange of information between the ministerial experts is very insufficient, the level of involvement of external experts is low and the quality of developed programs reflects more political interest rather than professional expert opinion. Regarding the NGOs: yes and no. Although NGO representatives sit on almost all important working groups and committees, they only have one vote, which in most cases does not change the results. Furthermore, NGOs lack capacity and resources to be more involved and thus have a strong influence on the programming process. An exception is, for instance, the Natura 2000 measure of the National Rural development programme, where NGOs are providing solid contributions.

**RO** Regarding the Environmental Authorities: due to insufficient transfer of data and information from the biodiversity department of the MEWM and from the forestry department of MAPDR, the process of including payments for Natura 2000 in the national sectoral operational programmes has been hindered.

Regarding NGOs: Comments were requested and considered on documents and consultation meetings organized by the MEWM. WWF-DCP and Birdlife Romania facilitated a dialogue between representatives of the two ministries for agreement on EU funding for Natura 2000.

**TK** Probably not for Authorities.

## Question 10 / Access to information

### Were the relevant documents accessible and provided in a timely manner in order to evaluate and contribute to them?

**AT** The documents were accessible at a very late stage of programming, so that it was very hard to deliver input and topic related discussion on time. Financial figures (allocation of funds) have not yet been published but communicated informally.

**CY** When and if the Federation asks for concrete information: if we are even aware it exists we usually receive it. That does not imply that we have a major impact at all.

**CZ** Access to information is good, although there is a little lack of time to make comments.

**DE** Accessible and on time for the National Strategic Reference Framework, not everywhere accessible for the Rural development programme, but more or less on time in most cases.

**DK** All documents have no doubt been accessible, but there has not been an important response.

**ES** Once again only for Rural development and we have only seen one draft.

**FR** France Nature Environment sometimes encounters difficulties obtaining the necessary information.

**GR** Some are accessible (e.g. the draft of the National Strategic Reference Framework) others are not (e.g. the National Strategy Plan). None are available in a timely manner. In general, it is difficult to gather information regarding the ongoing process, and we are left in the dark for many months in between consultation sessions.

**IE** Not in the last round but we are hoping for an improvement in this round.

**IT** No. Information is more often available at regional and local levels than at the central level (e.g. good data in northern regions).

**LT** Relevant documents related to programming for the use of EU and related national funding instruments are published on the websites of the authorities, who are responsible for implementation/management of these instruments at the national level.

**LU** Accessible, but not timely enough to allow for proper evaluation and input.

**LV** Documents are only presented after repeated requests from the NGO sector. Some of the strategic planning documents were prepared without consultations (e.g. Rural development programme) and opened for amendments only after serious pressure from NGOs. At the moment this issue is discussed at the national level. If national environmental NGOs are not taken into account, further pressure will be organised via international NGOs.

**MT** Not all of them.

**NL** NGOs organised a workshop on Natura 2000 financing; it clarified many issues, but it shouldn't have been necessary.

**PT** Not all relevant documents are completed at this time, but when accessible it is usually at a very late stage of programming, so it is extremely consuming in terms of time and human resources to deliver sound inputs in a timely manner.

**SI** Relevant documents are not very transparent, and neither is the timeline of the process.

**SK** Yes, all documents were accessible, but unfortunately only in a very short time period.

**BG** Documents concerning the elaboration of the Natura 2000 measure (National Rural development programme) are accessible. There is insufficient information about timely access to the rest of the documents.

**RO** Programming documents were not easily accessible at the regional level.

## Question 11 / National budget

### Are there budget lines specifically earmarking funds for Natura 2000 or favouring the financing of these areas?

**AT** There is no national budget line that is dedicated exclusively to Natura 2000 although there are some small funding lines from the Federal States for nature protection in general.

**CZ** We have not yet scanned all programme proposals. Ministries are just now finishing the last program documents.

**DK** Nothing mentioned in the financial laws about Natura 2000, but there are possibilities to finance certain projects for the time-being, such as forestry projects.

**EE** Governmental seminatural habitats management support (1.2 million € annually); part of the 4.1 million € (2005) budget for nature conservation purposes of the Environmental Investment Centre; funding for the state programme "Implementation of Natura 2000 in Estonia" for 2000–07.

**FI** There is special funding for species work – which falls under Natura 2000 areas in many cases.

**FR** The MoE has some specific budgetary lines for financing the implementation of Natura 2000 in non-agricultural areas.

**GR** Unless we count the salaries of personnel such as wardens employed by the Forestry Department who are also responsible for Natura 2000 sites. There is a great need for specifically earmarked national funds and this has been a long-time request of environmental NGOs. There is a fund that can supposedly cover such needs, but it is neither organised nor transparent.

**IE** These are small and are for the state authorities.

**IT** No, even though funds for national and regional protected areas can be used for those Natura 2000 sites included in them.

**LT** General funding for protected areas (including Natura 2000) comes from the State budget.

**LV** Since all Natura 2000 sites are also national protected areas, the budget allocated to these can be regarded as earmarked for Natura 2000, to some extent. Nevertheless, this budget is insignificant, consisting of minimal funds from the Nature Protection Board, Environmental Protection Fund, and co-financing of LIFE projects.

**PL** There is a reserve in the national budget specifically for Natura 2000. The EcoFund (which is a conversion of Polish national debt into environmental funds) also engages in activities especially for the management of Natura 2000.

**PT** There is some budget earmarked in the recently proposed programme for European Agricultural Fund for Rural Development.

**SI** There is a specific budget, but the funds are very limited (monitoring for some bird species and development of the communication strategy for Natura 2000).

**SK** Sometimes there are some funds occasionally provided for Natura 2000, but there are allocated without any strategic or conceptual thinking in terms of how to avoid duplication with other sources or how to combine them properly.

**BG** There is no specific Natura 2000 line in the national budget. The funding for Natura 2000 activities comes from the budget of the Ministry of Environment and Water and the Ministerial Enterprise for Management of Environmental Protection Activities, but it is not specifically earmarked. The decisions about both budgets are taken personally by the Minister. This sometimes creates serious obstacles (for example the funding for biodiversity and protected areas this year is blocked and even the national park administrations had no approved budget as of the end of April). The intention for 2006 was to dedicate resources from the Ministerial Enterprise for Management of Environmental Protection Activities for the finalization of the pSCI list and for carrying out a broad national Natura 2000 information and communication campaign, but as mentioned above the decisions on the funds of the enterprise have been withheld indefinitely for unknown reasons.

**RO** A Governmental Decision was issued (GD 964/25.08.2005) for the allocation of funds from the budgetary reserve for 2005, allocated to the MEWM (Of. J. no. 793/31.08.2005) for the Information System for Natura 2000 establishment. 21 billion RON (about € 600.000) were allocated to fulfil the financial obligations assumed during the negotiation process of the

Chapter 22 (Environment) for the establishment of the system for the natural sites of community interest inventory – Natura 2000 –, according to the requirements of the EU Habitats and Birds Directives. However, this amount is far from enough for a proper designation process. Estimated costs are between € 17 and 30 million for 5–10% of the country covered with pSCIs and SPAs (PHARE RO 9907-02 – 01B Study no B7 on the pre-Accession impact; Impact of the implementation of the Habitats Directive and Bird Directives, final report, September 2002).

**HR** There are some funds for Natura 2000, but not a specific budget line.

## Question 12 / Staff

### Does the Government have staff dedicated specifically to Natura 2000?

**AT** The staff is not national but is funded from every Federal State. A – mostly small – number of staff is occupied with Natura 2000 matters.

**BE** Walloon Region: the highest lack of resources relates with the shortage of information towards the landowners.

**CY** Unfortunately no. The Cypriot authorities (Environment Service) have 2–3 officials who are dealing with nature related issues but no officials deal exclusively with Natura 2000.

**CZ** The Ministry of the Environment has staff for the site list elaboration – the Agency for Nature Conservation and Landscape Protection that is responsible for elaborating site lists. There are also departments for specially protected parts of nature and for international biodiversity protection – both also working on issues related to Natura 2000.

**DE** The implementation of Natura 2000 is the responsibility of the Federal States, so it is challenging to get precise information.

**DK** Not all of the Natura 2000 related positions are full-time. As of 1st January 2007, when the Danish counties will be abolished, around 40–50 persons will be allocated to the Forest and Nature Agency, and some of these will be Natura 2000 staff.

**EE** Some 2–3 specialists of the Nature Protection Department of the Ministry of the Environment deal primarily, though not exclusively, with Natura 2000 related issues. It is difficult to estimate their contribution to this or other activities, as well as the contribution of other specialists to



the implementation of the Habitats and Birds Directives. Institutions involved in this work include the Nature Protection Department of the Ministry of the Environment; regional environmental departments; National Nature Conservation Centre (administrations of protected areas); the Nature Bureau of the Information and Technical Centre of the Ministry of the Environment, etc.

**ES** Natura 2000 work is handled by civil servants in the Central Administration (Ministry for the Environment). There are 2 technicians for the assessment under Article 6 and one coordinator for all the other issues. There are different external contracts for specific issues (for example for supporting the evaluation of the site designation process) with a variable number of people involved. The situation varies a lot from region to region.

**FI** All of Finland's nature conservation staff has been dedicated to Natura 2000 work for many years. At the moment, the staff is mainly working on implementation, mainly monitoring and management.

**FR** At the national level, a team of the MoE is dedicated to Natura 2000 projects. The team deals with all aspects of Natura 2000 (political, administrative, legal, and communication). The other departments have "contact people". The National Museum of Natural History has a team dealing with scientific aspects, but national or local experts (according to the situations and needs) are often hired. Regarding the management of Natura 2000 sites, situations can vary radically. Nevertheless, a local steering committee is created for each site. It includes all actors related to the site in order to ensure Natura 2000 implementation on the site. An entity representing socio-economic stakeholders, local NGOs, public institutions, research consultancies – which can differ from one site to another – is responsible for drafting the site management plan, so called Document d'Objectifs (Objectives Document) whereas another body implements them. Some experts may be contracted according to the situation.

**GR** The Department of Nature Management (Ministry of Environment) is responsible for work in protected areas (including Natura 2000 sites). Their responsibilities involve general Natura 2000 issues, studies and plans, etc for specific areas. In other Ministries and in regional services there are people who work with Natura 2000 alongside with other issues. There are similar departments in the regional services, but these people do a little bit of everything. Usually assessments, studies and reports are subcontracted to universities or – more often – consultancies.

**HU** There is no dedicated staff for Natura 2000: it is an additional part of the existing jobs of staff members, which are few in number.

**IE** Many of the duties of the relevant civil servants overlap between species-specific expertise and, for example, site management. Also many of the persons who undertake scientific and designations studies are contracted rather than being employees.

**IT** During the last two years the Government staff has been enforced but it is still insufficient.

**LT** In Lithuania Natura 2000 sites are part of the national protected areas system and the State Service for Protected Areas under the Ministry of Environment is generally responsible for the protection and management of these areas. State parks, biosphere reserves and strict nature reserves have their own administration, which are also responsible (on a regional level) for protected areas without administrations (including Natura 2000 sites). Therefore, in the Lithuanian system, there are no staff exclusively dedicated to Natura 2000.

**LU** Some staff are just partially dedicated to Natura 2000, and staff is generally totally insufficient.

**LV** Natura 2000 is one of many tasks assigned to different people in different institutions, such as the Ministry of Environment, Nature Protection Board, Environmental Agency, State Environmental Service etc. Administrations of Protected Areas included in the list of Natura 2000 sites can be considered fully responsible for the management of these sites, but administrations are in place only for National Parks and Strict Nature reserves.

**MT** We do not aware of staff allocated for Natura 2000 in Malta.

**NL** Government staff are certainly working on the designation of sites, the goals within the sites and concept plans for managing sites, but the decentralization of government policy to regional policy has created a lot of uncertainty in the Netherlands.

**PL** The Institute for Nature Conservation, Polish Academy of Science, Cracow, is dedicated to site list elaboration (approximately 10 persons).

**PT** There is relevant staff in the Institute of Nature Conservation, Ministry of Environment.

**SI** Scientific studies, monitoring, communication and management are covered by outsourced staff (mainly the Institute for Nature Conservation, which is a public institute). In terms of Natura 2000, the government is only responsible for the coordination and management of the staff mentioned above (5 persons working a very limited schedule).

**SK** There have not been dedicated staff for Natura 2000 issues, however there have been established working groups with different experts from several institutions and organisations handling the above-mentioned issues.

**UK** It is not easy to specify the tasks related with Natura 2000 that relevant Governmental officers are dealing with. For example an English Nature officer will have a portfolio of work which would include, for example, the notification of a site, preparation of management agreements for the site, comment on plans and projects and monitoring, but may also do similar work for other protected areas that are not also Natura 2000 sites.

**BG** Generally there are biodiversity conservation staff at the regional and central level but dedicated Natura 2000 capacity is quite limited. Authorities have relied very much on NGO capacity for pSCI preparation and for communications to this point. In the Ministry of Environment and Water there is no staff exclusively for Natura 2000 except one junior expert in the National Nature Protection Service (NNPS). Another NNPS expert is a delegate of Bulgaria on the Habitats Committee. Seen very broadly, the other NNPS staff contribute to some extent to the implementation of Birds and Habitat Directives through their work on biodiversity and protected areas. Supporting the process of pSCI designation is part of their terms of reference. At the moment twenty people work in the two national departments of NNPS in Sofia. In the Ministry of Agriculture and Forests recently one Natura 2000 person was appointed to the Agri-Environmental department to support the development of agri-environmental and forest-environmental measures. At almost all Regional Inspectors of Environment and Water (RIEW) are or will be dedicated Natura 2000 staff – one per RIEW, 16 in total. Not many have been recruited yet, and the current recruits still do not work on Natura 2000. There are about four biodiversity and protected areas experts in every RIEW, totalling about 60 people overall. Additionally there are three national parks with more than 150 employees (the majority of the employees are wardens). Three people from the Environmental Executive Agency are directly involved with developing a National Biodiversity

Monitoring Program aiming to provide monitoring on Natura 2000. At the Ministry of Agriculture and Forests there are 10 Nature Park administrations with staff devoted to biodiversity studies, management, monitoring and guarding.

**RO** Staff from the biodiversity department of the National Environmental Protection Agency, from the Regional Environmental Protection Agency and from the Environmental Protection Agencies have tasks related to Natura 2000, but also other tasks related to biodiversity issues at the national, regional and county levels, respectively. There is staff specifically dedicated to Natura 2000 at the national level. However, having to work with 1 or 2 staff at the regional and/or county level who do not only work on Natura 2000 tasks, makes management of Natura 2000 related issues difficult at the national level. Another major difficulty for government staff, especially at the regional and county levels, is the fact that they have to fulfil tasks for which they do not have enough capacity: they are asked to find scientific data for pSCI designation, fill in standard data forms, learn and report on pressures and threats to land ownership, and organize public consultation and awareness raising and education activities. Tasks delegated to the regional and county levels by the MEWM are not always clear or comprehensive, thus not always ensuring useful and efficient results for the designation process.

**HR** There is government staff working on Natura 2000, but as one responsibility among many others.

### Question 13

**If SACs have already been designated, have the appropriate statutory, administrative or contractual measures been established for the designated SACs?**

**AT** They have been established in some SACs but not in all.

**CY** They have not been designated yet.

**CZ** The Czech Republic will now have to complete the sites proposal according to the EC conclusions from the last Biogeographic Seminar. We are at the beginning of the sites designation process. Areas proposed as SCIs already have preliminary protection.

**DE** SACs have existed for many years where the federal states work with contracts with landowners and landusers and thus are already signed (difficulty: the new EU funding period starts in 2007 and the new funds' programmes in the federal states are not ready yet). In general: the measures are about to be established.

**FI** Since some of the SACs are former and existing National Parks and/or nature conservation sites, there are sound structures in place. However for some new (and small) sites measures should still be taken.

**FR** SACs have not yet been legally designated and don't fall under any particular statute since site management is ensured by the Objectives Document. At the moment, France's objective is to finalise the Objective Documents in every Natura 2000 site by 2010. Only a few contractual measures on certain sites have taken place.

**GR** No SACs have been designated yet.

**LV** Yes, in terms of their legal status: as mentioned above, all Natura 2000 sites also have national protection status. No, for implementation: due to lack of funds and capacity, and political will, implementation of the network is only theoretical in many cases, which does not ensure the Favourable Conservation Status of habitats and species.

**IE** Yes, statutory measures (also partially administrative and contractual measures).

**IT** The designation of SPAs is still ongoing. The SCIs list is complete but the definitive surface area of many of them is not yet closed.

**MT** Law enforcement is still lacking due to lack of human resources.

**NL** Around October 2006 all sites will be published in the Staatscourant to confirm borders, etc. Management plans are also being developed. A few have been completed (Ministry of Defence), others are still in process of development.

**PL** There are no legal regulations (executive act) published.

**PT** Not all necessary measures have been taken.

**SI** According to current legal provisions (Decree on special protection areas – Natura 2000 sites) the status of protection of pSCIs is the same as of the SPAs. Statutory and administra-

tive changes will be needed in order to transform pSCIs to SACs, but protection measures will not change substantially.

**SK** As mentioned above, SACs have not yet been designated. The only sites which have begun to be designated are SPAs and relevant measures exist for them.

**UK** Implementation is very variable in quality depending on the knowledge and skills of relevant staff.

**HR** In Croatia SACs have not yet been designated.

### **Question 14 / Article 6 assessments** **Is the procedure for assessing projects and plans (art. 6.3, 6.4) adequately implemented in your country?**

**AT** It is adequately implemented in all nature protection laws but there are still deficiencies in its integration into spatial planning legislation.

**BE** Walloon Region: the current legislation is not sufficient to securely protect the sites, and examples of degradation of the site are not scarce: designation of sites is urgent. Brussels Capital Region: the urban pressure for the management of some sites is high. The Environmental Authorities are not strong enough to protect the sites, and they tend to make compromises over them.

**CY** Projects are being evaluated according to the guidelines of the Environmental Impact Assessment legislation. There are no different criteria for protected sites. The procedures are very inadequate, particularly for Articles 6.3 and 6.4, and do not provide sufficient protection status for species or habitats.

**CZ** They are implemented, but we are not aware of any assessment for the project's influence on Natura 2000 sites been done so far.

**DK** Staff members have been preparing the first round of management plans. But the procedures have not totally been implemented.

**EE** The procedure is regulated by the new Act on Environmental Impact Assessment and Environmental Auditing (EIA Act) which came into force on April 3, 2005. The new legislation is not entirely clear on a number of points regarding protection of Natura 2000 sites, e.g. whether assessment is obligatory only in cases where

a permit is required, or also for other activities where a permit might not be necessary. There is also some confusion regarding which provisions an assessment should follow if both a regular Environmental Impact Assessment (EIA) and Natura 2000 (Article 6) assessment are required. The provisions of Article 6.4 of the Habitats Directive are not adequately transposed as the Estonian EIA Act does not require compensation measures to be provided in cases where a plan or project is deemed to overriding public interest. However, the Ministry of the Environment acknowledges most of the indicated problems and has prepared drafts of amendments to the legal acts in order to solve them. Another problem is connected to the limited power of the Ministry of the Environment, regarding the initiation of the EIA procedure – in cases where the decision-maker (concerning an environmental permit or a spatial plan) is a local municipality, the Ministry has not – or not enough possibilities- to encourage the compilation of EIAs; the decision in such cases is made only by a local municipality. The acts of local municipalities are subject to supervision of the county governor, but in practice this has not prevented municipality administrations from making illegal decisions not to initiate EIA, despite the fact that the activity would probably impact a Natura 2000 site.

**FI** We know that several assessments have been done, but nobody has evaluated whether they are adequate.

**FR** Legal instruments do exist but their enforcement is not guaranteed. Furthermore, France Nature Environment wonders if, with these instruments and the European Court of Justice precedents (particularly the judgement of the 09/07/2004 – case C-127/02), all the projects likely to have negative impacts on Natura 2000 should follow the impact assessment evaluation.

**IE** Assessment is often carried out inadequately, with regular examples of important components of assessment being left to the development stages after the granting of permissions, e.g. bat surveys, mitigation measures for freshwater invertebrates. There are also recent cases where assessment has not been carried out for major projects that do require assessment under Article 6. Ireland has been found negligent of our responsibilities by the EC by not assessing sub-threshold developments. This is still not being adequately assessed or not at all, for example with aquaculture licencing in SACs and SPAs proceeding without any assessment, forestry developments in and adjacent to Natura 2000 sites, and other forms of development.

**IT** Serious administrative delays.

**LT** Legislation concerning Strategic Environmental Assessment (plans and programmes level) is in place, but legislation concerning Environmental Impact Assessment (project level) is not fully finished, but hopefully will be adopted very soon.

**LV** Environmental Impact Assessment and Strategic Environmental Assessment procedures are in place, but there are problems with their implementation. Due to a lack of capacity, inadequate decisions are taken. The legislative basis provides for direct contact between experts assessing projects and plans and those proposing the projects and plans. This system leads to problems with independent assessments, making experts financially depending on promoters of the plans and projects. The procedures for assessing the projects and plans in Natura 2000 sites and compensation measures are being prepared at the moment (2 Rules of Cabinet of Ministers). The Latvian Fund for Nature have submitted the comments on the document, but further development of this legislation is ongoing.

**PL** There are no procedural guidelines and no executive act has been published.

**PT** The administrative procedure itself is adequate but frequently the existence of alternatives to projects with significant impact on the sites is not recognized or ignored by the authorities.

**SI** According to the Nature Conservation Act and Environment Protection Act, plans are assessed through the Strategic Environmental Assessment (comprehensive assessment of environmental impact), while projects are assessed through the Environmental Impact Assessment (EIA), defined with rules on the assessment of acceptability of impacts caused by the execution of plans and activities affecting nature in protected areas.

**SK** Article 6 is not transposed into our legislation properly and the procedures for assessing projects and plans are implemented based on the older Environmental Impact Assessment act and on the past knowledge of assessing projects and plans.

**UK** Implementation is very variable in quality depending on the knowledge and skills of the staff involved.

**BG** There is still no full legal implementation of Article 6. According to the Accession Treaty and the national legislation it should be applied to the pSCIs and SPAs from the date of Accession. According to Bulgaria's Comprehensive monitoring report from the European Commission (October 2005) and according to the national legislation the country is obliged to ensure protection of all proposed 551 sites at least by applying the precautionary principle in Environmental Impact Assessment and Strategic Environmental Assessment procedures until the date of Accession. The same measure should be applied to all proposals for SCIs excluded from the official governmental list of sites. In practice the government has not ensured protection of the potential Natura 2000 sites to this point. A large number of harmful projects (wind farms, small and medium hydro-power plants, ski and seaside resorts) have been given the green light since 2002, which will have an irreversible negative impact on priority coastal, mountain and river habitats.

**RO** There are procedures for assessing projects and plans, but they are not adequately implemented. Law enforcement, especially with regard to impact assessment, is very weak. Several protected areas (national parks), are potentially being affected by investments that were not adequately assessed or have investments planned without proper impact assessments (e.g. Ceahlău National Park, Piatra Craiului National Park, Domogled Valea Cernei National Park).

**Question 15 /  
Compensation measures**  
**Are you aware of any sites affected by projects/plans for which compensation measures were necessary? (if yes, please add some brief information about the further application of these compensation measures, if relevant).**

**BE** Two examples from Brussels Capital Region where compensation measures were not applied: Chateau Charles-Albert and Forêt de Soignes (ligne 161).

**DE** There are some cases, but we have currently no information about them.

**DK** As no protective measures in any Natura 2000 areas have been undertaken yet, there has not been any need for compensation.

**EE** Compilation of at least 2 Environmental Impact Assessment concerning potentially damaging impacts to Natura 2000 is underway.

**ES** In Spain Art- 6.4 has often been used in order to permit the construction of a large number of infrastructures like dams, highways, etc. Compensation measures were selected, but very often are not really linked with the damage produced to habitat and species. Instead, they are really coloured conservation actions like species reintroduction, forestations or similar measures. Therefore, there is no clear criteria about the kinds of measures that should be applied. The second problem is the lack of information about the application of the measures and their monitoring. Because of the lack of capacity of administrations and NGOs there is not adequate monitoring of these measures, so it's very difficult to assess their efficacy.

**FI** There are several plans where assessments have been done, but we are not aware if any compensation measures have been taken.

**FR** France Nature Environment submitted two reports to the European Commission on French Natura 2000 sites which were deteriorated because of concrete projects. France Nature Environment hasn't got enough information related to the concrete compensatory measures established in these cases.

**GR** Zakynthos is an example of such a site. The area of absolute protection includes private properties but no compensation measures have been applied. This is a major problem for the effective conservation of the site and the conservation of *Caretta caretta*.

**IE** Compensatory measures were added to the Boyne Estuary dredge spoil disposal after the works were challenged in the High Court by an NGO.

**IT** Generally, conservation measures are a serious point of discussion between central and regional authorities. Compensation measures have been provided for the huge project of the Bridge between Sicily and the continent, but in our (WWF Italy) opinion this is absolutely not satisfactory.

**LU** Compensation measures have not yet been applied, and they concern the compensation of the destruction of 60 ha of forest by 60 ha of alluvial plain with extensive agriculture

**LV** There is pressure from industries and municipalities (e.g. building of the bridge over a river in a Natura 2000 site in Lielupe), but no decisions have been taken to date. Compensation measures will be applied for the destruction of limestone outcrops in the Natura 2000 site



“Bauska Nature Park” in order to fix the base-ment of the Medieval Castle – designation of the site is in process. Riga harbour is planning to expand at the mouth of the River Daugava, partly taking over a Natura 2000 site. Discussions on compensation measures between the Riga City Council, NGOs and the Ministry of Environment have begun.

**NL** Sites will surely be affected but nothing has been decided yet (e.g. compensation for farmers for extensive use of the land).

**PL** There has been no investment so far that would require compensation, but there are several huge investments planned (Nieszawa Dam, Via Baltica, S-8 express way etc.) and a couple of smaller investments (that will require Environmental Impact Assessment) that, if realised, will surely require compensation.

**PT** Some were or are being applied. Some others were not fully concluded or ignored after a while.

**SI** Compensatory measures should be examined case by case. We are familiar with a case just outside a Natura 2000 site (near the border of the site) in central Slovenia, where the investors in a warehouse must provide compensation for the wetlands, which will be jeopardized. But in Slovenia there is a problem finding the competent performer to carry out the replacement of the wetland.

**SK** Even if some sites might be influenced or affected, Article 6.4. is absolutely not transposed into the Slovak legislation, so compensation measures are irrelevant.

**UK** The main cases we are aware of are in the context of shoreline management. The UK has many sea walls that were constructed in the 1950's to protect low lying land from flooding by the sea. Since construction, freshwater marshes have developed on the landward side of the sea wall. Many of these artificial freshwater habitats have been designated SAC and/or SPA for their freshwater interest. Maintenance of many of the sea walls is now very expensive and unsustainable. In some places, projects to breach the wall and allow the sea onto the land have been agreed by the Environment Agency, English Nature and others – but where this happens it leads to the loss of freshwater habitats that then have to be compensated for elsewhere.

**RO** There are no clear compensation measures established for any projects/plans affecting existing protected areas (potential Natura 2000 sites).

**HR** The list of sites is still under preparation in Croatia and these sites have no protection status under Natura 2000 and therefore it is still early to speak about compensation measures.

## Question 16 / Management plan methodologies

### Have specific methodologies been developed for the elaboration of management plans for Natura 2000 sites?

**CY** In the process of the Project awarded to Cyprus (European Commission, LIFE 04NAT/CY/ 'Title of project: 'Conservation Management in Natura 2000 sites of Cyprus'), some guidelines have been developed for this purpose.

**CZ** Not yet. The SCIs will be included in the existing categories of nature conservation. There are already some general management rules that will be valid for SCIs as well. But there is a lack of communication and real negotiations with stakeholders.

**DE** In the German Federal State Schleswig-Holstein for example there have been local alliances established to work out Management plans. Generally approaches are very different from Federal State to Federal State (for example regarding participation, implementation measures, surveying and mapping depth etc.). However there is a regular exchange of methodologies between the Federal Nature Conservation Agency and the Agencies of nature conservation of the Federal States.

**EE** There are general guidelines for the development of management plans for protected areas that are also applicable to Natura 2000 sites, but these guidelines are not very specific.

**ES** Only one region (Navarra) has developed a specific methodology to develop management plans in its territory; this methodology could be used by other regions.

**FI** Metsähallitus Natural Heritage Service has created a framework under which management plans will be prepared and regional environment centres are planning management measures regionally.

**FR** The first methodology was established a few years ago. It received financing from LIFE Nature. This methodology should be updated soon.

**GR** A general methodology was developed and distributed informally to some Natura 2000 sites for which a management body was established (note that 27 management bodies that cover approximately 18% of the Natura sites were established in 2002–03). It was never clarified whether these guidelines also applied to Natura 2000 sites without a management body. In any case they were not binding and the management bodies had no funding for the actual development of management plans.

**HU** A law is being designed to elaborate site management plans but it is not yet clear nor decided if it will promote the elaboration of management plans for Natura 2000 sites.

**IT** Thanks to a LIFE project, national management plan guidelines were produced. Nine pilot management plans were elaborated, too, but this information was not widespread, and in many cases it is unknown. Management plan guidelines have been approved by some regional authorities (i.e. Lazio).

**LT** A general document – Governmental resolution No. 709 (adopted 9 June 2004) on the “Elaboration and adoption of the strategic planning documents of the protected areas” – sets out general requirements for elaboration of management plans for protected areas (including Natura 2000). There is also an order of the Minister of Environment (No. D1-363) on the “Rules of elaboration of management plans for state parks, biosphere reserves and managed reserves” (adopted 1 July 2004).

**LV** There is a general procedure for the preparation of management plans for protected areas that is also being applied for Natura 2000 sites.

**PL** There is such elaborated by the NGO representatives. No governmental methodology elaborated so far.

**SI** Management plans methodologies for 5 Natura 2000 sites are in the process of being developed through a LIFE III project, which is managed by the Institute for Nature Conservation and will be finished at the end of 2007. The action plan for Natura 2000 is just about to be adopted, and it will include management measures based on scientific expertise, which are groundwork for Natura 2000. Bird Life Slovenia has prepared a management plan for one SPA, and three other management plans are in the process of development.

**SK** Slovak experts (established working group for the preparation of this methodology) prepared a management plans methodology, but it was rewritten several times, and some changes still have to be made in the future. The main problem is still that there is not an approved legislation base for the management plans methodology.

**UK** The government produced guidance for the setting up of management schemes on marine sites – but each process and scheme differed in the way it was written.

**BG** Not yet. There is a detailed methodology for developing protected areas management plans with criteria for the short and long term planning of scientific work, monitoring of the sites, etc. It is very likely that the elaboration of Natura 2000 management plans will be based on the same legislation.

**RO** General guidelines for the development of management plans for Natura 2000 sites are currently available as draft guidelines (according to MEWM). Also, the PHARE Twinning Project RO2004/IB/EN-03 Implementation and Enforcement of the Environmental Acquis, Western Region, REPA Timisoara is developing management methodologies for Natura 2000 sites and will provide five management plans over the life of the project. A manual for Natura 2000 management plans has been proposed to the MEWM during the “The implementation of the EU Nature Conservation Legislation” project in Romania, funded by the Dutch Government.

**HR** Natura 2000 sites in Croatia have not yet been determined and therefore there are no management plans developed yet.

### **Question 17 / Management plans** **Have there been any management plans already elaborated specifically for Natura 2000 sites or species?**

**AT** Yes, management plans have been elaborated for many sites, although there are still some missing.

**BE** Not yet, but in the pipeline for both regions.

**CY** In process: A grant through the LIFE-Nature 2004 programme was awarded to Cyprus for the project ‘Conservation Management in Natura 2000 sites of Cyprus’. Four management plans for the sites Troodos, Vouni Panayias, Diarizos Valley and Cape Gkreko will be prepared by June 2008. It has been announced that management

plans will be prepared in the near future but nothing has been assigned so far. Nothing has been done in terms of management plans for species.

**EE** SACs and SPAs might be either 'classical' protected areas or 'special areas of conservation' according to the national legislation, and management plans are formally elaborated for those 'national' sites totally or partly coinciding with Natura 2000 sites. The management plans will also include measures for achieving the Favourable Conservation Status under the Habitats and Bird Directives.

**ES** Sites: Only one region (Navarra) has developed a general methodology and only 1 SCI and 1 SAC have a management plan approved (both are in Navarra). Species: There are National Strategies for some endangered species as well as some Regional Recovery Plans for endangered species, but they are not focused on Natura 2000 as they were developed according to the National Law of Biodiversity Conservation.

**FI** For marine sites, the only management plans cover specific areas, which are national parks later on nominated as Natura 2000 areas. In other sites owned by the government, management plans are being prepared or completed but not implemented. For the Species, some new plans are underway and should be available soon. All activities are not necessarily on Natura 2000 sites.

**FR** Species plans are not established in France because of Natura 2000 but simply because they are threatened (rehabilitation plans, for example for bear and the European mink, etc.)

**GR** According to the national legislation (transposition of the Habitats Directive) a list of specially protected species should be developed that should include the Annex II, IV and V species of the Directive as well as other nationally important species (e.g. endemics). Only after this list is approved can the relevant services develop or endorse species management plans. This list does not exist yet.

**IE** Sites: Most sites have draft management plans, though they have not been finalised or published in most cases. The management plans were also produced without any form of NGO/public consultation. Species: Only 4 'species action plans' have been produced and published.

**IT** Sites: About 100 management plans have been developed through previous structural funds measures and LIFE projects. Species: Action plans for *Pelobates fuscus* and *Abies alba*.

**LT** The PHARE project "Development of management plans for protected areas of Lithuania" prepared 57 management plans for protected areas. The PHARE project "Protection of endangered species of flora and fauna and their habitats through implementation of CITES and the Bern and Bonn Conventions and the related EU legislation" will include the preparation of management plans for 15 species.

**LU** Sites: will be completed by the end of 2007.

**LV** There are plans for protected areas that are also Natura 2000 sites. Species protection plans for some species (11) are in place, but do not specifically describe Favourable Conservation Status and management requirements to maintain/achieve it.

**PL** Sites: very few. Species: in preparation.

**SI** Sites: There is one management plan for an SPA developed by BirdLife Slovenia and others still in development. Five pilot management plans for 5 Natura 2000 sites are in the process of being developed through Life III, which is managed by the Institute for Nature Conservation and will be completed at the end of 2007. The Action plan for Natura 2000 is just about to be adopted. It will contain management measures based on existing scientific expertise, which was the groundwork for Natura 2000. BirdLife Slovenia is also developing management plans for 3 SPAs. Species: Only a few management plans have been developed and they correspond to the areas of forestry (brown bear, lynx and wolf), hunting and freshwater fishery-breeding management plans.

**SK** Sites: Some drafts of management plans exist and some are in preparation, but because the final version of the management plan methodology does not exist, there are no management plans for specific Natura 2000 sites. Species: Some rescue programmes for some species exist which we might also consider as a management plan for these species.

**BG** There are some pilot NGO projects for the development of management plans for a few potential Natura 2000 sites. Activities are in the very early stages of development. Two action plans have been approved – for the Danube sturgeons (*Huso huso*, *Acipenser gueldenstaedti*, *A. ruthenus*, *A. stellatus*, *A. nudiiventris*) and for the tortoises (*Testudo graeca* and *Testudo hermani*). Action plans are in preparation for the Brown bear, the chamois, and some globally threatened birds. Species action plans are not really taken

into account during sectoral programming and planning. They are also inadequately linked to the current National Biodiversity Plan and are not reflected in the national budget.

**RO** Several Life Nature projects had and have the objective to develop and support the implementation of management plans or action plans for Species of Community Importance listed under Habitats or Birds Directives.

### **Question 18 / Management plan implementation**

**Are there any management measures foreseen in existing management plans for sites already implemented “on the ground”?**

**AT** In some cases, yes.

**CY** Before the designation of Natura 2000 sites there was a management plan and partial implementation of the Alyki salt lake as well as of a state forest area. But generally areas belong today to the proposed Natura 2000 network with no new management plan.

**EE** Management plans for present pSCIs have been compiled since the mid-1990s, but not for all of them.

**FI** See above – several management activities have taken place in existing national parks and “old nature conservation areas”. WWF also undertakes various activities every year.

**FR** Only a few measures on a few sites. Legal, administrative, technical and financial obstacles impede the implementation of the Objectives Documents.

**GR** Some management measures have been funded and implemented, even though there is not a management plan to support them. The Forestry Department develops 10-year management plans for forest areas, including parts of Natura 2000 sites. However these plans focus mainly on forest production and do not take into account the ecological needs of the areas based on the requirements of the Habitats Directive.

**HU** Officially there are no management plans at the moment, only two informal pilot management plans, which are not public right now.

**IT** In Natura 2000 sites outside of official protected areas, local management structures (administrative and technical staff, etc) have not been created. In Natura 2000 sites inside of official protected areas (National or Regional Parks), local management structures are involved.

**LT** Some plans have already been implemented, but only by NGOs (for example, wetland restoration).

**LV** Several management plans are being implemented, e.g. LIFE-Nature projects implementing management plans, projects funded by the Environmental Protection Fund and Nature Conservation Board, among others. Nevertheless, many plans have not been implemented –either due to lack of financial and human resources capacities, or due to the poor quality of plans (especially in the case of older plans).

**PL** There is no legal Regulation (executive act) to make management plans come into force.

**SK** None of the measures have been implemented yet from the draft of the management plans.

**UK** Yes. In the management schemes for marine sites. Most were written about 6 years ago and are now being reviewed or shortly to come up for review.

**HR** Natura 2000 sites in Croatia are yet to be designated and therefore there are no management plans developed yet.

### **Question 19 / Other Planning instruments**

**Are there sites for which management will be carried out through other existing relevant territorial planning instruments? If yes, please specify which instruments.**

**AT** Forest Management Plans and Management Plan for Alpine Huts (Almwirtschaftsplan). Both mainly cover only parts of the sites' management needs.

**BE** The forest sites will still be managed through forest management plans.

**CY** For the Akamas peninsula, although the area has not yet been proposed as a Natura 2000 site (but will soon be part of it), there are strong attempts to manage part of it, by setting up rural and building zoning regulations through the town and country planning department.

**CZ** We have some large Natura 2000 sites that are almost overlapping with the borders of other protected landscape areas – usually national parks. We expect the management of these sites will remain the same.

**DE** Regional development plans like Care and Development Plans, Landscape Plans and Regional Development Concepts for example.

**DK** No decisions yet, but land owners (public authorities or private persons) will probably be proposed as managers of certain areas, under the responsibility of the government.

**EE** No, mainly because there are no measures prescribed in the Spatial Planning Act, concerning protection and management of Natura 2000 sites.

**ES** Yes, in some cases because the sites are also National or Natural parks (or other kinds of protected areas under Spanish law) the management plans for these protected areas will be used as Natura 2000 site plans.

**FI** Management plans are implemented in national parks and plans are prepared but not necessarily implemented in sites owned by the government. Privately owned sites are managed by private owners.

**FR** Natural reserves, national parks, regional natural parks, Sites of Coastal Conservation.

**GR** Greece does not have spatial planning.

**HU** Management plans for protected areas and High Nature Value Areas.

**IE** Agricultural 'Rural Environment Protection Scheme' for farmers; National Parks' 'Farm Plan Scheme' for landowners in Designated Areas and Commonage sites (launched in February 2006).

**IT** Inside official protected areas, existing planning tools are adopted.

**LU** National protected areas are mostly integrated into Nature 2000 sites. A lot of these national sites are currently managed.

**LV** Only binding protection requirements from the legislation are elaborated in Municipal territorial plans; occasionally territorial plans adopt management measures from management plans for Protected Areas.

**PT** Probably yes.

**SI** We can confirm the implementation of management measures for some protected areas, forestry management plans, hunting and freshwater fishery-breeding management plans. Management measures are also implemented through the Slovenian agriculture-environmental programme.

**UK** Sites are also managed in the following ways: Plans and Projects by the consenting and licensing procedures involved in development planning, emissions and discharges etc; Ongoing management via agreements with landowners and occupiers.

**BG** Under national legislation, the Bulgarian national and nature parks must have management plans. They are already in place for some, others are in preparation. All Bulgarian parks will become part of the Natura 2000 network. Because many of the species and habitats of the EU Habitats Directive are also part of the Bern Convention to which Bulgaria is a party, they are usually included in the management measures of these protected areas.

## **Question 20 / Species protection regime implementation:**

**Are there any measures implemented on the ground for achieving Favourable Conservation Status of species in Annexes IV and V of the Habitats Directive?**

**AT** Different LIFE Projects (e.g. Brown bear LIFE Project). Management measures in some sites.

**CY** Some scattered measures are applied like for the marine turtles, but these are not holistic or adequate. In general no sufficient measures are taken.

**DE** Not adequately (see under question 1).

**EE** Management plans for certain species have been implemented (at least partly).

**ES** See comments under question 17.

**FI** Several activities with many species take place every year. They are not necessarily always linked to Natura 2000 sites, but in the majority of cases they are.



**FR** Several action plans exist for species such as Brown Bear, European Hamster, European Mink but their efficiency can be discussed (proposed measures are not always adapted, not enough financing, etc.). But there are no national measures for other species in a bad conservation status (e.g. for reptiles and amphibians), except those led by NGOs under LIFE programs.

**GR** Some measures and some monitoring is undertaken for specific species such as the *Caretta caretta*, the Brown bear, the Monk seal and some other Annex II priority species for which LIFE programmes have been implemented. The majority of these measures (and projects) have been designed and implemented by NGOs.

**IE** There is a 'cetacean reserve' around the Irish Coast which is a legal measure, though implementation is questionable; Salmon quotas are allocated though these are too high to maintain Favourable Conservation Status; and a recent moratorium has been issued on clear felling forestry in order to protect the freshwater pearl mussel. All of these were reactionary measures following sustained public pressure rather than strategically planned measures.

**IT** Conservation measures are applied only for some Annex II species. There have been serious technical delays in verifying the conservation status of Annex IV species. Monitoring methods are not applied.

**LT** Restored habitats for *Emys orbicularis* were created in the Meteliai and Veisiejai regional parks (southern Lithuania), for example. Every year special actions on the protection of *Salmo salar* are organized in Lithuania and various other measures for other species are implemented (e.g. *Hyla arborea*).

**LV** Some measures envisaged under Species Protection Plans are implemented through several kinds of projects (e.g. monitoring, establishment of protected areas, restoration of habitats, relocation of specimens). Measures are envisaged under Species Protection Plans to improve conditions of the habitats, as obligatory to keep the hunting rights (*Tetrao urogallus*).

**MT** Species are protected but measures still have to be implemented.

**PL** Act on Nature Conservation – monitoring methods.

**SI** For the species from Annex V, there are management plans for large carnivores – Wild Game and Hunting Act and Freshwater Fisher-

ies Act, which define sustainable use – hunting and freshwater fishery – and breeding management plans (from the Management strategy for large carnivores in Slovenia and Action plans for Brown bear). Concerning species from Annex IV – there have been some projects for individual species (e.g. *Crex crex*, *Lutra lutra*), but no long term management has been established. The conservation status of the Annex IV species is legally regulated by the Decree on protected wild animal species.

**SK** Some rescue programmes exist for which LIFE projects have been prepared – their goal is to implement some on-the-ground measures to help to achieve the Favourable Conservation Status of the species concerned. These projects are focused on bird species (*Aquila heliaca*, *Otis tarda*).

**UK** All (not 100% confirmed) listed species have a Biodiversity Action Plan. Listed species that occur on sites are protected via the SPA and SAC management measures.

**BG** Bulgarian NGOs are very active on the species conservation level and they are partially supported by the government in this. Still, there is no real governmental policy for species conservation, despite the existence of a National Biodiversity Plan. The national Biodiversity Act almost directly transposes the relevant Articles and annexes of the Habitats Directive. Many of the restrictions of the Act have been implemented. Despite this there are some serious problems such as poaching (affecting high priority species like brown bear, otter and land tortoises), as well as lack of real protection of species' habitats outside protected areas and pSCIs, and mitigation of impacts of infrastructure and other development through proper application of Environmental Impact Assessment and Strategic Environmental Assessment.

## Question 21 / Article 16 derogation report

**Have there been any derogations reported in the last national report on Article 16? If yes, please comment on the reasons alleged.**

**FI** Every year some case with large predators (bear and wolf)

**EE** The relevant report has been compiled for 2004 (no information about the cases and reasons).

**IT** Not officially, but in the meantime a framework law has been approved in 2001 at the national level, with the clear scope of simplifying the rules of Environmental Impact Assessment. So, the Commission has already started an infringement procedure against Italy for violation of the Habitats and other related EU Directives.

**LT** Lithuania has exceptions concerning beaver (*Castor fiber*) and wolf (*Canis lupus*) – these species are game species in Lithuania.

**LV** There were 6 derogation cases for the time period from 1<sup>st</sup> May 2004 to 31<sup>st</sup> December 2004, in one case – capture of live animals in the framework of a re-introduction project, in another case – strictly limited harvesting by hunting in accordance with a Species management plan. Considering monitoring data, three cases – collection for National Zoo exposition and collection for ex-situ conservation and in vitro operations.

**MT** Spring shooting.

**PL** There is no information publicly available – there was no such report provided for public consultation. Unofficially the Ministry is planning such a derogation report on the spring hunting of *Scolopax rusticola* sp.

**SI** The national report 2004–05 has not been sent to the EC yet.

**SK** Slovakia did not prepare any national report on Article 16 yet, however the first one should be prepared this year or the next one.

### **Question 22 / Published reports References to published reports or URL addresses to relevant reports (with an English version) related to the manage- ment of Natura 2000 sites.**

**CY** No information on this. Some preliminary reports have been prepared internally with respect to the 2004 LIFE-NATURE project granted to Cyprus, but nothing specific has been made public or is available.

**DE** On [www.eu-natur.de](http://www.eu-natur.de) there are actual documents concerning all aspects of Natura 2000. Some of them are also in English. Ellwanger, G. & E. Schröder (2006): Management für Natura 2000-Gebiete. Naturschutz und Biologische Vielfalt 26. (in press)  
There are quite a lot others but not available in English.

**ES** Methodological Guide for the elaboration of management plans for the sites in Navarra (Region of Navarra).  
[www.cfnavarra.es/MedioAmbiente/downloads/guiaLIC.pdf](http://www.cfnavarra.es/MedioAmbiente/downloads/guiaLIC.pdf)

**FI** Principles of protected area management in Finland – Guidelines on the aims, function and management of state-owned protected areas.  
<http://194.89.0.87/julkaisut/pdf/luo/b54.pdf>

**FR** Guidelines for the elaboration of the Objectives Documents: <http://natura2000.espaces-naturels.fr> (in English: [www.reserves-naturelles.org/upload/guideeng.pdf](http://www.reserves-naturelles.org/upload/guideeng.pdf))

**GR** No government reports.

**IT** No published reports. General description in: [www.minambiente.it/st/Ministero.aspx?doc=pubblico/tutela/natura2000/intro.xml](http://www.minambiente.it/st/Ministero.aspx?doc=pubblico/tutela/natura2000/intro.xml)

**LT** At the moment there are no published reports or URL concerning the management of Natura 2000 in Lithuania.

**LV** Establishment of the Natura 2000 Network can be found on the home page of the Ministry of Environment.  
[www.vidm.gov.lv/vad/English/project/natura2000.htm](http://www.vidm.gov.lv/vad/English/project/natura2000.htm)

General description of Natura 2000 sites on the home page of the Nature Protection Board.  
[www.dap.gov.lv/?objid=959](http://www.dap.gov.lv/?objid=959)

**LU** There will be a first report on the management of one site at the end of 2006.

**MT** [www.mepa.org.mt](http://www.mepa.org.mt)

**SE** The most relevant information can be found on the SEPA website: [www.naturvardsverket.se](http://www.naturvardsverket.se)

**SI** There are no reports related to the management of Natura 2000 sites.

**SK** [www.sopssr.sk](http://www.sopssr.sk)

### **Question 23 / Basic understanding National Government awareness of the monitoring obligation under Article 17 of the Habitats Directive for 2007.**

**AT** Yes, some studies have been assigned on Favourable Conservation Status and monitoring and they have been informed about the NGO “shadow monitoring report”.

**CY** Cypriot officials have to be signalled on these important matters.

**FI** I think our government is well aware of this.

**IT** Yes, the Italian government is aware of this monitoring report, involving experts and other public bodies (i.e. National Parks and Ministry of the Agriculture), but ongoing products (draft, dates, etc) are not available.

**SK** Yes, the Slovak government is aware of this report, and has already started to consider co-operation with other experts (not only from the State Nature Conservancy).

**BG** The Bulgarian Ministry of Environment and Water is aware of this to some extent, but it does not see it a priority for now. The elaboration of the list of sites to be proposed to the EU is their main concern at the moment.

**TK** Some government officials are aware.

## Question 24 / Planning

**Has your Government started to plan how to achieve their obligations under Article 17 of the Habitats Directive (compilation of information, Favourable Conservation Status studies, timetable, coordination with relevant partners, cost estimate for the elaboration of the report, others)?**

**AT** Yes they have already started.

**BE** Walloon Region: the work has been done in parallel with characterisation of the sites.

**CY** Nothing, or very little has been done on this.

**DE** The Federal Nature Conservation Agency collects the 16 federal states' reports and will work out a German report which already is in progress.

**EE** Plans have been made so far on the Ministry (not Government) level. As the reporting period for new Member States is only 2,5 years this time, the report will probably concentrate on background information (not monitoring sensu stricto).

**ES** There is a study underway to establish criteria for the assessment of Favourable Conservation Status of habitats under the Habitats Directive.

**FR** France nature Environment is aware that the MoE has begun to work on it but it is not associated with these works, although it was asked to be.

**HU** It is only at the beginning. The overview of activities is more or less finished; collection of missing data is ongoing.

**IT** Ongoing, but no available draft yet.

**LT** Authorities responsible for the implementation of monitoring, compilation of data, preparation of the report, and timetable are foreseen in the National Environment Monitoring Programme for 2005–10 (Governmental resolution 7 February 2005).

**LV** Only little information is gathered on the process of reporting, nevertheless discussions and negotiations have begun.

**PL** There have been preparations pending for 2,5 years now. The MoE says that they started the compilation of some monitoring data, but the Main Inspectorate for Environmental Protection, which is the body responsible for gathering the monitoring data, has no knowledge that such a report is being prepared. No methodology has been developed to date. For the preparation of the national monitoring report derived from the Habitats Directive, the MoE would like to use existing data and data gathered from national institutions and NGOs.

**SI** a) Compilation of the information: the Environmental authorities are in the process of supplementing scientific expertise based on the conclusions of the European Commission. b) Favourable Conservation studies: Some workshops are being planned to elaborate Favourable Conservation Status of species. c) Timeline: The report will be made on the basis of the best existing data. Monitoring will begin at the end of 2006.

**SK** Yes, the Slovak government has started to discuss some plans, but without any detailed information.

**BG** Yes, but only to a very limited extent. A national Biodiversity Monitoring System was developed for the Executive Environmental Agency. Software was developed for gathering monitoring data and it is thought to be specifically compatible with Natura 2000 software so that data can be used for monitoring reports required under the Habitats Directive.

**HR** Croatia is not yet a EU Member State.

## **Question 25 / Identified responsibility**

### **Is there a clearly identified national focal person or authority responsible for the monitoring report?**

**AT** A Federal States working group is responsible for Reporting and Monitoring – they have mainly focused on reporting for 2007 and generally do not work on monitoring systems.

**BE** Walloon Region: Research Centre on Nature and Forests (CRNFB). Brussels Capital Region: Brussels institute for the Management of the Environment (BIME).

**CY** The Environment Service of the Ministry of Agriculture, Natural Resources and the Environment (MANRE) and the Scientific Committee for Nature.

**EE** The Ministry of the Environment.

**DE** The Federal Nature Conservation Agency, Biotope Protection and Landscape Ecology department, Natura 2000 sub-unit.

**DK** The Ministry for the Environment is responsible for implementing – and thus reporting on – the Habitats and Birds Directives, but a lead department or person in charge of reporting has not been identified.

**IT** The Ministry of Environment.

**LT** The Ministry of Environment is responsible for the monitoring report for the European Commission.

**LU** A staff member of the forestry administration is responsible for the monitoring report.

**LV** According to the law “On Specially Protected Nature Territories” the Latvian Environment Agency is responsible for the preparation of necessary information for the public and for the European Commission regarding the protected territories of European significance (Natura 2000) in Latvia.

**PL** The Main Inspectorate for Environment Protection is responsible for gathering monitoring data and the Department of Forestry, Nature and Landscape Conservation is responsible for writing the report.

**SI** Four persons on the Ministry of Environment are responsible for the monitoring report.

**SK** The Ministry of Environment of the Slovak Republic – Department of the Nature and Landscape Protection is responsible for the monitoring report, together with the expert organisation, which is the State Nature Conservancy of the Slovak Republic.

**TK** There was a recent ministerial visit to Brussels where the EC representatives presented the facts. Responsibilities must have been identified to selected individuals and/or authorities for the fulfilling of these future tasks.

## **Question 26 / Budget and resources**

### **Does your Government have a concrete budget planned and resources allocated for elaborating the monitoring report?**

**CY** To our knowledge no money has been allocated for the budget or resources for elaborating the monitoring report.

**DE** The Federal Nature Conservation Agency finances two projects on the issues of reporting and monitoring (Ufoplan).

**EE** There is not a specific budget line but resources have been made available.

**HU** They have a budget for monitoring and preparation activities for elaboration of the report and started as begun in 2006, but there is no information concerning budget and resources allocated for 2007.

**IT** There have been no dedicated financial resources allocated for the elaboration of the report. The process of identifying a concrete budget is ongoing.

**LT** Concrete budget and resources have only been made available for carrying out monitoring activities (National Environment Monitoring Programme for 2005–10, adopted by the Government on 7 February 2005). Reporting on the implementation of the Habitats Directive is the responsibility of the Ministry of Environment and no special resources have been allocated for elaborating the monitoring report.

**LU** There are financial resources, but not a specific budget line for elaborating the monitoring report.

**LV** To date, no specific budget or resources have been allocated for elaboration of the monitoring report for 2006. The report will be prepared based on information gathered for the designation of sites in 2004.

**PL** The process of preparing the report has been officially halted by the lack of financial resources.

**SI** Resources have been made available for monitoring, and for the elaboration of the report the National Authorities will use just their own staff.

**SK** Yes, but the budget is partially derived from the budget of the State Nature Conservancy for this year, and should be also allocated for next year's budget.

**BG** There is an Action Plan (draft version) prepared for the Biodiversity Monitoring system but is not specifically dedicated to monitoring reports under the Habitats Directive. Some of these funds could be used mainly for gathering scientific data.

### **Question 27 / Coordination with other countries**

**Is there any existing or planned coordination, cooperation and/or collaboration with neighbouring countries for the elaboration of the monitoring report?**

**BE** There is no cooperation with other countries or other Regions.

**DE** There is cooperation and collaboration with e.g. Austria, Belgium and Slovakia at the national level.

**EE** Finland, Sweden and Estonia have formed an expert group to discuss Favourable Conservation Status assessment, establishing reference values and common species. Cooperation with Latvia and Lithuania has mainly taken place through the Baltic Environmental Forum (BEF).

**IT** Not at all, but during previous LIFE Natura 2000 projects (i.e. brown bear, wolf, *Gypaetus barbatus*), the technicians created several international expert groups to define management procedures.

**LV** A seminar with neighbouring countries on elaboration of the monitoring report took place in autumn 2005, and was attended by representatives from European Commission.

**PL** There has been no previous cooperation or collaboration with neighbouring countries and none is foreseen.

**SE** Not much cooperation/collaboration yet, but according to the authorities, it is upcoming.

**HR** It is necessary to establish the Natura 2000 sites first.

**TK** A twinning project with Germany is ongoing, but its scope is broader.

**Question 28 / Public participation**  
**Have public participation processes been included in site designation, elaboration of management plans or assessments of plans or projects under Article 6? (if the answer is NO, but they are planned for the future, then please make note of this in the comments).**

### **28a / Site designation**

**CY** Some public participation processes took place before the Cypriot Authorities sent the pSCIs to the Commission. Most communities have reacted very negatively to the Natura 2000 Network. In addition, some government departments as well as the federation of the hunters, have, to a great extent, blocked a proper scientific designation of a sufficient Natura 2000 Network.

**CZ** NGOs have elaborated shadow lists of sites on the basis of monitoring data that were researched and submitted by the Agency for Nature and Landscape Conservation.

**DK** Relevant stakeholders have been consulted in the designation process. It will most probably be subject to consultation process with stakeholders when ready.

**ES** Citizens had the opportunity to make comments in only a few regions where the proposal was officially published, but no process of real public participation has taken place.

**EE** Official public hearings have only been organized in February 2004, and only three weeks were given for review and comments. Such inadequate participation, accompanied by the lobby-work of some politicians and real estate companies, caused a wave of opposition to Natura 2000, especially in the western archipelago. As a result, all private land which owners officially declared



their objection was excluded from the list of pSCIs. Therefore many of the pSCIs that have been submitted to the European Commission are fragmented.

**FR** Only local authorities responsible for border issues for Natura 2000 sites are legally consulted.

**HU** In 2005 a project was started (together with the Ministry and Birdlife Hungary) concerning the general existence of Natura 2000 in Hungary, but it is unclear whether it includes specific public participation activities.

**IE** Public meetings to inform the public about the designations have taken place.

**LV** Public participation in the site designation process was very formal, with regional meetings and meetings in municipalities, but not involving the general public.

**MT** Including public participation processes in Natura 2000 is planned for future.

**PL** There is a process for asking for opinions, rather than real consultation; there is no transparency in the process and very little time for amendments/comments.

**SE** All landowners are contacted. The public is informed in papers and in official locations, but no real public participation process has been undertaken related with the Natura 2000 site designation.

**SI** The public was only informed just before the designation of the Natura 2000 network in Slovenia. There was no broader public discussion prior to this.

**SK** According to our legislation public participation is obligatory – now there are public participation processes for the designation of SPAs.

**BG** Public consultation during the site designation process and amendments is not foreseen, but there is another option for public input on Natura 2000 in Bulgaria. Each Natura 2000 site will be designated at the national level through a ministerial order (with information about scope of the site, designation goals, regimes, etc). The draft orders will be made public and there will be a period of time for written comments on them.

**RO** The Information System for Natura 2000 was designed in order to allow for an opened process of data collection from multiple users, exchange of views through comments and different individual records, data analysis, verification,

validation, public consultation, as well as site selection. The website is now mainly useful for specialists interested in the designation process and is not very clear how it will support the public participation process to its full extent.

**HR** Public participation is planned through the PHARE project (started in 2006) and will start once the draft Natura 2000 proposal has been prepared by the State Institute for Nature Protection, after which time it will be available for public comment.

## 28b / Elaboration of management plans

**CZ** We do not have sufficient information on this topic. There were some “pre-negotiations” with stakeholders, but as far as we know, Natura 2000 management is not understood well or accepted by the public. Based on this we believe that the general public is not sufficiently involved about Natura 2000 issues.

**FR** The management plan for each site is elaborated by a working group which includes relevant stakeholders; once the plan is approved by a local representative (préfet), citizens can check it at his town hall.

**IE** The public is not involved during the drafting process of management plans.

**IT** In some cases, the public is involved in the elaboration of management plans.

**LV** Yes, the process of preparation of management plans requires regular involvement of the public, via public hearings and management plan supervisory groups.

**MT** Planned for the future.

**NL** The management plans development is currently in progress.

**PL** There was a pilot Commission for management plans, but it included public information rather than public consultation. Thus, there is no general practice of including the public in the elaboration of management plans.

**SE** All landowners are contacted in the process of elaborating management plans. The public is informed in papers and in official locations, but no real public participation process has been undertaken related with Natura 2000.

**SI** According to our legislation all plans should be publicly exhibited. Stakeholders have been adequately involved in the development phase of the management plan,

**SK** Management plans are not yet prepared, but they will definitely be discussed with relevant stakeholders and the public, according to Slovak law.

**BG** There are still no such. The public consultation process is part of the national protected areas' management plans elaboration.

### 28c / Article 6 assessment

**AT** Public participation within the framework of the Article 6 assessment is not implemented in Austrian legislation.

**CZ** Public participation is expected. The assessment is being processed the same way as the Environmental Impact Assessment process. All the information about concrete projects must be made available to the public, which can comment on all outputs of the process. All public comments are to be taken into account.

**FR** A public survey is generally carried out.

**EE** As evaluation of significant effects of projects and plans on Natura 2000 sites is regulated by the same provisions as the Environmental Impact Assessment process, public participation is obligatory.

**IE** Only where there is an Environmental Impact Assessment required; degree of participation is variable and inconsistent.

**IT** Recently, the Ministry of the Environment involved regional authorities in the identification of SPAs conservation measures but no public participation has been undertaken in Natura 2000 sites.

**LV** Public participation is mandated by legislation, but the public has not received any information on its rights and opportunities in this regard.

**SE** All landowners are contacted. The public is informed in papers and in official locations, but no real public participation process has been undertaken related with Natura 2000.

**SI** According to the legislation all plans should be publicly exhibited (30 days).

**SK** Because this Article is not yet properly transposed, it is difficult to say how public participation will be established in this context.

**BG** This assessment has not yet been implemented. Under Bulgarian law, consultation is included once the assessments start.

### Question 29 / Communication strategy Does your Government have a communication/awareness-raising strategy for Natura 2000?

**AT** The Austrian Government avoids discussing Natura 2000 due to difficulties during the site designation process, but there are awareness-raising campaigns in the broader nature protection context.

**CY** Some efforts have been made, but these are clearly inadequate and not well-structured. No formal strategy exists.

**DE** A CD-ROM with many facts on Natura 2000 was published. Much information on this topic is available at [www.bfn.de](http://www.bfn.de). Furthermore there are plans for projects on a strategy for communicating Natura 2000 across the nation. If these projects are realised and successful, the communication strategy might be considered adequate.

**EE** A communication/awareness-raising strategy is one measure (objective) of the state programme "Implementation of Natura 2000 in Estonia" for 2000–07.

**FI** No real strategy – it is too late for Finland to have a communications strategy. Finland's Natura 2000 implementation suffered because we had no communication strategy when this was an issue in Finland (ten years ago).

**FR** The MoE established a communication plan but it is not actually implemented. It also launched a website containing the main information on each N2000 site (location, species, habitats). But it's certainly not enough: Natura 2000 deserves a real communication strategy to reach citizens.

**GR** Some funding is provided for communication for Natura 2000 but there is no specific strategy.

**IT** There is a national brochure on Natura 2000 published with national funds, however, the distribution is insufficient. Many details on the Natura 2000 communications strategy can be found at [www.minambiente.it/st/Ministero.aspx?doc=pubblico/tutela/natura2000/modelli.xml](http://www.minambiente.it/st/Ministero.aspx?doc=pubblico/tutela/natura2000/modelli.xml).

**LT** Administrations of national protected areas are responsible for distributing informational materials about the Natura 2000 network. Also, the Ministry of Environment and State Service for Protected Areas organises and participates in some information/awareness-raising campaigns. However, there is no special strategy on communication/awareness-raising.

**PL** Definitely not. Most people have a vague idea about what Natura 2000 is, if they are even aware that Natura 2000 exists.

**SI** The first strategy was developed for 2003, but Slovenia did not have a strategy after that period. A new strategy is planned for the near future.

**SK** A communication strategy has been approved and it has been fully elaborated on paper, but unfortunately, in reality, it is not implemented whatsoever.

**UK** No as far as we are concerned – in fact the phrase Natura 2000 is barely used in the UK – sites are usually referred to as an SPA or SAC not as a Natura 2000 site.

**BG** The Ministry of Environment and Water does not consider awareness-raising a priority for the preparation of Natura 2000. Until now all awareness-raising activities have been initiated and implemented by NGOs. With the amendments to the Biodiversity Act made in autumn 2005, an Article was included obliging the Ministry of Environment and Water and the Ministry of Agriculture and Forests to carry out intensive national information campaigns about Natura 2000 and reach out to all important parties concerned, and to the wider public. As a first step towards implementation of this obligation, the Ministry of Environment and Water is planning to commission an external consultant to undertake a national Natura 2000 communication, awareness-raising and information campaign in 2006. The funds for this will come from the Ministerial Enterprise on Management of Environmental Protection Activities.

**RO** A communication strategy is currently being developed in the framework of a PHARE project (Twinning Project RO2004/IB/EN-02 Implementation and Enforcement of the Environmental Acquis Focused on Nature Protection, 7 Centre Region, REPA Sibiu).

**HR** There were workshops and seminars included in the LIFE III CRO-NEN project “Building-up the National Ecological Network as part of the Pan-European Ecological Network & Natura 2000 Network” that was conducted by the State Institute for Nature Protection and ended in May 2005. Part of the project’s activities were education and public awareness-raising through the development of a network of people involved in data gathering for nature conservation and a seminar for all interested parties on “Monitoring of Biodiversity”. Part of this project also included dissemination of information about the National Ecological Network and Natura 2000 through publications (brochures) and the project web page. In 2006 a related PHARE project started, and part of it includes a public participation process. Although workshops and seminars were organized with the aim of raising public awareness, there have unfortunately not been any visible results in the counties of Southern Croatia. The reality is that in several important locations like the Neretva River or the island of Lastovo, local communities still oppose any protected area status. Thus, further communication in this respect is urgent.

### Question 30 / Good examples of communication

**Could you briefly describe any very positive example of communication related to Natura 2000 in your country?**

**AT** In “Naturpark” Kaunergrat in Tyrol the milk produced by the goats used for management of the site is made into cheese. The cheese is named after butterflies (Habitats Directive species, to some extent) living in the site and on every package of cheese there is information printed about Natura 2000.

**BE** Only in the context of Life-Nature Programs.

**CY** No good communication examples can be referred to in Cyprus. Even in a case where a group of six communities have expressed their wish to be included in the Natura 2000 Network, they are having various problems being included.

**DE** There are quite a lot good examples in Germany. To highlight just a few of them:

- In the region of Middle Oder, Brandenburg, the Landcare Association mediates between authorities and landusers, e.g. farmers, forest-owners, shepherds, fishers, tourists, sports, etc. Through mediation the implementation of Natura 2000 is much easier to manage.
- SAC and SPA Bellheimer Wald mit Queichtal, Rhineland-Palatinate: within this site, the Landcare Association Südpfalz acts as an agent for the irrigation of former irrigation meadows. Landusers are in favour of the watering because it allows them to harvest more grass. Nature conservation also benefits from the irrigation because it increases biodiversity. Because of the Associations' communication neighbouring authorities have also become interested in natural irrigating of meadows.
- In the rural district Aue-Schwarzenberg, Saxony, the Landcare Association built a natural trail and began Natura 2000 tours. With this kind of communication and activities even the mayors said explicitly: "We want Natura 2000 in our region!"
- At the river Treene, Schleswig-Holstein, communication by the Landcare Association helped to constitute local alliances to elaborate management plans and as a further platform for decisions.
- At the Lech river in Bavaria a recently founded regional association uses the communication slogan: "we have the data, we know the people, we find solutions".

**ES** In general, there are no positive examples of communication campaigns in Spain.

**IE** No. Ireland is renowned for the poor communication surrounding the Habitats Directive, and mounted opposition by some sectors of society to the transposition and implementation of the Directive.

**IT** Only at the local level, thanks to LIFE Natura projects (i.e. communication tools of Pellegrino project in Bologna Province, brochures of LIFE projects known as "Reticnet" in the Alps and public awareness by WWF oasis system). In general, during the previous LIFE phases (I, II and III), involving about 150 projects, various communicative tools have been used (panels, brochures, leaflets, mobile exhibitions, etc.).

**LT** Private land owners have suggested including their own land in the Natura 2000 network (habitat type 5130) and the Ministry of Environment (after evaluating the opinions of botanists) added suggested areas to the list of pSCIs.

**LU** 2 brochures have been distributed.

**LV** The LIFE Floodplain project, implemented by the Latvian Fund for Nature, deals with the involvement of the public on different levels – starting with individual landowners and ending with decision-makers at the national level. The project started in 2004, and to date has included 30 local meetings for stakeholders and several regional level seminars. At the beginning of the project local landowners were very sceptical towards Natura 2000 sites (all 16 project sites are Natura 2000 sites), as they were not involved in the site designation process and not properly informed. Their attitude is slowly changing, as evidenced by the fact that they are undertaking restoration measures on their lands through the support of LIFE funds and Rural Development funds, instead of just complaining and taking little action. The project implemented by the Baltic Environmental Forum on the management plan development for the Natura 2000 site "Salaca River valley" also included very extensive public participation activities following the management plan development, which resulted in active contributions from local landowners and rather strong acceptance of the proposed management measures. The Latvian Fund for nature launched the project "Natura 2000 for the general public" in 2006 which includes a photo exhibition about Natura 2000 sites which travels to all regions of Latvia, and demonstration farms to advertise the need for sustainable economic activities in Natura 2000 sites.

**MT** Dwejra Life project.

**NL** Oostvaardersplassen: Next to the highway there is a sign which proudly says: Main European protected nature area.

**PL** No such nation-wide actions – some small workshops/seminars mostly organised by and held in the Ministry of Environment (maximum 50 people).

**PT** CASTRO VERDE Natura 2000 – The work that has been done by a National NGO (Liga para a Protecção da Natureza) created public and governmental awareness about the importance of this Site to conservation issues related to endangered steppe birds.

**SE** The County of Västmanland had very good communication and cooperation with a landowners association.

**SI** There are some very good examples of communication with local people and local authorities on the advantages of Natura 2000, including those in the Life III project.

**SK** Daphne prepared several meetings and seminars together with the Birdlife Slovakia, where all the issues connected with Natura 2000 implementation were explained. Although meetings and discussion were very informal, stakeholders usually understood and supported ideas and plans for nature conservation. They need and appreciate open and clear information, which the state administration is not able to provide them with.

**HR** Part of the LIFE III CRO-NEN project “Building-up the National Ecological Network as part of the Pan-European Ecological Network & Natura 2000 Network” also included a seminar for all interested parties on “Monitoring of Biodiversity” that convened all relevant institutions, NGOs and other interested parties.







Berchtesgaden National Park, Bavaria, Germany, Alpine Biogeographical Region.  
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