

## Recommendations for the Environment Council conclusions under the Polish EU Presidency on the EU 2020 Biodiversity Strategy

On behalf of the following EHF members:



September 2011

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### PRIORITY RECOMMENDATIONS / SUMMARY

1. Council should, *recall* its endorsement of the EU 2020 Biodiversity Strategy and targets as an important milestone in the recognition of the importance and urgency of the crisis of the loss of biodiversity and the degradation of ecosystem services.
2. Concurrently, Council should *firmly stress* that success of this Strategy will depend fully on increasing the efforts at all levels to fully implement the Birds and Habitats Directives, and equally on the much needed fundamental policy and budget reforms, in particular in the policy areas of agriculture, fisheries and cohesion.
3. Council should *stress* the need to significantly increase the share of the LIFE+ fund so that at least one billion EUR annually can be earmarked for biodiversity and Natura 2000, as this instrument has repeatedly proven its effectiveness and cost-efficiency in supporting Member States in the implementation of EU environmental policy.
4. Council must *insist* that, in order to achieve the EU biodiversity target to halt the loss of biodiversity and improve the conservation status of habitats and species, EU farmland

must be managed according to specific biodiversity conservation schemes under the reformed CAP, with priority given to farmland of high nature value.

5. Council must *call for* a radical reform of the Common Fisheries Policy, putting sustainability as its main priority, thus taking all necessary measures to achieve Maximum Sustainable Yield (MSY) for all fish stock by 2015 and to ensure achievement of Good Environmental Status of the Community's marine environment by 2020.
6. Council should *underline* the crucial importance of reducing the impact of the EU's consumption on land use and biodiversity both within Europe and globally, and the need to align the framework of its economy and trade with biodiversity needs, phasing out environmentally harmful incentives and providing the right legislative rules and market signals for biodiversity conservation.
7. Council should *stress* the importance of a mid-term review of the Strategy by 2014, and based on this, should *insist* that, if necessary in the light of monitoring and reporting results, more ambitious actions and targets are proposed for the second half of the decade, in order to secure meeting the overall 2020 objective.
8. Council should *call upon* the Commission to produce, within 6 months, a precise plan of implementation for the Strategy including measurable objectives, as well as separate proposals, such as Communications on Financing Natura 2000, Improved Implementation of Environmental Legislation, a Green Infrastructure Strategy and legislative proposals for a strengthened LIFE instrument<sup>1</sup>, for combating Invasive Alien Species, as well as an ambitious review of the Forestry Strategy in light of the increasing pressures and demands on European forests.

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<sup>1</sup> The Communications on Financing Natura 2000, Improved Implementation of Environmental Legislation and LIFE are expected to be produced by the Commission before the end of 2011. In this case, the Council should *refer to* them, as appropriate (The EHF will provide detailed recommendations on these).

## DETAILED RECOMMENDATIONS TO THE ENVIRONMENT COUNCIL

### Nature conservation (Target 1)

1. The wording of target 1, as endorsed by the Council in June 2011, implicitly accepts the further deterioration and depletion of most species and habitats until 2020. Mindful of the inadequate status of most listed habitats and species at present and the threats to them, EHF is convinced that this would not be sufficient to put European biodiversity on a firm path of full recovery by 2050. EHF thus considers this target as an absolute minimum, which could be improved during the mid-term review of the Strategy.

Therefore, Council should strengthen Target 1 by:

- *highlighting* the need to, as far as technically possible, halt deterioration of, and if possible achieve measurable improvement in conservation status for, all species and habitats protected under EU legislation, significantly earlier than 2020.
  - *asking* the Commission to ensure, that if assessments due for 2013/2014 will show negative trends for most species and habitats, the Commission will present revised and more ambitious targets and actions, clearly linked to biological and ecological objectives.
2. Council should *support* and *underline* the crucial need to further focus on the full implementation and enforcement of the Birds and Habitats Directives.

Therefore, Council should:

- *strongly support* the completion of the establishment of the Natura 2000 network, especially in the marine environment, by 2012. (refers to action 1a)
  - *propose* a deadline of 2015 for setting conservation objectives as well as for finalising management plans or equivalent instruments for all sites designated under the Birds and Habitats Directives. (refers to action 1c)
3. Council should *ask* the Commission to ensure that management of Natura 2000 is supported by the establishment of conservation objectives and management standards at biogeographic level, for all relevant species and habitats under both Nature Directives. (refers to action 1d)
  4. Council should *ensure* that the necessary funds and incentives for a comprehensive implementation of Natura 2000 are provided, *urge* the Commission to come forward with a Communication on Financing Natura 2000 as soon as possible, and *underline* the importance of the compulsory development of multiannual prioritised action frameworks for securing the success of an integrated approach to financing Natura 2000. (refers to action 2)
  5. Council should *express its deep concern* that the total budget for the LIFE funding instrument as foreseen in the Commission's proposal for a Multiannual Financial

Framework<sup>2</sup> is far from sufficient to meet EU environmental policy objectives. Council should *stress* that at least one billion EUR per annum is required for biodiversity and Natura 2000 measures from LIFE, to ensure meeting the 2020 biodiversity objective. (refers to action 2)

6. Council should *support* the Commission's proposal to develop training programmes on Natura 2000 for judges and public prosecutors, *offer* collaboration on this and *suggest* developing jointly with Member States similar programmes for staff of government authorities at all relevant levels. (refers to action 3c)
7. Council should *call on* the Commission to fully incorporate measures to improve the implementation and joint enforcement of the Birds and Habitats Directives in the framework of its current work on the improved implementation of environmental legislation, through a systemic approach to enforcement, increased quality of Environmental Impact Assessments, enhanced compliance promotion and effective inspections. (refers to action 3)
8. Council should *recognise* conservation, active protection and restoration of wilderness areas, i.e. habitat types that are not dependent on human intervention, across the EU as a key component of achieving target 1<sup>3</sup>.
9. Council should *stress* the importance of monitoring of biodiversity and providing additional, reliable funding for this, and calling for increased and continued support for the development of biodiversity indicators and their use to track the effectiveness of policy implementation.

## **Ecosystems and Green Infrastructure (Target 2)**

10. Council should *welcome and support* the development of a strategic framework for ecosystem restoration and should thereby *highlight* the need to integrate the use of species recovery programmes in this framework, given the crucial role played by biodiversity in healthy ecosystems and the services they provide for mankind, especially in the context of climate change mitigation and adaptation. (refers to action 6a)
11. Council should *strongly support* the commitment to develop a Green Infrastructure Strategy, laying down the principles for strengthening and complementing the Natura 2000 network, as well as national protected areas, by increasing their ecological connectivity, coherence and resilience, and by providing innovative funding opportunities for the protection of biodiversity in the wider countryside. Council should also *insist* that biodiversity protection is a primary objective of the new Green Infrastructure Strategy and that it should include a binding EU level target on halting landscape fragmentation and

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<sup>2</sup> In its Communication „A budget for Europe 2020“ of 29.06.2011, the Commission proposed a total budget for LIFE (environment) of 2.4 billion EUR and LIFE (climate) of 800 million EUR for the period 2014-2020.

<sup>3</sup> In addition to the current development of a 'Wilderness guidance document', the European Commission should further act on the recommendations issued under the Czech Presidency of the Council in the 'Message from Prague on Wilderness and Large Natural Habitat Areas'. See also the European Parliament's call for an EU Wilderness Strategy in its resolution of 3 February 2009 on Wilderness in Europe.

habitat loss. (refers to action 6b).

12. Council should *recognise* the crucial role of integrated spatial planning frameworks in delivering a coherent Green Infrastructure able to conserve biodiversity and deliver ecosystem services across the EU.
13. Council should *highlight the need* to ensure that the 2014-2020 EU Budget, and in particular the Cohesion and Agriculture Policy, will make available sufficient funding for ecosystem restoration and support for HNV farmland and forests as the necessary basis for the establishment of an EU Green Infrastructure.
14. The Council should *stress the need* for the Infrastructure Facility of the 2014-2020 Cohesion Policy to allocate sufficient funds for mitigating biodiversity impacts of infrastructure measures. (refers to action 6)
15. Council should *call on* the Commission to propose, within one year, a strategy for defining the “no-net-loss principle”, that is fully in line with the requirements of both the EU Habitats Directive and the Environmental Liability Directive and strengthens the protection for biodiversity offered by the EIA Directive, in particular by addressing the need to halt further land sealing of natural surfaces and loss of key habitats, such as grasslands and wetlands, outside Natura 2000. (refers to action 7b)

### **Agriculture and Forestry (Target 3)**

16. Council must *insist* that, in order to make progressive improvements in the conservation status of species and habitats dependent on agriculture and achieve the EU biodiversity target, EU farmland must be covered by specific biodiversity conservation schemes under the reformed CAP. In particular it should *stress* the need to:
  1. boost both quality and quantity of biodiversity focused agri-environment schemes, with a clear objective of delivering on the EU Biodiversity Targets and in particular Target 1;
  2. give maximum priority to supporting farming systems of high nature value, whether inside or outside Natura 2000 sites, including ensuring protection of and financial support to sustainable management of biodiversity rich grasslands under pillar I;
  3. ensure adequate CAP funding for the management of agricultural Natura 2000 sites;
  4. include a commitment to maintain 10% of environmental focus areas at farm level as part of the greening component of pillar I thus contributing to the EU Green Infrastructure;
  5. ensure that any EU funding to farming is subject to strict cross-compliance rules including the proper respect of the EU Nature and Water legislation;
  6. ensure that the reformed CAP delivers sufficient targeted funding for supporting the implementation of the EU Biodiversity Strategy.
17. Council should *endorse* and *actively support* the development and adoption of forest management plans, including mandatory biodiversity relevant measures, as a precondition for any funding of forests and as an obligation for public forests. (refers to actions 11-12)

18. Council should *underline* the need to further define “Sustainable Forest Management” with regard to biodiversity, and *stress* the need to apply this definition in the context of reforestation and afforestation measures financed through the CAP. (refers to action 12).
19. Council should *welcome* the reference to the need to preserve wilderness areas and *commit* to increase substantially the surface of forest under strict protection by 2020. (refers to action 12)

#### **Fisheries (Target 4)**

20. Council should *endorse* the commitment to restore and maintain fish stocks to levels that can produce Maximum Sustainable Yield (MSY) by 2015 in all areas in which the EU fleet operates and *stress* that fishing activities must be regulated in a way that environmental impacts are kept within levels compatible with achieving Good Environmental Status under Marine Strategy Framework Directive by 2020 and favourable conservation status of species, habitats and sites under the Birds and Habitats Directives. To this end, Council should *call for* a radical reform of the Common Fisheries Policy, including sustainability criteria for access to fisheries resources which explicitly favour more sustainable fisheries. (refers to action 13)
21. Council should *endorse* the commitment to design measures to eliminate discards and avoid incidental catches and should *urge* the Commission to publish without further delay the “EU Action Plan for reducing incidental catches of seabirds in fishing gears”<sup>4</sup>. (refers to action 14a)
22. Council should *stress* that Member States must be empowered to regulate fishing activities particularly in regard to management measures aiming to achieving favourable conservation status under Birds and Habitats Directives. (refers to action 14)

#### **Invasive Alien Species (Target 5)**

23. Council should *strongly support* the commitment to strengthen the EU plant and animal health regimes and to establish a dedicated legislative instrument for combating Invasive Alien Species by 2012. Council should *note* that the financial costs of the damage caused by Invasive Alien Species far outweigh the anticipated costs of the implementation of new legislative measures, and that more efficiency can be achieved if new measures to tackle Invasive Alien Species are developed in synergy with existing EU policy regimes on animal and plant health (refers to action 16)

#### **Global biodiversity loss (Target 6)**

24. Council should *welcome* the overarching ambition set out in the Biodiversity Strategy to achieve coherence of all EU policies with the aim of protecting and restoring biodiversity and ecosystems. (refers to action 17a and b)

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<sup>4</sup> A Stakeholder consultation was held on this initiative more than a year ago.

Therefore, Council should *call upon* the Commission to:

- develop concrete proposals, as part of the Resource Efficiency Flagship Initiative, to measure resource efficiency, to achieve absolute resource use reduction and to help Europe move towards a green economy.
  - ensure that sustainability criteria, biodiversity safeguards and commitments are included in all trading agreements signed by the EU.
25. Council should *express its concern* that the Strategy does not elaborate on the impact of EU energy policy on global (and European) biodiversity. In this context, Council should *ask* the Commission to swiftly table robust and science based proposals for energy use reduction targets as part of the resource efficiency agenda as well as robust and science based proposals to extend sustainability criteria to all forms of bioenergy, ensuring that life cycle analyses correctly account for greenhouse gas emissions and the impacts of indirect land use change. (refers to action 17)
26. Council should *reiterate its call* to the European Commission to come up with a roadmap setting out an ambitious deadline for phasing out environmentally harmful subsidies within the shortest delay. Member States and European Parliament<sup>5</sup> should be *urged* to insist on a firm integration of this principle into the next Multiannual Financial Framework. (refers to action 17c)
27. Council should *reiterate its call* to the European Commission not only to minimise negative impacts of its development cooperation action on biodiversity but, what is more, to integrate biodiversity targets into the EU's development cooperation policies and programmes and to develop a strategy to this end before the next programming round. (refers to action 19)
28. Council should *urge* the European Commission to come up with a proposal on innovative financial resources to meet its commitments on additional financial resources made at CBD COP-10. Council should *urge* the Commission to develop both a robust baseline of funding and a needs assessments for the EU's territory prior to CBD COP-11; to assist non-EU Parties to the CBD in doing the same; and, most importantly, to make significant commitments for additional funding at CBD COP-11. (refers to action 18)
29. Council *urges* Commission and Member States to implement effective monitoring and tracking mechanisms and to address situations of non-compliance in the implementation of the Nagoya Protocol to ensure that the benefits arising from the use of genetic resources and traditional knowledge, as well as from their subsequent applications and commercialisation, are shared. (refers to action 20)
30. Council should *urge* the European Commission to promote a coherent approach to nature conservation across the whole territory of its Member States by developing policies and financial mechanisms and means for encouraging exchange of information and expertise that will achieve the EU Biodiversity 2020 target across the EU's overseas entities, and *highlights* in this context, the importance and value of the BEST initiative.

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<sup>5</sup> See also a recent study commissioned by the European Parliament's Committee on Environment, Public Health and Food Safety on „EU Subsidies for polluting and unsustainable practices“ (2011).