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PREVENTING PAPER PARKS: HOW TO MAKE THE EU NATURE LAWS WORK

Lead author : Sabien Leemans, WWF EU

Edited by: Barney Jeffries

Communications: Stefania Campogianni, WWF EU

Contributors :

WWF Spain: Gema Rodríguez, Eva Hernandez

WWF Poland: Dariusz Gatkowski

WWF Bulgaria: Lubomir Kostadinov, Katerina Rakovska,
Alexander Dountchev

WWF Romania: Diana Cosmoiu, Marius Berchi

WWF Greece: Ioli Christopoulou, Panagiota Maragou

WWF Netherlands: Emilie Reuchlin-Hugenholtz, Thomas Rammelt,
Chris van Assen, Marieke Van Zalk

WWF Austria: Christian Pichler

WWF Sweden: Lennart Gladh

WWF Finland: Petteri Tolvanen, Jari Luukkonen

WWF Germany: Günter Mitlacher, Stephan Lutter

WWF Mediterranean: Marina Gomei

WWF Italy: Stefano Lenzi, Anna Giordano

WWF EU: Andreas Baumüller, Angelika Pullen, Martina Mlinaric,
Erik Gerritsen, Rita Santos

External contributors: Alin Ciprian Ciula (Alitudine), Wolfgang Suske
(Suske Consulting)

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WWF's mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature, by conserving the world's biological diversity, ensuring that the use of renewable natural resources is sustainable, and promoting the reduction of pollution and wasteful consumption.

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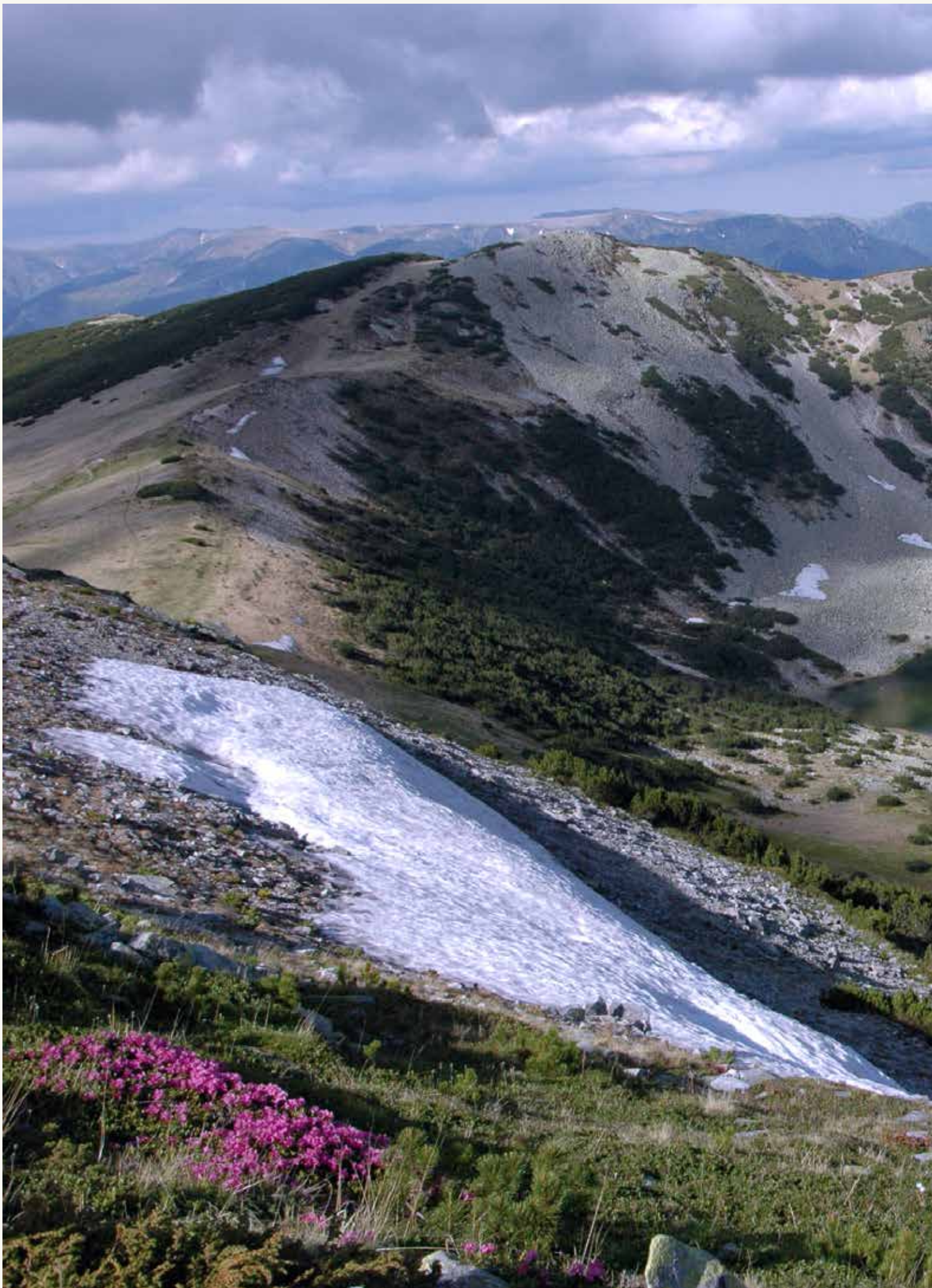
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Țarcu Mountains, Romania.

NATURE PROTECTION AT THE HEART OF THE EU

Over the last 30 years, the EU has made significant progress in protecting nature, reducing air and water pollution, and tackling global challenges such as climate change and biodiversity loss.

The EU Birds and Habitats Directives have played a major role in ensuring that some of the most valuable and endangered habitats and species in Europe are preserved. Over one-fifth of the EU's landmass and 6 per cent of its seas are covered by the largest network of protected areas in the world – Natura 2000. Iconic species such as the wolf, the brown bear, the white-tailed eagle and the loggerhead turtle, which used to be widespread in Europe but were driven to the edge of extinction, are now slowly recovering.

The successful recent #NatureAlert Campaign, run by WWF and other environmental NGOs to prevent the weakening of the EU nature laws, mobilized citizens from across Europe, and demonstrated that nature protection should be at the heart of the European Union.

Despite their success, the EU nature laws are far from living up to their full potential, mainly due to lack of implementation and adequate funding at national level. The time has now come to ensure that the directives actually work on the ground, guaranteeing full and effective protection of some of Europe's most precious sites. With this report, WWF has gathered good and bad examples of nature protection from all over Europe, illustrating what "better implementation" really means and how effective conservation can bring value not just for the environment, but also for local communities and the economy.

Geneviève Pons-Deladrière,
Director, WWF European Policy Office

INTRODUCTION

The Birds and Habitats Directives (the ‘Nature Directives’) are widely recognized as the cornerstone of EU-wide efforts to halt and reverse the loss of biodiversity. Implementing them in full is one of the key targets of the EU 2020 Biodiversity Strategy.

The Nature Directives establish a conservation framework that allows sustainable development while aiming for the effective protection of rare or threatened species across their natural range. This has led to the designation of the largest network of protected areas in the world – the Natura 2000 network – which currently covers 18 per cent of Europe’s land and around 6 per cent of its seas.

Successes are already evident – with some populations showing recovery and some habitats being saved from irrecoverable destruction – and scientific evidence demonstrates the Nature Directives are effective when properly implemented. However, much of Europe’s biodiversity is still in decline, and the EU risks missing its 2020 target of halting the loss of biodiversity and ecosystem services¹. Only 23 per cent of animal and plant species and 16 per cent of habitat types protected under the Habitats Directive have a favourable conservation status².

In October 2013 the European Commission announced a “fitness check” of the Birds and Habitats Directives, to ensure that they are “fit for purpose”³. In July 2015 more than half a million EU citizens joined the public consultation on the Directives, with over 94 per cent of respondents urging the Commission to maintain them. In addition, a large majority of EU Member States directly called upon the European Commission to retain the current legal framework and to focus on better implementation. The European Parliament, having acknowledged that the key problem with nature conservation is not the EU legislation in itself, also voted by an overwhelming majority to oppose a possible revision of the Directives⁴.

In December 2016, the College of European Commissioners confirmed that the EU’s flagship nature laws will not be changed and that an action plan to better implement them will be developed. With the publication of the Staff Working Document⁵ by the European Commission, the evaluation of the EU Birds and Habitats Directives came to a close, ending two years of uncertainty over their future.

WWF welcomes this result. Now the focus must be on ensuring the full and effective implementation of the EU Nature Directives, supported by adequate financing and effective enforcement. In addition, the European Commission and national governments must fully address the drivers of biodiversity loss in the wider landscape by ensuring a proper and coherent integration of biodiversity across different sectors, like agriculture and infrastructure development⁶.



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The Nature Directives have helped species like the aquatic warbler (bottom left) and the Saimaa ringed seal (bottom right) to recover, but failures in implementation mean crucial habitats like the Doñana wetland in Spain (top) remain at risk.

WHAT IS EFFECTIVE IMPLEMENTATION?

The Commission Staff Working Document on the Fitness Check concludes that “full achievement of the objectives of the Nature Directives will depend on substantial improvement in their implementation.”

Member States clearly need to step up their efforts to fully and more effectively implement the Nature Directives. The European Commission also needs to focus on this, for example through increased enforcement and monitoring and by developing guidance for the Member States.

But what does full and effective implementation mean? What are the main challenges and gaps concerning the implementation of the Nature Directives? This is the focus of this publication.

Case studies from all over Europe illustrate the benefits of effective implementation as well as the current gaps and challenges that need to be addressed. Even iconic sites like Doñana (Spain), Białowieża (Poland), the Țarcu Mountains (Romania) and Pirin National Park (Bulgaria) and emblematic protected species, such as the loggerhead sea turtle, are not well protected because of inadequate implementation of the Directives.



HOW THE NATURE DIRECTIVES WORK

One of the main obligations for Member States under the Birds and Habitats Directives is designating and establishing sites that form the Natura 2000 network of protected areas.

Member States choose sites according to scientific criteria⁷, but the selection procedure is different for the two Directives. Under the Habitats Directive, Member States and the European Commission agree on Sites of Community Importance (SCIs), based on a proposal by the Member State. Once SCIs have been adopted, Member States must designate them as Special Areas of Conservation (SACs) within six years and adopt conservation measures for each site.

The Birds Directive site selection procedure is less complex. Member States directly communicate their selected sites, called Special Protection Areas (SPAs), to the Commission. Once a site has been designated, Member States have to establish measures to effectively protect the habitats and the species it contains.

MEMBER STATES NEED TO STEP UP THEIR EFFORTS TO FULLY AND MORE EFFECTIVELY IMPLEMENT THE NATURE DIRECTIVES

THE MAIN OBLIGATIONS FOR MEMBER STATES UNDER THE BIRDS AND HABITATS DIRECTIVES

Designate and establish sites that form the Natura 2000 network of protected areas.	Habitats Directive, art. 3 & 4 Birds Directive, art. 3 & 4
Establish site protection measures in Natura 2000 sites.	Habitats Directive, art. 6(1) Birds Directives, art. 4(1) & 4(2)
Ensure species protection.	Habitats Directive, art. 12-15 Birds Directive, art. 5-8
Ensure no deterioration of habitats and disturbance to species in Natura 2000 sites.	Habitats Directive, art.6(2)
Ensure that plans or projects likely to affect Natura 2000 sites are subject to appropriate assessment.	Habitats Directive, art. 6(3)
Ensure that developments affecting the integrity of the site are not approved unless there are no alternative solutions, and for imperative reasons of overriding public interest and if compensatory measures are taken.	Habitats Directive, art. 6(4)
Encourage the management of landscape features to improve the ecological coherence of the Natura 2000 network.	Habitats Directive, art. 3(3) & 10
Identify funding needs.	Habitats Directive, art. 8
Undertake monitoring of the conservation status of habitats and species of Community importance.	Habitats Directive, art.11
Encourage research and scientific work.	Habitats Directive, art. 18 Birds Directive, art. 10
Ensure that introductions of non-native species do not prejudice native habitats and species.	Habitats Directive, art. 22 Birds Directive, art. 11

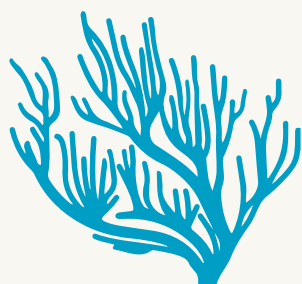
FULL AND EFFECTIVE IMPLEMENTATION OF THE BIRDS AND HABITATS DIRECTIVES – PRIORITY GAPS THAT NEED TO BE ADDRESSED

According to the European Environmental Agency (EEA)⁸, progress in establishing the Natura 2000 network has been substantial. The terrestrial component of the network is considered close to complete, though further marine sites are required.

The consultant's Evaluation Study⁹ to support the fitness check identified three main gaps in the implementation of the Birds and Habitats Directives:

- Establishing the marine Natura 2000 network;
- Developing site conservation measures, including management plans;
- Providing adequate financing.

Although Member States are responsible for implementing the Nature Directives, **the role of the European Commission to improve implementation and ensure enforcement is critical** to make sure they achieve their full benefit. For WWF, this is the fourth gap that needs to be addressed to ensure full and effective implementation of the Birds and Habitats Directives and should be added to the list above.



MARINE PROTECTION:

6%
CURRENT MARINE
NATURA 2000 SITES

10%
TARGET
FOR 2020

1. Completing the designation of marine sites

Under the UN Convention on Biological Diversity (CBD), governments have agreed to effectively protect at least 10 per cent of coastal and marine areas by 2020; based on scientific advice, WWF wants to see coverage increased to 30 per cent by 2030¹⁰.

The EU's main way to implement the CBD commitment is through the designation of Natura 2000 in marine areas. Marine Natura 2000 sites cover around 6 per cent of the EU's marine territory and in addition EU Member States have designated other marine protected areas (MPAs) under regional seas conventions¹¹, national conservation laws or in line with the EU's Marine Strategy Framework Directive. The recent addition of marine Natura 2000 sites, together with other MPAs, brings EU MPA coverage significantly closer to the EU target.¹²

Nevertheless, there is still some way to go. Significant gaps in the marine Natura 2000 network remain and Member States will have to step up their efforts to achieve the objectives of EU nature laws. For example, most Natura 2000 sites are in coastal and territorial waters (12 nautical miles zone); less spatial protection is in place for species and habitats in Member States' exclusive economic zones (EEZs, 200 nautical miles), leaving a wide array of species and habitats without protection¹³.

In September 2016, the European Commission and European Topic Centre arranged marine Biogeographic Seminars to evaluate Member States' designations for the Atlantic, Macaronesian and Mediterranean regions. The conclusion is clear: **although the situation has improved and more MPAs and Natura 2000 sites have been established in EEZs – for example around seamounts and submarine banks in Atlantic Iberian waters and deep-sea areas off Scotland – additional efforts are needed.** The coverage of Natura 2000 sites in offshore waters is still insufficient in many Member States, in particular in the Mediterranean region.



ONLY 30 PER CENT OF NATURA 2000 SITES UNDER THE BIRDS DIRECTIVE AND 41 PER CENT UNDER THE HABITATS DIRECTIVE HAD MANAGEMENT PLANS IN PLACE AT THE END OF 2012

2. Developing conservation measures and management plans for all Natura 2000 sites

Every Natura 2000 site must have defined conservation measures, and management plans are the most important tool for Member States to set these out. Member States are also required to submit reports to the European Commission on the implementation of the Nature Directives. The most recent implementation reports (2007-2012) indicate that only 30 per cent of the Natura 2000 sites under the Birds Directive (SPAs) and 41 per cent of the Natura 2000 sites under the Habitats Directive (SCIs) had management plans in place at the end of 2012. A further 25 per cent of SPAs and 19 per cent of SCIs were reported to have management plans under preparation¹⁴.

In 2015 the European Commission opened new infringement cases against eight Member States (Greece, Germany, Portugal, Spain, Ireland, Belgium, UK and Italy) for insufficient progress in the designation of SACs within the six-year deadline and in the establishment of conservation objectives and measures in several biogeographical regions¹⁵.

If the Natura 2000 network is to consist of more than just “paper parks”, Member States need to step up efforts to define and implement conservation measures. The case studies contained in this report illustrate the importance of management plans. They cover sites which lack management plans (Țarcu mountains, Romania; Zakynthos, Greece) or have plans that are vague and not based on well-defined conservation objectives (Doñana, Spain), as well as positive examples of strong management plans that are well implemented (Schaalsee, Germany; Torre Guaceto, Italy). The latter examples, and the case of Askö-Tidö in Sweden, also illustrate the importance of involving landowners, resource users and other key stakeholders in developing management plans: the participation of a broad range of stakeholders is crucial to successful management and achieving societal support for Natura 2000 sites.

Nevertheless a management plan is not the only prerequisite for the conservation of Natura 2000 sites: they also need protection from negative impacts. **All development plans or projects likely to affect Natura 2000 sites need to be evaluated via appropriate assessments to avoid damage to the site.** As illustrated by several case studies contained in this report (Doñana; Spain, Białowieża, Poland; Pirin, Bulgaria), there are many problems with Member States’ implementation of this crucial legal provision of the Nature Directives, putting precious Natura 2000 sites under threat.

Progress on management is especially poor for marine Natura 2000 sites, as illustrated by the case study on the Dogger Bank (Germany, Netherlands, UK). The European Commission has already started some pilot or infringement procedures due to continued lack of effective conservation measures in marine sites, for example for 10 Natura 2000 sites in the German EEZ. Controlling fishing practices is a particular challenge: unsustainable fishing often has a significant impact on biodiversity in MPAs, for example through the destruction of reefs by bottom trawling¹⁶. Tailor-made restrictions are needed to secure or restore favourable conservation status, but Member States do not have the authority to regulate fisheries in a marine Natura 2000 site except for vessels flying their own flags. The reformed EU Common Fisheries Policy (CFP) resolves this issue by providing a mechanism that allows Member States to submit joint recommendations that introduce fisheries management measures to the European Commission. An increasing number of Member States are making use of this new provision. All fisheries management measures should be science-based, follow the ecosystem approach and include a consultation process with stakeholders.



ALL DEVELOPMENT LIKELY TO AFFECT NATURA 2000 SITES TO BE EVALUATED TO AVOID DAMAGE TO THE SITE



€200-300
BILLION
ESTIMATED ANNUAL
BENEFITS OF
NATURA 2000 NETWORK

3. Increasing investment in Natura 2000

It is estimated that a minimum of €5.8 billion per year is needed to manage and restore the Natura 2000 network in a way which would release its full potential for nature and people. These investments are greatly outweighed by the benefits, which are estimated at €200-300 billion a year. There are 1.2-2.2 billion visitor days to Natura 2000 sites each year, generating recreational benefits worth €5-9 billion annually. In Europe, around 4.4 million jobs are directly dependent on the maintenance of healthy ecosystems, a significant proportion of which are situated within Natura 2000 sites¹⁷.

Despite the clear economic benefits of investing in the Natura 2000 network, there is a huge funding gap. There is an urgent need to better target existing funding streams, and close funding gaps for nature conservation. According to the Fitness Check Evaluation Study, **“the availability of public funding has probably had the most influence on implementation.** Funding constraints on authorities have adversely affected the establishment of the Natura 2000 network, as well as other important actions, such as stakeholder engagement, management planning, permitting and enforcement measures. Public funding is also usually essential for incentive/compensation measures for landowners to secure appropriate management. Although the Directives have undoubtedly increased the availability of EU funding, there is strong evidence to suggest that this is insufficient and/or difficult to access, and will continue to be a constraint on implementation.”

Several case studies presented in this report clearly illustrate this situation. The lack of available funding and the insufficient use of European funds for biodiversity and nature protection are identified as a problem for the Țarcu Mountains (Romania) and Zakynthos (Greece). Some positive examples where adequate funding was provided are Lechtal (Austria) and Schaalsee (Germany).

4. Improving enforcement

The Fitness Check Evaluation Study provides an interesting overview on reported breaches and infringements related to the Nature Directives. Reported breaches of nature-related EU law, including the Nature Directives, outnumber those in other environmental sectors, according to data provided by the European Commission for the period 1981 to 2016. Among reported breaches in the “Nature” area, 85 per cent were initiated by complaints by NGOs; for breaches in other environmental areas, like waste, air, chemicals and water, the European Commission initiated 69 per cent of cases. Of all the cases reported under the Nature Directives, only one in five (19 per cent) led to action by the European Commission¹⁸. These numbers show that the implementation of the Nature Directives at national and regional levels has been inadequate, but also indicate that the European Commission should be more pro-active in its enforcement role to ensure the Member States implement the Nature Directives properly. More detailed recommendations on how the European Commission should step up its enforcement role can be found at the end of this chapter.

The case studies presented in this report show a mixed picture. While European Commission enforcement has clearly played a positive role in the case of Finland’s Saimaa ringed seal, Białowieża Forest in Poland and Greece’s loggerhead sea turtle, for example, the case of Pirin in Bulgaria is much less positive, with an EU pilot¹⁹ started in 2010 and still not finalized.



1/5
ONLY ONE IN FIVE
REPORTED BREACHES
OF THE NATURE
DIRECTIVES LEAD
TO ACTION BY
THE EUROPEAN
COMMISSION



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Inadequate protection threatens Doñana, Spain, one of Europe's most important wetlands.

RECOMMENDATIONS

The case studies analysed in this report clearly illustrate the importance of the Nature Directives.

FOR EU MEMBER STATES

Designation

- Complete the designation of Natura 2000 sites, in particular marine sites.
-

Management

- Define and implement clear, specific and detailed conservation measures guided by specific conservation objectives for species and habitats with significant presence, at site, national and biogeographical levels.
 - Develop and implement management plans at site level, ensuring adequate participation of landowners, resource users and other key stakeholders. Management plans should include all conservation measures and address all impacting sectors (e.g. forestry, agriculture, fisheries) in an integrated manner.
 - Ensure species protection through efficient and integrated measures, with the aim of achieving favourable conservation status for protected species.
-

Prevention of negative impacts

- Effectively protect Natura 2000 sites and the Nature Directives' habitats and species against negative impacts from plans and projects by carrying out appropriate assessments. It is especially important to correctly assess adverse effects on the integrity of the site as defined by the conservation objectives and status of the site, and to apply the precautionary principle. Experts and evaluators must be completely independent and properly qualified for conducting biodiversity studies.
 - Make decisions and relevant evidence, including the appropriate assessment studies, publicly available, and seek the opinion of the public when deciding on plans or projects that may affect Natura 2000 sites.
 - Define "no-go zones" – areas which are not suitable for developing certain projects or activities due to their impact on nature.
-

Monitoring

- Ensure that monitoring systems are in place and properly funded, and gather all relevant data in order to assess the status and trends of species and habitat types, and threats to nature. Member States should also monitor the effectiveness of measures taken to improve reporting and management.
-

Financing

- Provide adequate national funding and increase the dedicated allocation of European funds like the European Agricultural Fund for Rural Development (EAFRD), European Maritime and Fisheries Fund (EMFF) and European Regional Development Fund (ERDF) for biodiversity and Natura 2000.
-

Stakeholder involvement

- Ensure full public participation and transparency in decision-making impacting nature.
- Ensure that the designation of Natura 2000 sites and their management is done in a transparent and science-based manner, involving local stakeholders.
- Raise public awareness on the importance of the Natura 2000 network, together with the European Commission.

On the one hand, we see places where the Nature Directives are still not being fully and effectively implemented, and as a consequence their habitats and species are not fully protected. On the other are places where full and effective implementation has led to tangible benefits for nature and people. We urge Member States and the European Commission to step up their efforts to implement the Birds and Habitats Directives by following the recommendations set out below.

FOR THE EUROPEAN COMMISSION

Improve protection and monitoring

- Monitor the implementation of management plans in order to ensure improved conservation status of protected species and habitats.
- Ensure that appropriate assessment studies are conducted more rigorously and only with qualified evaluators, including by updating the guidance document on the provisions of Article 6 (3 & 4) of the Habitats Directive.
- When appropriate assessments for plans are conducted at national level, the European Commission should make sure the results of the assessments are properly integrated in the national sectoral policies.
- Ensure Member States use a common methodology to set favourable reference values at the biogeographical level for habitats and species.
- Ensure common methodologies for monitoring are in place in all Member States.

Financing

- Together with the Member States, ensure that the next Multiannual Financial Framework (i) earmarks and traces funding for biodiversity conservation in each individual EU fund, and (ii) creates a solid dedicated funding stream to sufficiently cover biodiversity investment needs.
- Together with the Member States, eliminate environmentally harmful subsidies in line with global commitments under the UN CBD. As a matter of priority, action should be taken to phase out or reform those subsidies already known to be having harmful effects in key sectors (e.g. in agriculture, transport, fisheries, energy) by 2020.

Enforcement

- Take prompt and effective enforcement action to all environmental infringements that occur and do not accept any further delays concerning the finalization of the site designation, the development of conservation measures and the establishment of good management plans²⁰.
- Ensure that the complaints and infringement processes concerning environmental breaches are transparent.
- Increase EU projects' focus on funding watchdog activities of NGOs which are very important in signalling breaches of the Directives.
- Use interim measures (injunctive relief) more frequently so that the Court of Justice of the European Union can intervene to stop or prevent damage from potentially illegal activities before a final decision on the case is reached.
- Develop together with Member States new tools for detecting and stopping breaches, including enabling the application of "Global Monitoring for Environment and Security" services to detect illegal activities in Natura 2000 sites (e.g. detecting land-use changes).



Białowieza Forest, Poland.

SITES OF CONCERN

The Birds and Habitats Directives offer protection to Europe's most precious natural environments. But protection on paper is meaningless if it's not backed up by strong enforcement and effective management on the ground. The following case studies illustrate some significant failures in the implementation of the Nature Directives – and recommendations for Member States and the European Commission to put them right.

SITES OF CONCERN



SHALLOW PROMISES ON THE DOGGER BANK

The UK, the Netherlands and Germany need to drastically increase the level of protection to restore the marine life of the Dogger Bank and the wider North Sea.

7



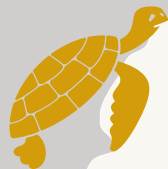
DOÑANA: EUROPE'S MOST IMPORTANT WETLAND DRYING OUT?

Plans to dredge the Guadalquivir River must be cancelled permanently – if necessary, the Commission should take Spain to the European Court of Justice in order to protect Doñana.



LEGAL LOOPHOLES PUT BULGARIA'S RIVERS AT RISK

The Bulgarian government needs to enforce the ban on hydropower in Natura 2000 sites and close any loopholes. The European Commission should intervene swiftly if it fails to do so.



1

LOGGERHEAD TURTLES: SPECIES COMEBACK IN THE MEDITERRANEAN MASKS GREEK FAILINGS

Greece should immediately adopt and implement a long-term management plan for the National Marine Park of Zakynthos and other turtle nesting sites, with clear conservation objectives and management measures.



BIAŁOWIEŻA: LOGGING THREAT TO OLD-GROWTH FOREST

The Polish government should stop plans to increase logging in this crucial site – and the Commission should take Poland to court if it fails to do so.

2



HYDROPOWER AND PERMIT PROBLEMS IN THE ȚARCU MOUNTAINS

Managers of Natura 2000 sites in Romania need stronger legal protection, and technical and financial support to develop management plans.

4



SLIPPERY SLOPES: ILLEGAL SKIING DEVELOPMENT ENCROACHING ON PIRIN NATIONAL PARK

The Bulgarian government should urgently adopt conservation objectives for Pirin, ensure any developments do not lead to further destruction and biodiversity loss, and tackle past illegal developments. The European Commission needs to make sure that no EU funding goes to a plan that would damage this unique site.

6

3

5

DOÑANA IN DANGER: EUROPE'S MOST IMPORTANT WETLAND DRYING OUT?

Doñana is one of Europe's most important wetlands, but planned deepening of the Guadalquivir River navigation channel threatens the wetland and the UNESCO World Heritage and Natura 2000 sites it encompasses²¹. In March 2015, the European Commission issued Spain with a formal warning (called a "reasoned opinion") that the environmental impact assessment process for this project had not taken into account the impacts on the Natura 2000 sites²². The Commission should urgently conclude the infringement procedure and take Spain to the European Court of Justice in order to protect Doñana. In addition, the Commission should urge the Spanish government to make a permanent commitment to cancel the project and not permit any future dredging to deepen the Guadalquivir.



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Doñana in Spain is a haven for millions of migratory birds.

Doñana is known as one of Europe's greatest conservation areas, due to its rich mosaic of habitats and biodiversity: it is one of the most important sites for birds, in particular for migratory birds, and one of the main refuges for the Iberian lynx. The Doñana Natural Area covers more than 100,000 hectares. It includes both a national park, the core zone of the protected area, and a natural park that functions like a buffer zone. It has been declared a Biosphere Reserve and World Heritage Site by UNESCO, and a Ramsar wetland of international importance.

It encompasses several Natura 2000 sites: Doñana, Doñana Norte y Oeste, Bajo Guadalquivir and Brazo del Este, all of them intimately interconnected. The conservation of the Doñana Natural Area is closely linked to its surroundings: the wetland depends on the maintenance of the quality and quantity of the groundwater table, connected rivers and old tidal plains that have been lost.

10%
**WATER FLOWS HAVE
FALLEN TO JUST 10 PER
CENT OF NATURAL LEVELS
IN SOME AREAS**

However, the ecosystem is under constant threat, mainly by diversion of surface water from the river and overuse of groundwater to boost agricultural production. Thousands of hectares of illegal strawberry farming and the digging of illegal wells have reduced flows from the aquifer to the wetlands to just 10 per cent of natural levels in some areas. Water pollution and fragmentation caused by infrastructure and the expansion of intensive agriculture, as well as projects like the Guadalquivir River dredging, are also significant threats. Doñana has already lost important species like the sturgeon (*Acipenser sturio*) and the Andalusian hemipode or buttonquail (*Turnix sylvaticus*).

The controversial new infrastructure project requested by the Port Authority of Seville proposes deepening the Guadalquivir River navigation channel, in one of the Natura 2000 sites. This will include further dredging of the riverbed, in order to allow bigger ships to navigate from the Atlantic Ocean up to Seville.

Follow WWF's global campaign to save Doñana:
makeyourmark.panda.org/donana

Despite the severe impact that the project will have on the Doñana wetland and the Natura 2000 sites that it encompasses, in 2003 the Ministry of the Environment issued the project with a positive environmental impact statement. In response to differing views and concerns by the board of trustees of the national park, a scientific commission was assigned to communicate an opinion to the ministry.

2003
THE MINISTRY OF
THE ENVIRONMENT
ISSUED THE PROJECT
WITH A POSITIVE
ENVIRONMENTAL
IMPACT STATEMENT

In 2010 the scientific commission concluded that while maintenance dredging is considered acceptable, provided it is carefully planned and timed in order to minimize negative impacts, **further deepening of the river would negatively impact on the dynamics, morphology and biodiversity of the estuary.** This would lead to increasing water turbidity, flood risks and erosion and decreasing water quality and primary productivity. The Natura 2000 sites that would be impacted directly are Bajo Guadalquivir and Doñana (which encompasses both the natural park and the national park), and Brazo del Este, whose conservation status depends profoundly on the maintenance of the hydrologic conditions of the low part of the Guadalquivir River. **The scientific study declared that the project was not compatible with the conservation of the Doñana Natural Area, and asked for measures to be implemented to improve the river conditions.** If the promoter wanted to go ahead with the project, once the estuary had recovered, a new environmental impact assessment should be developed, taking into account the results of the scientific study and the new river conditions.

However, the promoters and the national administration made no changes to the controversial plans for the dredging of the Guadalquivir. So in May 2012, WWF-Spain filed a complaint to the European Commission, which resulted in an infringement procedure. In 2015 the Commission concluded that the environmental impact assessment process had not taken into account the impacts on the Natura 2000 sites and issued the Spanish government with a reasoned opinion²³. The Ministry of the Environment failed to provide a definitive conclusion; at present, the project is still authorized and included in the 2015-2021 Guadalquivir River Basin Plan.

2015
THE EUROPEAN
COMMISSION
CONCLUDED THAT
THE ENVIRONMENTAL
IMPACT ASSESSMENT
PROCESS HAD NOT
TAKEN INTO ACCOUNT
THE IMPACTS ON THE
NATURA 2000 SITES

The UNESCO World Heritage Site Committee is also concerned about the planned dredging in the Guadalquivir and has urged Spain²⁴ to make a permanent commitment to cancel the project. **In December 2016, following a campaign by WWF, the Spanish government communicated to UNESCO its intention not to authorize the dredging project. However, a formal decision that leads to the permanent withdrawal of the project is still to be taken.**

WHAT NEEDS TO HAPPEN?

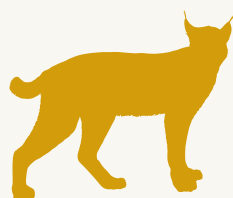
- The European Commission should urgently conclude the infringement procedures²⁵ and take Spain to the European Court of Justice in order to protect Doñana.
- The Commission should urge the Spanish government to make a permanent commitment to cancel the project and not permit any future dredging to deepen the Guadalquivir.
- The Spanish government must take the necessary measures to ensure the favourable conservation status of the Natura 2000 sites, and a matching “good ecological potential” for the Guadalquivir.

Management failures

Insufficient management plans don't meet the Habitats Directive requirements

Doñana (which encompasses both the Doñana national park and the Doñana natural park) and Doñana Norte y Oeste are the largest Natura 2000 sites in the area. Although both have approved management plans, they do not meet Habitats Directive requirements in terms of establishing specific conservation objectives and management measures to maintain or re-establish a favourable conservation status of existing habitats and species.

In particular, the definition of conservation objectives for habitats and species is insufficient. For example, the Doñana Norte y Oeste site management plan establishes conservation objectives for only three priorities (Iberian lynx, dunes systems and connectivity) out of a total of 39 species and 21 habitats present in this Natura 2000 site. Moreover, conservation objectives are merely general statements like “achieve a favourable conservation status for the species” and fail to give specific targets in terms of surface, population, etc.



**DOÑANA IS HOME TO
THE IBERIAN LYNX,
THE WORLD'S MOST
ENDANGERED FELINE
SPECIES**

This is especially remarkable for the **Iberian lynx**, one of the three conservation priorities and the world's most endangered feline species. Despite extensive knowledge and experience gained in previous and present LIFE projects²⁶ on Iberian lynx, the document sets the following conservation objective: “adapt the number of individuals to the carrying capacity of the territory” and “achieve a favourable conservation status”. A more specific and measurable objective is needed to achieve a viable population, such as “to achieve and maintain a minimum population of 15-30 territorial females”²⁷. Conservation measures are mostly expressed in a vague way, not describing what, where, how, who or the estimated cost of implementation.

This lack of specific and quantified conservation objectives also prevents the river basin authorities from estimating and establishing ecological river flows needed to reach favourable conservation status of Natura 2000 habitat and species. Natura 2000 management plans should define specific conservation objectives and the related water requirements (ecological flows) for both aquatic habitats and species.

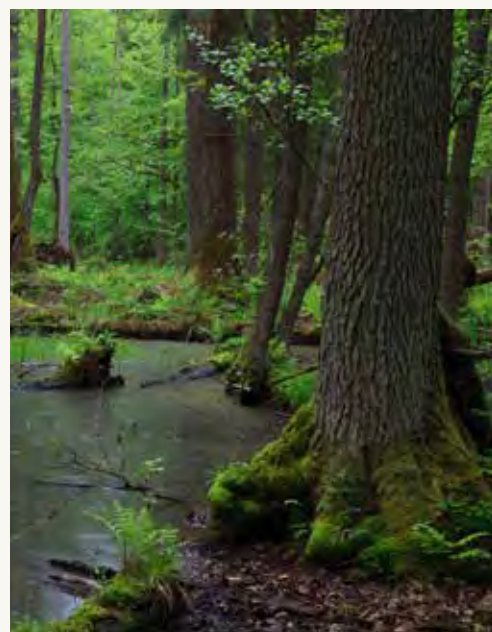
WHAT NEEDS TO HAPPEN?

Management authorities should:

- Agree and define objectives and measures in a transparent and participatory way, including all relevant stakeholders – such as the agricultural and tourism sectors, and conservation organizations.
- Define specific and measurable conservation objectives, based on available scientific criteria, for all species and habitats with significant presence. At a minimum, this should include information on the previous conservation status to be restored.
- Include specific measures in management documents to reduce the threats due to water scarcity in the Natura 2000 sites, with their estimated costs, and an implementation calendar. For example, include a specific commitment to establish the water requirements for achieving a favourable conservation status for water-dependent habitats and species.

BIAŁOWIEŻA: LOGGING THREAT TO OLD-GROWTH FORESTS

Białowieża is the best preserved old-growth forest of the northern temperate zone in Europe. It has been designated as a Natura 2000 site and a UNESCO World Heritage Site, yet it is under threat. In March 2016, the Polish environment minister approved plans to triple logging in the Białowieża forest district – going back on an agreement reached in 2012 to limit logging to save the most valuable species and habitats, while enabling small-scale felling to provide wood for local people. Seven Polish and international NGOs, including WWF, filed a complaint with the European Commission, which responded by launching a formal infringement procedure on 16 June 2016. In order to prevent any irreversible damage to the site, the Commission should conclude this procedure quickly and take Poland to court if necessary.



© ADAM LAMNIK / WWF-POLAND



Białowieża has the largest population of European bison.



**BIAŁOWIEŻA FOREST
FAR EXCEEDS ALL
OTHER EUROPEAN
FORESTS IN NUMBERS
OF FUNGI, PLANT AND
ANIMAL SPECIES**

Białowieża Forest – a UNESCO World Heritage Site and Biosphere Reserve – is a large patch of forest situated on the border between Poland and Belarus. It is widely recognized as the best preserved forest complex of the northern temperate zone in Europe. The area has exceptionally high nature conservation value, including extensive old-growth forests and the largest population of European bison – the forest’s iconic species. Białowieża Forest is a so-called “node of concentration” of biodiversity, and far exceeds all other European forests in the numbers of fungi, plant and animal species that grow and dwell in its territory.

The designation of Białowieża Forest as a Natura 2000 site resulted in better protection of the forest outside protected areas.

Białowieża Forest was designated as a Natura 2000 site under the Birds Directive after the accession of Poland to the EU in 2004, and under the Habitats Directive in 2011. One-third of the Polish area of the forest is strictly protected as a national park and nature reserves, but the remaining two-thirds is managed for timber production. The 2002-2011 forest management plan allowed for the logging of 145,700m³ of wood annually, and for wood extraction in forest stands older than 100 years. Such intensive forestry is harmful for the priority species and habitats and the integrity of the site.

In 2008, the European Commission launched a procedure of structured dialogue (called an EU pilot) with Poland on the intensive wood extraction in the Białowieża Forest. Negotiations and discussions with all stakeholders (government, local community representatives, local people, foresters, scientists and NGOs) resulted in a compromise: the logging limit in the new forest management plan for 2012-2021 was lowered, and set at the level of wood needed to fulfil local community demand – 47,000m³ of wood annually. As a result, in 2013, the Commission closed the structured dialogue.

The new forest management plan also prevented logging of several types of forest stands of high natural value. These are most forest stands older than 100 years (where at least 10 per cent of one tree species is more than 100 years old), stands with a majority of pioneer species (birch and alder) more than 80 years old, and stands which are part of habitats identified under the Habitats Directive.

A management plan (Plan of Protection Tasks) for the Natura 2000 site came into force in November 2015. The Plan of Protection Tasks for a Natura 2000 site has the status of a local law. The current plan says that **removal of dead and dying trees threatens many of the protected habitats in the Natura 2000 site, while the removal of trees more than 100 years old threatens forest fauna, especially birds that nest in hollow trees and rare insect species.**

Białowieża Forest again under threat

By the end of 2015, four years into the forest management plan for 2012-2021, one of the three forest districts (Białowieża) had already reached its share of the 10-year harvesting limit, meaning it would have to abandon timber harvesting for the next six years. A second district (Hajnówka) reported reaching 75 per cent of its limit in early 2015. So in early November 2015, the State Forests National Forest Holding prepared an update to the forest management plan for the Białowieża Forest District, which was accepted by the Ministry of Environment in March 2016. The new plan allows for three times more wood extraction, increasing the logging limit from the 63,471 m³ agreed in 2012 to 188,000m³ over 10 years .

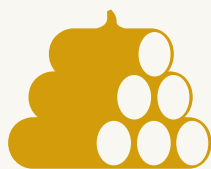
Logging at this scale will have a significant impact on the integrity of the site. It will be especially damaging for species dependent on dead wood, such as rare saproxylic beetles, white-backed woodpeckers, three-toed woodpeckers, boreal owls and pygmy owls, as well as many plants and fungi. In fact, it is estimated that around half the biodiversity within Białowieża Forest is dependent on dead wood. Adopting this annex to the forest management plan may therefore constitute **a gross infringement of the Habitats Directive requirements to maintain the integrity of the site.**

The ministry attempts to justify this intensification of logging with the alleged need to tackle a bark beetle outbreak. However, bark beetle outbreaks and dying spruce trees are natural processes that have been shaping the Białowieża Forest for centuries. Both scientists and the public strongly oppose large-scale cutting of trees in the forest, with more than 140,000 Poles signing an online appeal for the protection of Białowieża Forest. In April 2016, seven Polish and international NGOs, including WWF, filed a complaint²⁸ with the European Commission to warn that Poland had breached Article 6 of the Habitats Directive, as there had been no appropriate assessment of the impact of the planned increased logging on the Natura 2000 site. The Polish Ministry of Environment announced the start of logging operations on 24 May 2016. In response to the NGOs' complaint, the European Commission started an infringement procedure against Poland on 16 June 2016.

The intervention of the European Commission and the concerns expressed by the UNESCO World Heritage Committee²⁹ seem to have had an effect, as at the time of writing (November 2016) there has not yet been any large-scale wood extraction. Only logging for safety reasons has taken place, leaving the dead wood on site, which is the right management approach. Still, the new forest management plan allows large-scale logging to start at any time.

WHAT NEEDS TO HAPPEN?

The Polish government should abide by the compromise reached in 2012, which limited logging to save the most valuable species and habitats, while enabling small-scale felling to provide wood for local people.



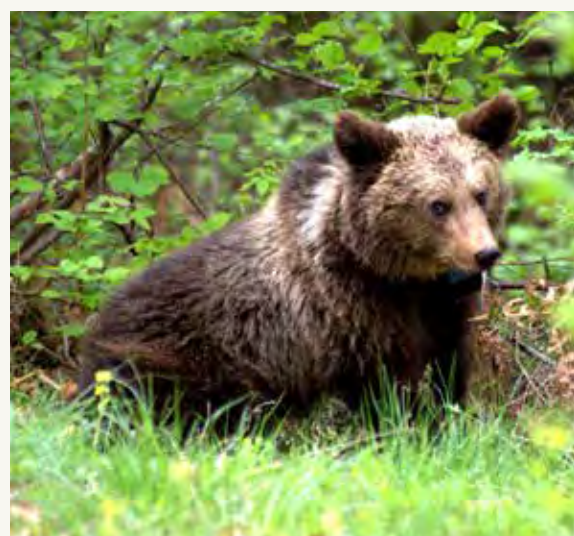
**BIAŁOWIEŻA DISTRICT
REACHED ITS 10-YEAR
HARVEST LIMIT IN JUST
FOUR YEARS**

X3

**THE NEW PLAN
ALLOWS FOR THREE
TIMES MORE WOOD
EXTRACTION**

SLIPPERY SLOPES: ILLEGAL SKIING DEVELOPMENT ENCROACHING ON PIRIN NATIONAL PARK

The Pirin National Park in Bulgaria, both a UNESCO World Heritage Site and a Natura 2000 site, is under threat. The new draft 10-year management plan for the national park proposes further construction and development of ski areas on 7 per cent of the park's territory, compared to 0.6 per cent in the current management plan from 2004. In addition the Council of Ministers is considering legalizing all existing illegal developments within the site. No appropriate assessment has been carried out on the impacts of this plan on the natural values of the Natura 2000 site. Bulgaria should urgently adopt conservation objectives for Pirin, and tackle the illegal developments that have taken place in the past. As the drafting of the management plan will be funded by the European Commission, it needs to make sure that no EU funding goes to a plan that would lead to further destruction of this unique site.



© KOSTADIN VALCHEV / WWF-BULGARIA



Expansion of ski zones threatens the pristine nature and ecosystem of Pirin National Park.

Located in southwest Bulgaria and covering a territory of around 40,000 hectares, Pirin is one of three national parks in Bulgaria. It overlaps with two Natura 2000 sites, both protected under the Birds and Habitats Directives, and is also a UNESCO World Heritage Site. The Pirin National Park is exceptional because of the beauty of the mountain scenery, glacial geomorphology, continuing evolution of flora and as an example of a functioning Balkan uplands ecosystem. It has remarkable biological diversity, with many endemic species and the last remnants of relict pine forests. It provides a habitat for many mammals (including the brown bear, wolf and chamois), birds, reptiles and amphibians, and unique flora.



**IN 2000, 90 HECTARES
OF OLD-GROWTH
FORESTS WERE CLEARED
FOR THE CONSTRUCTION
OF THE SKI ZONE**

In 2000, official approval was given for the Bansko ski zone around an existing old ski run and ski lift. Despite protests from environmental NGOs and research institutions, all legal actions were rejected by the Supreme Court and the ski zone was built. More than 90 hectares of primarily old-growth forests of spruce, silver fir, Macedonian pine and Bosnian pine were cleared for the construction of the ski zone infrastructure, some of them unique forests with trees up to 300 years old. All the biodiversity associated with these forests and dependent on the integrity of the landscape was lost.

In 2011 an investigation commissioned by the government showed that the ski zone operator uses an area 65 per cent larger than the concession contract provides for, without paying for it. This also indicates serious violations of the environmental impact assessment of the ski zone made in 2000. Significant parts of the existing facilities are illegal as documents from the environment ministry show they do not have environmental permits. These include five ski runs, four ski lifts, a reservoir for artificial snow, a biathlon shooting range and other smaller supporting infrastructure. However, the company operating the ski zones has not faced any consequences for these violations.

65%

THE SKI ZONE OPERATOR
USES AN AREA 65 PER
CENT LARGER THAN THE
CONCESSION CONTRACT
PROVIDES FOR

According to the Bulgarian Biodiversity Act, Natura 2000 sites are officially designated by order of the Minister of the Environment and Water. This sets out grounds for issuing; name; total area and exact borders; species and habitat types; conservation objectives; list of properties; and bans or restrictions on activities which contradict the objectives of the site's designation. While management plans are not obligatory for Natura 2000 sites, they are for national parks, and are adopted for a 10-year period.

Currently, there is mounting pressure surrounding the adoption of the park's new 10-year management plan. This allows for further construction and development of ski areas on 7 per cent of the park's territory, and the legalization of all illegal developments through a change in the concession contract. **The push to legalize the illegally developed territory and infrastructure and to open up new areas for development jeopardizes the pristine nature and ecosystem values of the north of the park as well as its status as a UNESCO World Heritage Site.**

UNESCO's World Heritage Committee's State of Conservation report from 2016³⁰ warns that: "some of the projects listed in the report appear to be of a significant scale, such as the extension of the system for artificial snow, the reconstruction of an existing ski surface lift and the reconstruction of a ski lift station. Their cumulative impacts therefore need to be carefully evaluated."

Although the draft management plan is still being considered by the Minister of the Environment and Water, no strategic environmental assessment and no appropriate assessment procedure has been started. According to the Bulgarian Environmental Protection Act and the Strategic Environmental Assessment (SEA) Directive, this must be done in parallel with the development of the plan. The designation order including the conservation objectives of the Pirin Natura 2000 site remains non-existent, nearly two years after the 2014 deadline for sites in Bulgaria. These are significant gaps in the implementation of the Nature Directives.

7%

SKI AREAS COULD BE
EXTENDED TO COVER 7
PER CENT OF THE PARK'S
TERRITORY

In 2008 Bulgarian NGOs sent a complaint to the European Commission regarding several facilities in the Bansko ski zone, built after 2007. As Bulgaria only joined the EU in January 2007, the European Commission would not consider constructions prior to that date. **The Commission closed the case in March 2013 because "the envisaged project would not lead to significant adverse environmental effect because of its small scale". The Commission did not request an assessment of the cumulative impact of all the ski zone facilities on the natural habitats and species protected in Pirin National Park, which was requested by UNESCO's World Heritage Committee in 2011.**

Subsequently, old facilities were replaced with new ones with higher capacities – which have a greater impact on the protected nature in the park. In 2010, additional information was sent to the Commission, which triggered a new investigation (EU Pilot under reference 6240/14/ENVI). Seven years later, it has yet to be finished.

**Follow WWF's global campaign to save Pirin National Park:
makeyourmark.panda.org/pirin**

WHAT NEEDS TO HAPPEN?

The European Commission should:

- Make sure that no EU funding goes to a management plan that would lead to further destruction of this unique site (as the drafting of the management plan will be funded by the Commission via the operational programme “Environment”).
- Ensure that comprehensive strategic environmental and appropriate assessments are carried out. These must guarantee that, taking into account all potential risks and cumulative effects, the management plan will not lead to further destruction and biodiversity loss and that Pirin will be well protected and managed.

The Bulgarian government should:

- Urgently adopt conservation objectives for Pirin, and tackle the illegal developments that have taken place in the past.

HYDROPOWER AND PERMIT PROBLEMS IN THE ȚARCU MOUNTAINS

Almost half the Natura 2000 sites in Romania are managed by NGOs. The current procedures for obtaining permits to develop activities in Natura 2000 sites are not transparent – as the approval of new hydropower projects in the Țarcu Mountains shows. NGO managers do not have the legal status and protection of public authorities, and need technical and financial support to develop management plans for the sites. As of December 2016, around half of Romania’s Natura 2000 sites did not have approved management plans.



© POLIANA BUIBU



The Țarcu Mountains Natura 2000 site forms part of the largest intact forest landscape in temperate Europe.



THE LOCAL ENVIRONMENT AGENCY HAS ISSUED PERMITS FOR THREE SMALL HYDROPOWER PROJECTS AND A SKI RESORT WITHIN THE PROTECTED AREA

The Țarcu Mountains form a complex of largely pristine ecosystems with remarkable biodiversity and very few human settlements. In 2010, over 10,000 hectares of virgin and quasi-virgin forests that were not legally protected were designated as a Natura 2000 site. Together with the neighbouring national parks, it forms the largest intact forest landscape in temperate Europe: Retezat-Godeanu-Țarcu-Cernei. The area provides a habitat for iconic species like wolves, bears and bison, the latter reintroduced recently.

The area was officially designated as a Natura 2000 site in 2007. In March 2010, the management of the site was granted to Altitudine Association, a non-profit organization, who provided a first draft management plan to the Environment Ministry for approval in 2013. This was later than agreed, and the Ministry controversially cancelled Altitudine Association's contract – even though hundreds of Natura 2000 sites were run without management plans at the time. Since then, the Caraș Severin district environment agency has been responsible for the site, but no progress has been made regarding the management plan.

Immediately after the NGO contract was cancelled, the local environment agency issued permits for three small hydropower projects and a ski resort within the protected area. **The hydropower permits contravened measures specified in the strategic environmental assessment report of the national energy strategy, which clearly bans the development of small hydropower in Natura 2000 sites designated for fish species, crayfish and otter.** Fortunately, when WWF and other environmental NGOs brought these cases³¹ before the Romanian court, the infrastructure permits were cancelled.

The problem with small hydropower development³² is widespread in Romania. In May 2015, the European Commission started an infringement procedure (2015/4036) against Romania for consistent breach of the Habitats Directive due to illegal construction of small hydropower plants on different rivers in Natura 2000 sites in the Carpathians, including the Țarcu Mountains. This came a year and a half after WWF had filed two official notifications with the European Commission, warning of a series of violations of European and national legislation on water and biodiversity.

A major part of the problem is the way project permits are issued. Under current procedures and legislation, project developers must apply directly to the site's managers for approval. **This puts considerable pressure on managers – who for almost half of Romania's Natura 2000 sites are NGOs – to accept new infrastructure projects.** Many have faced threats and intimidation. NGOs are especially vulnerable as they do not have the legal status of a state institution and lack legal protection against pressure from developers.

MORE THAN HALF OF ROMANIA'S NATURA 2000 SITES DO NOT HAVE APPROVED MANAGEMENT PLANS

One solution could be that project beneficiaries obtain all permits from the relevant state institutions, avoiding direct contact between beneficiaries and Natura 2000 managers. This would mean that an investor contacts the environment agency to obtain the permit, and the agency seeks an approval/non-approval notice from the site's manager, before issuing or refusing final approval. Similar rules should apply for all managers of Natura 2000 sites, whether public institutions, private companies or non-profit organizations.

In addition, the lack of management plans is a systemic problem, as more than half of Romania's Natura 2000 sites do not have approved management plans. The process of approval is very slow and there are situations where management plans have been approved only after years of struggle with internal government bureaucracy. This situation hampers the management of the Natura 2000 sites.

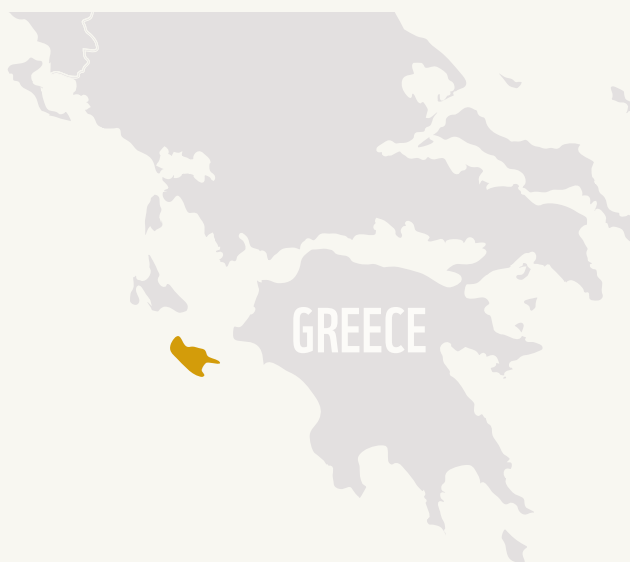
WHAT NEEDS TO HAPPEN?

The Romanian government should:

- Change the procedures and national legislation regarding permits for development projects inside Natura 2000 sites to avoid direct pressure and intimidation of the site's managers by the project beneficiaries.
- Improve the national procedures regarding environmental impact assessments and appropriate assessments.
- Provide technical and financial support to administrators to properly cover site management needs.
- Foster constructive dialogue between the central environmental authority and Natura 2000 site administrators to ensure successful management and protection.

LOGGERHEAD TURTLES: MEDITERRANEAN COMEBACK MASKS GREEK FAILINGS

While the conservation status of the loggerhead sea turtle overall in the Mediterranean is improving, this is not the case in Greece – where their most important nesting beaches are found. Thanks to the Habitats Directive, today all important sea turtle nesting sites in Greece have been designated as Natura 2000 sites. However, the designation is not complete: neither conservation objectives nor management measures have been identified. Greece should urgently step up the implementation of the Habitats Directive in order to ensure the effective protection of the loggerhead turtle.



© CHARIKLEIA MINOTOU / WWF-GREECE



Loggerhead turtle in Greece.

In 2015, the loggerhead sea turtle (*Caretta caretta*) was reassessed as Vulnerable on the IUCN Red List of Threatened Species³³ after being listed as Endangered for almost 20 years, while the Mediterranean sub-population is assessed as Least Concern. The overall increase of nest counts over the last 20-30 years has played an important role in this upgrade. However, the up-listing comes with an important caveat: the species is “considered as entirely conservation-dependent”, meaning its survival depends on continued conservation interventions.

60%
GREECE HOSTS ABOUT
60 PER CENT OF
LOGGERHEAD SEA
TURTLE NESTS

While overall trends are positive, the change in Greece, which hosts about 60 per cent of loggerhead sea turtle nests, has been minimal and probably negative over the past 30 years. Kyparissiakos Bay, the second most important nesting ground in the Mediterranean, is the sole exception. The turtle’s conservation status in Greece continues to be assessed as unfavourable-bad.

The loggerhead sea turtle was listed as a national protected species in the early 1980s, but its nesting habitats were included under a protection scheme only after the Habitats Directive was transposed into national law in the late 1990s. Today, all “major” nesting sites have been designated, fully or partially, as Natura 2000 sites, including the two most important: Laganas Bay on Zakynthos island and Kyparissiakos Bay in the Peloponnese, where 60 per cent of the nests are located.

While all the nesting beaches were legally designated as Special Areas of Conservation in 2011, the needed conservation objectives and management measures are still lacking, long past the legal deadline. As a result, the European Commission has initiated an infringement case against Greece³⁴.

Loggerhead sea turtle protection on Zakynthos island

Thanks to pressure and support from NGOs and an infringement case against Greece by the European Commission, and ultimately a European Court ruling, the National Marine Park of Zakynthos was created. This should realign tourism and development priorities in the area toward more sustainable and integrated solutions, sparing the important turtle nesting sites of Laganas Bay from uncontrolled development. However, while this has been a significant landmark for Greek and European nature conservation, the implementation of conservation and management measures remains weak. The European Commission should closely monitor the situation on Zakynthos and enforce the proper implementation of the Habitats Directive.

1994

WWF ORGANIZED A CAMPAIGN TO ACQUIRE LAND SURROUNDING SEKANIA BEACH, THE MOST IMPORTANT NESTING SITE IN THE MEDITERRANEAN

Zakynthos island in the Ionian Sea is one of the most famous destinations for mass tourism in Europe. At the same time it hosts the most important nesting grounds for loggerhead turtles in the Mediterranean Sea. Uncontrolled tourist development along the coast of Laganas Bay dramatically reduced the beaches available for loggerhead nesting in the 1980s and 1990s. Indeed, national legal protection for turtles at the time was not sufficient to stop the violent intrusion of umbrellas, beach furniture, bars, restaurants, boat anchor points, strong lights and noise.

The Habitats Directive, obliging strong legal protection to the loggerhead turtle and its habitat, led to national and European conservation milestones:

- In 1994, to conserve and protect the species, WWF organized a European campaign: WWF raised funds from private donations and EU support to acquire the 32.6 hectares of land surrounding Sekania beach, the most important nesting site in the Mediterranean, hosting 500-1,000 nests annually.
- While the core area of Sekania was secured, pressures remained. On the initiative of environmental NGOs (MEDASSET, ARCHELON and WWF-Greece), the European Commission opened an infringement case against Greece, and in 2002 the European Court of Justice (ECJ) ruled against Greece for not having established and implemented an effective system of strict protection for the loggerhead turtle on Zakynthos³⁵.
- With mounting pressure and an inevitable conviction at the ECJ, Greece established the National Marine Park of Zakynthos – the first national park with a functional management body to be established in Greece.

2002

THE EUROPEAN COURT OF JUSTICE RULED AGAINST GREECE FOR NOT HAVING AN EFFECTIVE SYSTEM OF STRICT PROTECTION FOR THE LOGGERHEAD TURTLE

The Presidential Decree of the National Marine Park of Zakynthos aimed to balance conservation requirements and tourism priorities through the designation of protection zones and management measures. However, implementation remains a challenge. Two years after the ECJ ruling, the European Commission reopened the Zakynthos file for failure to comply fully with the ECJ decision. While the case was archived in 2007, the Commission remains attentive to the Zakynthos situation, since progress is anything but certain.



© C. MINOITOU / WWF-GREECE

Loggerhead sea turtle nesting beaches in Greece have been protected via the Habitats Directive.

WHAT NEEDS TO HAPPEN?

In order to fully implement the Habitats Directive, Greece should immediately:

- Adopt and implement a long-term management plan for the entire National Marine Park of Zakynthos area, with clear conservation objectives and management measures.
- Cease the illegal operation of shops and beach enterprises on Daphni beach and implement existing legislation for illegal buildings in the coastal protected areas.
- Comply with a separate 2014 ECJ decision and cease illegal operation of a malfunctioning landfill that threatens Kalamaki and Sekania nesting beaches and restore the affected location.
- Ensure steady and continuous operation of the National Marine Park of Zakynthos, with secured funding and personnel, and implementation of management activities.
- Secure uninterrupted and continuous annual monitoring and surveillance.
- Provide warden presence, especially during the nesting season, in both coastal and marine areas of the National Marine Park of Zakynthos.

In order to support the protection of Zakynthos, the European Commission should:

- Closely monitor the situation on Zakynthos.
- Enforce the proper implementation of the Habitats Directive by reviewing the effectiveness of management and wardening measures on Zakynthos.

LEGAL LOOPHOLES PUT BULGARIA'S RIVERS AT RISK

Bulgaria has introduced a ban on the development of small hydropower plants in Natura 2000 sites. However, too many loopholes exist and the legislation is not properly implemented, putting precious river-related species and habitats at risk. The European Commission should act swiftly and start an infringement procedure to make sure the Nature Directives are well implemented. The Bulgarian government needs to enforce the ban on hydropower in Natura 2000 sites and close any loopholes.



© VADIM PETRAKOV



Yantra River is one the most unspoilt rivers in northern Bulgaria.



**THE RIVER YANTRA HAS
19 HABITAT TYPES
17 FISH SPECIES
12 MAMMALS
8 AMPHIBIANS & REPTILES
9 INVERTEBRATES**

The River Yantra, a tributary of the Danube, is one of the most unspoilt rivers in northern Bulgaria. The Reka Yantra (River Yantra) Natura 2000 site is a very important site for the conservation of typical river ecosystems, including floodplain forests, old riverbeds (eutrophic lakes), saline meadows, riparian forests and many aquatic plants. Altogether it hosts 19 habitat types, which are home to 17 fish species, 12 species of mammals including the European otter, 8 species of amphibians and reptiles, and 9 species of invertebrates, protected under the Habitats Directive.

A study by WWF in 2006 showed that an existing barrage on the Yantra River is acting as a migration barrier, splitting the river into two sections with different sets of fish species³⁶. Later studies (2015) identified another barrage with similar effects. Any additional construction of small hydropower plants would add to these impacts.

A proposal for a new small hydropower plant in the Reka Yantra site was rejected in 2010, thanks to the ban on the construction of small hydropower plants in Natura 2000 sites and the protests of WWF-Bulgaria, local anglers and local inhabitants. This happened two years after the European Commission approved Reka Yantra as a Natura 2000 site, and was one of the first examples in Bulgaria of Natura 2000 status playing an active role in the protection of a site that did not already have the status of a national protected area. A second attempt to construct a small hydropower plant on the same location was again rejected in 2013.

However, in February 2016, the Ministry of Environment and Water published the draft designation order for Reka Yantra. In line with the restrictions of the river basin management plans and the Water Act, a ban on construction of small hydropower plants was included. However, an exception was made for projects

for which some screening or agreement procedure has already started, which can become a loophole. WWF-Bulgaria is asking the ministry to delete this exception, and to enable projects to go ahead only in cases where construction permits have already been agreed by the environmental authorities, following proper environmental screening procedures.



**THE RIVER BASIN
MANAGEMENT PLAN
FOR THE DANUBE BANS
THE CONSTRUCTION OF
HYDROPOWER PLANTS IN
NATURA 2000 SITES**

Small hydropower plants in Bulgaria

Hydropower development has had well-documented negative impacts on Bulgarian rivers³⁷ – including reduced water flows, migration barriers, disruption of sediment balance and destruction of riparian habitats. With around 250 operational small hydropower plants, they directly affect many of the rivers in Natura 2000 sites, and the cumulative effects on connectivity are significant. **The number of plants will double if projects in planning are implemented.** These cumulative and case-specific negative effects have been recognized by the strategic environmental assessments of both the national action plan for renewable energy and the river basin management plans. **The assessments concluded that the construction of small hydropower plants should not be allowed in Natura 2000 sites.**

As a result, the river basin management plan for the Danube in 2010 included a ban on the construction of hydropower plants in Natura 2000 sites, protecting river-related species and habitats. This ban was also introduced in the Water Act in 2010. In view of the enormous pressure on Natura 2000 sites from hydropower dams, this ban was a very positive development.

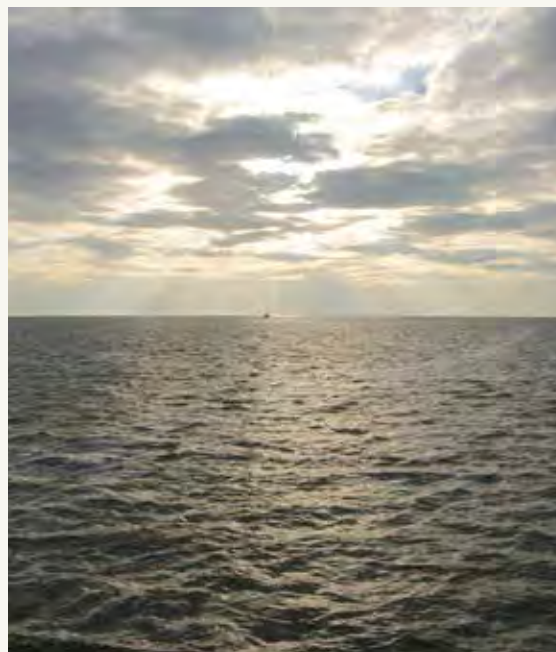
However, **national authorities systematically violate the provisions of river basin management plans and their strategic environmental assessments concerning planning, approval, construction and operation of small hydropower plants.** This implies simultaneously the systemic violation of EU law (in particular the Habitats Directive, the Strategic Environmental Assessment (SEA) Directive and the Water Framework Directive) and of national strategic documents, adopted in line with these Directives. In view of these violations WWF-Bulgaria together with other stakeholders submitted a complaint³⁸ to the European Commission in 2015 on small hydropower projects affecting rivers in Natura 2000 sites. The European Commission has not yet responded to the complaint.

WHAT NEEDS TO HAPPEN?

- The European Commission should start an infringement procedure and investigate violations of EU law in relation to the planning, approval, construction and operation of small hydropower plants in Natura 2000 sites in Bulgaria.
- Bulgaria should uphold the ban on the construction of hydropower plants in Natura 2000 sites, as outlined in the Water Act 2010 and the Danube river basin management plan, and make sure the ban is integrated in the updated river basin management plans.

SHALLOW PROMISES ON THE DOGGER BANK

The Dogger Bank is a large underwater sandbank in the central North Sea that is home to unique marine species including corals, shellfish, spawning fish, foraging seabirds and cetaceans. After years of talks, the governments of the UK, the Netherlands and Germany have proposed to effectively protect only 5 per cent of the Dogger Bank, leaving 95 per cent of this marine Natura 2000 site open to destructive human impacts. WWF calls on the Member States concerned and the European Commission to drastically increase the level of protection to adequately protect marine life on the Dogger Bank.

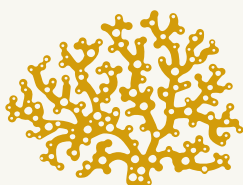


© KSI



Soft coral on the seabed of the Dogger Bank, central North Sea.

The Dogger Bank is often referred to as the ecological heart of the North Sea. This submerged sandbank lies in the central North Sea, covering an area of approximately 25,000 km² and spreading across the offshore waters of the UK, the Netherlands and Germany. It is a highly productive sandbank that supports a diversity of marine wildlife, from soft coral “dead man’s fingers” to the threatened thornback ray. It serves as a spawning ground for whiting, plaice, cod and sandeel, and is a hotspot and major feeding ground for seabirds, seals and small cetaceans such as harbour porpoises and minke whales.



THE DOGGER BANK SUPPORTS A DIVERSITY OF MARINE WILDLIFE, FROM SOFT CORAL “DEAD MAN’S FINGERS” TO THE THREATENED THORNBAC RAY

The governments of the UK, the Netherlands and Germany, recognizing the importance of the Dogger Bank, have each established Natura 2000 sites under the EU Habitats Directive in their respective waters, creating a complex of adjoining marine protected areas (MPAs) unique in the North Sea. **The governments are in agreement that the Dogger Bank and its biodiversity are in unfavourable condition after centuries of degradation and in need of restoration.** The conservation objective, therefore, is to restore this habitat. In addition, the German government has proposed to maintain and restore harbour porpoise and common seal and their natural habitats to favourable conservation status. The Dutch government has also designated the Dogger Bank as a Natura 2000 site due to the presence of priority species: harbour porpoise, common seal and grey seal.

One of the major causes of degradation has been fishing with destructive bottom-towed fishing gear, which has resulted in a shift in balance within biotic

communities to favour short-lived species at the expense of vulnerable, long-lived ones like the ocean quahog. The ocean quahog is a clam that can reach an age of more than 500 years, making it the longest-lived animal known to man. To restore the balance of biodiversity on the Dogger Bank, it is vital that human impacts from detrimental fishing practices are removed.



**FISHING WITH
DESTRUCTIVE
BOTTOM-TOWED
GEAR IS ONE OF THE
MAJOR CAUSES OF
DEGRADATION**

Since negotiations between Member States and stakeholders on reducing the fishing footprint on the Dogger Bank began in 2011, the level of ambition for protecting this area has decreased dramatically. Initially, half the area was to be closed to beam and otter trawling, and all other mobile fishing gears that come in contact with the seabed, like flyshooting and other seine nets, to protect the sandbank from further disturbance and to allow recovery of the habitat and its benthic life. These “management zones” were subsequently reduced to one-third of the Natura 2000 sites as a compromise within the stakeholder process.

In addition, the UK government has already approved the development of a large-scale windfarm within its management zones. The Dutch government may also be considering large-scale wind energy construction.

At the very last moment, after years of negotiating, the UK and Dutch governments proposed to keep their management zones open to flyshooting and other kinds of seine fishing – techniques that cause bycatch of sharks, cold water coral and other benthic species and possibly cause other damage to the seabed. Scientific research has not yet excluded damaging effects on the Dogger Bank habitat.

Only the management zone of the German Natura 2000 site on the Dogger Bank seems to remain closed to all mobile bottom-contacting gears including flyshoots and other seine nets. This means that only 5 per cent of the total area of Natura 2000 sites on the Dogger Bank will be fully protected from damaging fishing gear to allow the seabed and its marine life to recover.

Current plans for Dogger Bank protection are the result of a political compromise, and are not underpinned by adequate science nor scientifically reviewed against what is needed to meet conservation targets. Sufficient evidence is available to support the need for larger-scale closures on the Dogger Bank to allow marine life to recover. **Opening management zones in a Natura 2000 site to bottom-contacting fishing gear like seines should not be permitted** – not least because the Habitats Directive calls for a precautionary approach when science cannot exclude possible negative effects of fisheries activities on the conservation objectives.

Another serious shortcoming is that not all relevant sectors with a stake in the area were adequately represented in the development of protective measures. This means that **no integrated cross-boundary management plan has been drawn up to ensure that cumulative impacts from wind energy, fishing and other human activities have been adequately dealt with.** Instead, we have ended up with different management regimes for fishing practices and wind energy development for different Member States’ sections of the Dogger Bank.

5%

**ONLY 5 PER CENT OF THE
TOTAL AREA OF NATURA
2000 SITES ON THE
DOGGER BANK WILL BE
FULLY PROTECTED**

The Dogger Bank is a site of major importance within the wider North Sea network of MPAs. The idea of an ecologically coherent network of MPAs – a goal that all North Sea countries have committed to in order to safeguard biodiversity and increase resilience – is that the restorative impact of a network is greater than the sum of its individual MPAs. **But it is unrealistic to expect that protecting only 5 per cent of the Dogger Bank will contribute to the overall recovery of the North Sea’s biodiversity and ecosystem resilience.**

Without drastically increased protection, the Dogger Bank will become a “paper park”. Protecting only 5 per cent of a highly degraded habitat is very unlikely to lead to significant or even detectable improvements, so the currently proposed joint fisheries management plan is likely to fail to fulfil the obligations of the Habitats Directive. The joint fact-finding and stakeholder process has taken over six years. It would be a shame if this long-lasting process to restore the poor conservation status of the Dogger Bank ends in a failure.

WHAT NEEDS TO HAPPEN?

The UK, the Netherlands and Germany should:

- Greatly increase the level of protection on their parts of the Dogger Bank according to scientific recommendations.
- Apply the precautionary principle to potentially destructive fishing practices such as flyshooting and other seine fishing within Natura 2000 sites, as specified in the Habitats Directive.
- Develop integrated cross-boundary policies to manage the cumulative impacts of wind energy, fishing and other human activities.

The European Commission should:

- Take prompt enforcement action against the Member States concerned if they do not fully and effectively implement the Habitats Directive on the Dogger Bank.



© UDO VAN DONGEN / WWF-NETHERLANDS

Soft coral on the seabed of the Dogger Bank, central North Sea.



Natura 2000 sites like the Pirin Mountains in Bulgaria can benefit the local economy via sustainable tourism.

SUCCESS STORIES

Properly implemented, the EU Nature Directives have brought significant benefits. Not only has better protection allowed threatened species and other wildlife to recover, but it has also been beneficial for local people and the local economy – from promoting tourism to increasing fish stocks. Key ingredients for successful implementation, as identified in the following case studies, include involving stakeholders in the planning and management of Natura 2000 sites, sufficient financing and large-scale implementation of management measures, and ensuring that the protected area benefits local people.

SUCCESS STORIES



COMPROMISE OVERCOMES CONFLICT ON LAKE MÄLAREN

Farmers receive financial compensation via rural development funds for managing wet meadows through traditional mowing and grazing.



WATERBIRDS THRIVING IN THE SCHAALSEE

The Schaalsee landscape association has received substantial funding to deliver a comprehensive management plan for the four Natura 2000 sites in the area.

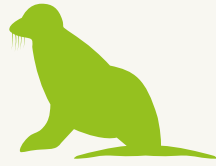
4



CONSERVATION, COOPERATION AND LOCAL PRIDE IN THE ALPS

The conservation area is a key part of local and regional development strategies, and has helped attract tourists and build local identity.

1



3

STRICTER PROTECTION BOOSTS SAIMAA RINGED SEAL'S COMEBACK

Pressure from the European Commission has led the Finnish government to set out stricter rules to protect the endemic Saimaa ringed seals.

2

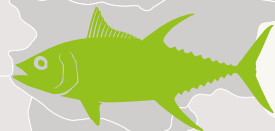


6

AQUATIC WARBLER'S RECOVERY AIDS FARMERS AND FENS

Rural development payments have helped to more than triple the area of land managed in a way that supports aquatic warblers, Europe's rarest migratory songbird.

5



CO-MANAGEMENT IN THE ADRIATIC BENEFITS FISH AND FISHERS

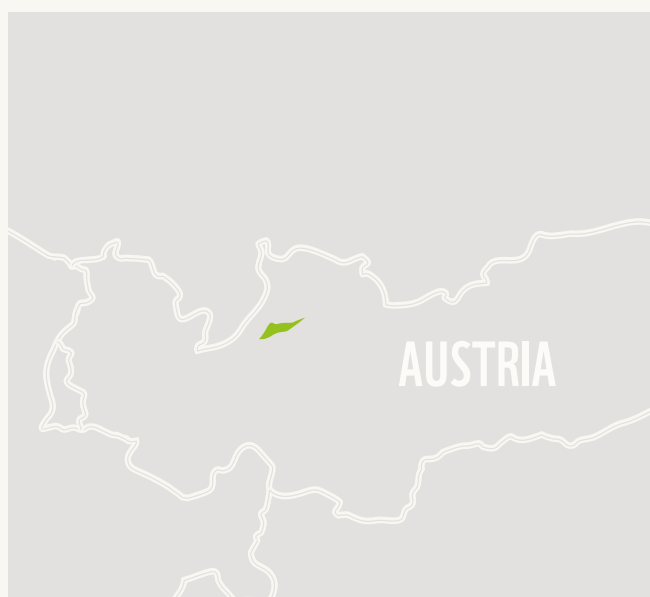
Management authorities, NGOs, fishermen and scientists have come together to find long-term solutions for marine biodiversity while providing benefits for local economies.

CONSERVATION AND COOPERATION: LOCAL PRIDE IN THE ALPS

Tiroler Lechtal provides a positive example of how the initial concerns of local stakeholders were turned into support for the Natura 2000 site. This was mainly because the regional management recognized the conservation area as a key factor in sustainable regional development and supported its aims by integrating it in the local development strategy.

The Natura 2000 site Tiroler Lechtal is located in northwest Tyrol, Austria, at the Bavarian border. It covers an area of 4,138 hectares in the limestone Alps, consisting of a nearly natural inner alpine riverine landscape with adjacent wetlands, gallery forests and mixed forests. The valley is characterized by the largely undisturbed dynamics of the river Lech, creating extremely rare habitat types with endangered species such as the German tamarisk (*Myricaria germanica*)³⁹. The riverine landscape is closely interconnected with extensive agriculture and forestry, which enhances biodiversity and is also highly attractive for tourism.

In the beginning the plans for the Natura 2000 site raised severe concerns in the region, especially with regard to land use. It was the first conservation area in Tyrol to cover not only remote mountain sites but also potential settlement areas and farmland in the valley, and local citizens saw it as highly problematic. Today, the attitude has changed: local municipalities, farmers, forest managers and representatives of the tourism, fishing, hunting and private sectors cooperate and recognize the value of the conservation area.



© VORAUER / WWF-AUSTRIA



© CHRISTIAN PICHLER / WWF-AUSTRIA

The Tiroler Lechtal's alpine landscape is home to rare habitats and endangered species.

There are several reasons for this positive change:

- Regional management recognized the conservation area early as a key factor in sustainable regional development and supported its aims by integrating it in the regional development strategy.
- The Natura 2000 site and related regional development projects have been successful in obtaining funding from various programmes (LIFE, Interreg, LEADER, etc.).
- Well-coordinated outward communication has been essential, especially supported by the association Naturpark Tiroler Lech. Founded in 2006, the association serves as a large communication platform. Members include all municipalities within the Natura 2000 site, tourist and regional development associations, WWF, the agricultural administration of Reutte and the state government of Tyrol. The association links many important stakeholders/interest groups and ensures the objectives of the conservation area are communicated in a consistent and clear way to the public and other groups of interest. A website, an information centre and a marketing brand all help attract tourists and educate and inform the public.
- The Lechweg project, initiated in 2009, played a major role in the process – an easy-to-walk long-distance hiking trail along the river, from its source to the Lech falls. The trail soon became popular among tourists who appreciate the beauty and value of the conservation site, contributing to the development of the region. Around 27,000 people visited the conservation area in 2015 (including exhibition entries, guided tours and education), twice as many as in 2014⁴⁰.
- The appreciation of the Natura 2000 site by tourists has increased local people's pride in the beauty of the river and its banks, and helped to develop a common identity. This has enhanced people's identification with the conservation area, which is crucial to nature protection.
- Farmers are rewarded financially for their role in maintaining the landscape through mowing and grazing of alpine pastures via the Austrian agro-environmental programme. This succeeded in turning around their initial fear into support for the conservation area.

**THE APPRECIATION
OF THE NATURA 2000
SITE BY TOURISTS
HAS INCREASED LOCAL
PEOPLE'S PRIDE IN
THE BEAUTY OF THE
RIVER AND HELPED TO
DEVELOP A COMMON
IDENTITY**

LAKE MÄLAREN: COMPROMISE OVERCOMES CONFLICT

This largely positive case illustrates the benefits of public participatory processes in the designation and management of Natura 2000 sites. However, recent plans to change the water regime are threatening this unique habitat.

The Askö-Tidö Nature Reserve is a shallow bay of Lake Mälaren with unique broad-leaved forests on its southern shore. Natural and partly flooded meadows around the bay are grazed and mowed in traditional ways to promote suitable habitats for waterfowl. Thick, partly dry reed beds provide habitat for bittern, marsh harriers, bearded tits and other birds. Several species of ducks are seen in the shallow water together with black tern, black-headed gulls and others. The broad-leaved forests belonging to Tidö castle are well known for rare types of beetles and other insects. It is a Natura 2000 area under both Birds and Habitats Directives, as well as a Ramsar wetland of international importance and a nature reserve protected under the Swedish environmental code.

Local landowners were originally not in favour of designating the site, but a public participatory process resulted in a compromise. This left 18 hectares of wet meadows outside the Natura 2000 area. The remaining 120 hectares of wet meadows in the Natura 2000 site are managed in a traditional way (mowing and grazing by cows), and farmers receive financial compensation via rural development funds. **Although a small proportion of wet meadows was lost, the compromise reached during the designation process made the creation of the Natura 2000 site possible and acceptable for the local landowners.**



© TORBJÖRN HEGEDÜS / WWF-SWEDEN



© NICLAS BERGIUS / WWF-SWEDEN

100,000 schoolchildren and students have visited the nature school at the Askö-Tidö Nature Reserve.

A public participatory process also informed the development of the site's management plan, and management is done in a participatory way. The county administrative board, the managing authority for the site, organizes two-three meetings a year for environmental NGOs, landowners and the city of Västerås to discuss management measures, monitoring results and other issues.

2.5 MILLION

LAKE MÄLAREN, THE THIRD BIGGEST LAKE IN SWEDEN, IS A DRINKING WATER RESERVOIR FOR 2.5 MILLION PEOPLE

The Natura 2000 site has also been successful in creating awareness of the value of nature and the need to protect species and habitats. A "nature school" was established 20 years ago and almost 100,000 schoolchildren and students have visited the site.

NEW WATER REGIME THREATENING THE AREA'S UNIQUE VALUES

Lake Mälaren, the third biggest lake in Sweden, supports commercial shipping and is used as a drinking water reservoir for 2.5 million people. A new water regime is being introduced to avoid the risk of floods and to maintain a stable water level in the lake throughout the year. This will result in the loss of some wet meadows, though this is supposed to be compensated by establishing new meadows on existing farmlands. However, the proposed measures are not sufficient: the new water regime will in the long run increase overgrowing and negatively affect the waders and other species that depend on the wet meadows. Although the assessment conducted by the Swedish authorities states that the only site that will be affected and for which compensation measures should be defined is Askö-Tidö, **11 more Natura 2000 sites that depend on the lake are also likely to be negatively impacted. WWF wants to see a fund established for the management of the affected sites.**

STRICTER PROTECTION BOOSTS SAIMAA RINGED SEAL'S COMEBACK

The Saimaa ringed seal, one of the rarest seals in the world, is slowly recovering. The Habitats Directive and the pressure applied by the European Commission contributed to its recovery.

The Saimaa ringed seal (*Pusa hispida saimensis*) can only be found in Lake Saimaa in Finland. In the early 20th century, there might have been as many as 1,000 Saimaa ringed seals. But fishermen saw them as a pest, and a reward was paid to those who killed them. Due to hunting, the number of seals declined to around 120 at the beginning of the 1980s, and has only now slowly increased to approximately 360 animals. Saimaa ringed seals are threatened especially by drowning in fishing nets, climate change, small population size and disturbance by the increasing human population on the lake shores.

Although conservation actions for the Saimaa ringed seal started before Finland joined the EU, the recovery of the Saimaa ringed seal population has been accelerated by the pressure that the European Commission put on the Finnish government⁴¹. **The Saimaa ringed seal is listed as a priority for conservation action under the Habitats Directive, requiring the designation of special areas of conservation and strict protection.**



© ALEKSEY STEINER



The Saimaa ringed seal, one of the rarest seals in the world, can only be found in Lake Saimaa in Finland.

Previously, although both mandatory and voluntary fishing restrictions were in place, potentially harmful fishing methods were still authorized widely in the core breeding areas and the restrictions were not in force across the whole Natura 2000 area. In May 2010, the Commission started a formal infringement procedure against Finland because of the lack of adequate protection of the seal.

As a result, in spring 2011, the **Finnish government set out stricter rules, and a decree changed the springtime ban on net fishing in the most important seal breeding area from voluntary to absolute.** In spring 2016, the decree was renewed and the net fishing ban area has now been expanded to about 60 per cent of the lake, covering the seals' main breeding areas. This is an important step forward, although WWF has been pushing for a ban covering larger areas and lasting until the end of July, when most cubs would be only around five months old (the current ban is from the middle of April until the end of June).

60%
**THE NET FISHING
 BAN COVERS ABOUT
 60 PER CENT OF THE
 LAKE, COVERING
 THE SEALS' MAIN
 BREEDING AREAS**

The net fishing ban is a combination of voluntary and mandatory measures, as a big part of the lake is in private hands and most of those private owners are grouped in "associations". The state is offering the associations an agreement, where they receive financial compensation for restricting fishing with nets on a voluntary basis. For the owners and areas that are not covered by such an agreement, the net fishing ban is mandatory.

WATERBIRDS THRIVING IN THE SCHAALSEE

The Schaalsee landscape is an example of good implementation of the Birds and Habitats Directives in Germany. One of the main reasons for this success was the availability of sufficient funding to develop the management plan and make the continuous and large-scale implementation of management measures possible.

The Schaalsee landscape, on the border between Schleswig-Holstein and Mecklenburg-Vorpommern in northern Germany, includes two bird sanctuaries with a total area of more than 25,000 hectares and two habitat sites with an area of 4,500 hectares⁴².

The Schaalsee itself is a large lake with an area of 2,300 hectares. At 72m deep, it is the deepest lake in the north German plain and is the heart of the picturesque lakes, marshes and woodland that form the Schaalsee landscape. During the moulting period many waterbird species occur on the lake, for example up to 14,000 tufted ducks and 3,000 great crested grebes.



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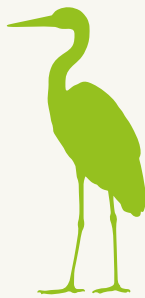
© THOMAS NEUMANN / WWF-GERMANY

The Schaalsee region of Germany is home to bird sanctuaries with a total area of more than 25,000 hectares.

During the resting and wintering time the area holds up to 40,000 birds.

Particularly noteworthy are the resting populations of greylag geese and great crested grebes, both with significant proportions of their total European population occurring on the lake. The resting populations of white-fronted goose, bean goose, tufted duck, shoveler and common crane are of international importance. The diversity of the banks is characterized by extensive swamp areas with reed beds, bogs and bog forests, alder forests, and banks with beech forest. The old trees offer birds of prey, woodpeckers and bats hidden nesting habitats. The wetlands are of particular value for common crane, otter, fire-bellied toad and newts.

WWF-Germany is active in the Schaalsee region, where it has run crane protection projects since 1969. In 1991, WWF and the three neighbouring districts in the region formed the association “Schaalsee landscape”⁴³. This was the start of a large-scale nature conservation project, jointly financed and implemented by the federal government, the two state governments, the Schaalsee landscape association and WWF-Germany.



**GROWING POPULATIONS
OF CRANES, EAGLES
AND OTTERS SHOW
THE SUCCESS OF
MANAGEMENT MEASURES**

Thanks to the protection of the different Natura 2000 sites under the EU Nature Directives, the ban on waterfowl hunting, and the establishment of restricted zones for boats on the lake, the area was effectively conserved as a refuge for sensitive waterfowl species. In particular, the purchase of 4,650 hectares of private land by the association, which forms the core zone of the Natura 2000 sites, enabled extensive management measures to optimize the protected habitats. These included restoring small bogs and ponds, raising the surface water level and establishing wildlife corridors. **The management measures for the protection of the Natura 2000 sites already show an impact, as can be seen in the growing populations of the common crane, European sea eagle and otter.**

The main reasons for this success are the following:

- The establishment of a separate legal body – the Schaalsee landscape association – responsible for the purchase of land, the management of the Natura 2000 sites, stakeholder participation processes and public relations.
- Adequate funding to develop the management plan and to implement targeted management measures, land purchase and compensation agreements with farmers to support low-intensity management, including grazing and mowing. The funding was provided through a 15-year project by the Federal Environment Ministry, the two states and the Schaalsee landscape association because the landscape was classified as being of national importance.
- Development of a comprehensive management plan with targets and concrete measures, providing a solid basis to achieve the conservation goals for the Schaalsee landscape.

CO-MANAGEMENT IN THE ADRIATIC BENEFITS FISH AND FISHERS

Torre Guaceto, a marine protected area (MPA) that is included in the Natura 2000 network, shows how the implementation of national and European legislation can achieve good conservation results, and that small-scale fisheries can be sustainable while supporting livelihoods. An important factor for success is the co-management approach, where local fishermen are involved in setting the rules that govern the use of the resources.

Torre Guaceto is located in south-eastern Italy, in the Adriatic Sea. The marine area includes a characteristic Mediterranean seascape, starting with coastal dunes and gently declining through a rocky plateau to coarse sandy seabeds. The area comprises a set of very different habitats, from reefs to seagrass meadows, characterized by complex spatial patterns. This complexity hosts a rich biodiversity, including healthy meadows of Mediterranean seagrass (*Posidonia oceanica*) and the loggerhead sea turtle (*Caretta caretta*).



© CLAUDIA AMICO / WWF-ITALY



Strong management in Torre Guaceto in the Adriatic Sea means habitats and species are thriving.



+400%
**LOCAL FISHERS CAN EARN
FOUR-FIVE TIMES MORE
FISHING IN THE RESERVE
THAN OUTSIDE**

The Torre Guaceto MPA was established in the early 1990s, and included in the Natura 2000 network in 2000. The MPA, which consists of two fully protected areas and a buffer zone, is managed by a consortium of two municipalities and WWF-Italy.

Since the MPA's establishment, an integrated management plan has addressed the cumulative impacts affecting the site. Specific measures addressed threats to the seagrass meadows. **Trawling was excluded from the whole MPA, while anchoring, artisanal fishing and maritime traffic were excluded from the two fully protected areas and strictly regulated in the buffer zone.**

The drastic reduction of impact and the regulation of human activities resulted in the maintenance of more dense and healthy seagrass meadows compared to the surrounding area. Similar results were shown by other habitats and species with an overall improvement of the environmental status of the area, including commercial fish populations.

As fish stocks recovered, WWF supported the collaboration between local artisanal fishers and scientists from the University of Salento to develop a set of rules to allow limited fishing within a portion of the MPA buffer zone. Catch rates of commercially important species like sea bream, red mullet and octopus are now two-four times higher within this area than outside the MPA. Local fishers say they can earn four-five times more on a good day within the reserve compared to outside.

In 2016, a rescue and rehabilitation centre was inaugurated for loggerhead turtles found in and around the MPA.

Torre Guaceto is a small-scale example of how conservation results can be achieved by the proper implementation of both national and European legislation. **More importantly, this is the result of a co-management approach, where management authorities, NGOs, fishermen and scientists come together to find long-term solutions for marine biodiversity while providing benefits for local economies.**

AQUATIC WARBLERS: RECOVERY AIDS FARMERS AND FENS

Thanks to the large-scale restoration of degraded habitats, the aquatic warbler, Europe’s rarest migratory songbird, is recovering in Poland. The implementation of management measures on a landscape scale and the establishment of a finance mechanism for these management measures are the main factors contributing to this success.

THE AQUATIC WARBLER IS EUROPE’S RAREST MIGRATORY SONGBIRD, A SPECIES GLOBALLY THREATENED AND LISTED IN ANNEX 1 OF THE EU BIRDS DIRECTIVE

The aquatic warbler (*Acrocephalus paludicola*) is Europe’s rarest migratory songbird, a species globally threatened and listed in Annex 1 of the EU Birds Directive. It is an “umbrella species” for fen mire and other peat meadow species and habitats – in other words, protecting the aquatic warbler helps to protect these species and habitats. Poland holds about a quarter of the total global population, which is estimated at 10,500-13,500 singing males⁴⁴.



© ZYMYNTAS MORKVIENAS



**BIOMASS CLEARED TO
MAINTAIN THE WARBLER'S
HABITAT IS NOW A
SOURCE OF RENEWABLE
ENERGY**

Once numerous and widespread, the aquatic warbler has lost its habitats due to the degradation of fen mires and wet peat meadows.

The main threats to its habitats are the decreasing water level (drainage) and overgrowing by bushes and trees due to the abandonment of extensive land uses (hand mowing and extensive grazing). Hand scything was abandoned in the 1980s and 90s as not economically feasible, while most wetland areas have limited access for mowing machines. In contrast, in some areas the problem is a too intensive use of land, with early mowing destroying birds' nests.

To stop the decline of the aquatic warbler population, there was an urgent need to restore its habitat by removing the overgrowing bushes and reeds without damaging the wet meadows, and to find economic uses for the collected biomass. Two projects co-funded by the European Commission and implemented by the Polish Society for the Protection of Birds and its partners (Natura 2000 management bodies, farmers, other NGOs and business) were set up to tackle these issues. These projects have been the catalyst for the restoration and sustainable management of peat meadows on a landscape scale in east Poland, a region that holds around 79 per cent of the Polish and 77 per cent of the EU population of the aquatic warbler.

The “Biomass use for aquatic warblers” project, from 2010-2015, resulted in the conservation and restoration of over 1,000 hectares of habitat through bush removal and mowing. As an alternative to hand scything, a technical solution for mowing fen mires and other wet meadows was developed with “ratrak” machines – piste bashers, vehicles used on ski slopes, adapted for mowing. The project also addressed the problem of what to do with the biomass (sedges, reeds, grasses) mown late in the season that is of too low quality to be used in agriculture. The project successfully tested the use of collected biomass in existing pelleting installations and for combustion in a cement plant, and one new pelleting facility was set up. As a result, the wetland biomass is now a source of renewable energy in the region.

X4

**THE AREA OF LAND
MANAGED IN A WAY
THAT SUPPORTS
AQUATIC WARBLERS
HAS MORE THAN
QUADRUPLED**

Another crucial aspect that contributed to the conservation of the aquatic warbler was the set-up of financial solutions to support the management of the species' habitats. In the framework of Agri-Environmental Schemes (part of the Rural Development Programme in Poland), **payments for maintaining aquatic warbler habitats were set for the period 2007-2013 and 2014-2020, benefiting both birds and farmers.** As a result, the area of land managed in a way that supports aquatic warblers has more than quadrupled, from 1,551 hectares in 2010 to 6,344 hectares in 2015. This shows the importance of proper financing of Natura 2000 management measures and integration of nature protection in agriculture.

Monitoring results show that in the project areas the aquatic warbler population has increased by 26 per cent (2009 – 2014), which means that the EU population has increased by 16 per cent. Not only the aquatic warbler but a whole range of fen mire and other peat meadow species and habitats have benefited from the conservation measures.



The aquatic warbler population in the project area increased by 26 per cent from 2009 to 2014.

GLOSSARY

APPROPRIATE ASSESSMENT

Assessment of plans or projects likely to affect Natura 2000 sites, which is a requirement under the Habitats Directive.

ECOSYSTEM APPROACH

The Convention on Biological Diversity (CBD) defines the ecosystem approach as “a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way”. In the marine environment, the International Council for the Exploration of the Sea (ICES) defines it as “the comprehensive integrated management of human activities based on best available scientific knowledge about the ecosystem and its dynamics, in order to identify and take action on influences which are critical to the health of the marine ecosystems, thereby achieving sustainable use of ecosystem goods and services and maintenance of ecosystem integrity”.

EU PILOT

Informal phase preceding the infringement procedure the European commission launches when Member States fail to implement EU law.

FAVOURABLE CONSERVATION STATUS

Under the Habitats Directive, Member States are required to maintain or restore habitats and species of Community interest at “favourable conservation status”, meaning that habitats have sufficient area and quality, and species have a sufficient population size to ensure their survival into the medium to long term, along with favourable future prospects in the face of pressures and threats.

INFRINGEMENT PROCEDURE

According to EU treaties, the European Commission may take legal action – an infringement procedure – against an EU country that fails to implement EU law. The formal procedure consists of different steps: the letter of formal notice, the reasoned opinion and the reference to the European Court of Justice. See ec.europa.eu/info/infringement-procedure_en

LETTER OF FORMAL NOTICE

First step of the formal infringement procedure the European Commission launches when Member States fail to implement EU law.

OPERATIONAL PROGRAMME “ENVIRONMENT”

Operational Programmes are prepared by Member States and/or regions, and proposed to the European Commission, in order to establish the action plan for national and regional economic and social development. When adopted by the Commission, they are financed under the European Regional Development Fund, the Cohesion Fund or the European Social Fund. There are several thematic objectives; one of them is “environment and resource efficiency”.

REASONED OPINION

Second step of the formal infringement procedure the European Commission launches when Member States fail to implement EU law.

SITES OF COMMUNITY IMPORTANCE (SCIs)

Sites established throughout the European Union under the EU Habitats Directive. They are sites considered to contribute towards the conservation of European species and habitats of particular importance. Once the SCI is approved, the Member State must designate it as a Special Area of Conservation (SAC) as soon as possible and within six years at the most.

SPECIAL AREAS OF CONSERVATION (SACs)

Sites established throughout the European Union under the EU Habitats Directive. Together with the SPAs (designated under the Birds Directive), they form the Natura 2000 network. The aim of SACs is to provide conservation measures to European species and habitats of particular importance.

SPECIAL PROTECTION AREAS (SPAs)

Sites established throughout the European Union under the EU Birds Directive. Together with the SACs (designated under the Habitats Directive), they form the Natura 2000 network. The aim of SPAs is to safeguard the European bird species considered to be of particular importance, as well all regularly occurring migratory bird species.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) DIRECTIVE

Environmental assessment is a procedure that ensures that the environmental implications of decisions are taken into account before the decisions are made. Environmental assessment can be undertaken for individual projects, on the basis of the Environmental Impact Assessment (EIA) Directive, or for public plans or programmes on the basis of the Strategic Environmental Assessment – SEA Directive. The Directive makes the SEA mandatory for all plans and programmes prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town and country planning or land use and which set a framework for future development of projects, and for those which have been determined to require an assessment under the Habitats Directive.

ABBREVIATIONS

CBD	Convention on Biological Diversity
CFP	Common Fisheries Policy
EAFRD	European Agricultural Fund for Rural Development
ECJ	European Court of Justice
EEA	European Environment Agency
EEZ	Exclusive Economic Zone
EMFF	European Maritime and Fisheries Fund
ERDF	European Regional Development Fund
ETC	European Topic Centre
MPA	Marine Protected Area
MSFD	Marine Strategy Framework Directive
SAC	Special Area of Conservation
SCI	Site of Community Importance
SEA	Strategic Environmental Assessment
SPA	Special Protection Area

ENDNOTES

1. www.eea.europa.eu/soer-2015/synthesis/report/3-naturalcapital.
2. europa.eu/rapid/press-release_IP-15-4965_en.htm.
3. ec.europa.eu/environment/nature/legislation/fitness_check/index_en.htm.
4. WWF EU Nature campaign: wwf.eu/natureup.
5. SWD(2016) 472 final. http://ec.europa.eu/environment/nature/legislation/fitness_check/docs/nature_fitness_check.pdf
6. www.wwf.eu/media_centre/publications/?285013/The-Laws-of-Nature
7. Under the Habitats Directive Member States designate sites to ensure the favourable conservation status of each listed habitat type and species throughout their range in the EU. Under the Birds Directive, the network must include sites designated for 194 particularly threatened species and all migratory bird species.
8. EEA. 2015. State of nature in the EU: Results from reporting under the nature directives 2007-2012. Technical report No 2/2015, European Environment Agency, Copenhagen, Denmark.
9. Milieu, IEEP and ICF. 2016. Evaluation Study to support the Fitness Check of the Birds and Habitats Directives. d2ouvy59p0dg6k.cloudfront.net/downloads/study_evaluation_to_support_fitness_check_of_nature_directives__final.pdf.
10. Hoegh-Guldberg, O. et al. 2015. Reviving the Ocean Economy: the case for action. WWF International, Gland, Switzerland. ocean.panda.org.
11. OSPAR Convention (North-East Atlantic), Helsinki Convention (Baltic Sea), Barcelona Convention (Mediterranean), Bucharest Convention (Black Sea).
12. EEA. 2015. Marine protected areas in Europe's seas — An overview and perspectives for the future. European Environment Agency, Copenhagen, Denmark www.eea.europa.eu/publications/marine-protected-areas-in-europes; European Commission. 2016. *Natura 2000 nature and biodiversity newsletter*. July 2016. ec.europa.eu/environment/nature/info/pubs/docs/nat2000news/nat40_en.pdf.
13. Since 1999 Member States and EU institutions have been legally required to expand the scope of Natura 2000 beyond territorial waters (12 nautical miles zone) up to the offshore limit of national jurisdiction, the 200 nautical-miles exclusive economic zone (EEZ).
14. EEA. 2015. State of nature in the EU: Results from reporting under the nature directives 2007-2012.
15. Milieu, IEEP and ICF. 2016. Evaluation Study to support the Fitness Check of the Birds and Habitats Directives.
16. ec.europa.eu/environment/nature/natura2000/marine/docs/Fisheries%20interactions.pdf.
17. EU. 2013. The Economic Benefits of the Natura 2000 Network. ec.europa.eu/environment/nature/natura2000/financing/index_en.htm.
18. Milieu, IEEP and ICF. 2016. Evaluation Study to support the Fitness Check of the Birds and Habitats Directives.
19. This is the first, informal phase of the infringement procedure, designed to resolve compliance problems informally with the Member State concerned. If this is not successful, a formal infringement procedure is launched; with the letter of formal notice, the reasoned opinion and the reference to the European Court of Justice as different steps. ec.europa.eu/info/infringement-procedure_en.
20. According to the EU Commission Notes for the establishment of conservation measures and objectives.
21. www.wwf.eu/?278084/Donana-in-danger.

22. europa.eu/rapid/press-release_MEMO-15-4666_en.htm.
23. europa.eu/rapid/press-release_MEMO-15-4666_en.htm.
24. whc.unesco.org/en/decisions/6282.
25. Besides the infringement related to the dredging, the Spanish government was issued with a second infringement procedure, related to the overexploitation of aquifers in Doñana: europa.eu/rapid/press-release_MEMO-16-1452_en.htm.
26. Proyecto LIFE Naturaleza 02/NAT/E/008609 "Conservación de las poblaciones de Lince ibérico (*Lynx pardinus*) en Andalucía" 2002-2006, Proyecto LIFE Naturaleza 06/NAT/E/000209 "Conservación y reintroducción del Lince ibérico (*Lynx pardinus*) en Andalucía" 2006-2011, y Proyecto LIFE+ Naturaleza 11/NAT/ES/00570 "Recuperación de la distribución histórica de lince ibérico en España y Portugal" 2011-2016.
27. This is based on the criteria specified in the document Protocol for the selection of reintroduction areas of Iberian lynx (*Lynx Pardinus*) developed under the LIFE+ project Iberlince (11/NAT/ES/00570).
28. Complaint to the European Commission concerning alleged breach of Union law: www.documents.clientearth.org/wp-content/uploads/library/2016-04-19-complaint-to-the-european-commission-concerning-alleged-breach-of-union-law-over-logging-bialowieza-coll-en.pdf.
29. whc.unesco.org/en/soc/3469.
30. whc.unesco.org/en/soc/3470.
31. SHP Projects proposed on Rivers: Sucu, Olteana and Bistra Marului www.arcu.ro/resurse/studii-de-caz/caz-microhidrocentrale-mhc-alset-energy and Nedeia Ski infrastructure projects www.arcu.ro/resurse/studii-de-caz/puz-domeniu-schiabil-nedeia.
32. Negative impacts of hydropower infrastructure include changes in the flow regime, water diversion, hydropеaking, inundation of landscapes, blockage of fish migration, disconnection of wetlands and floodplains, as well as erosion and interruption of sediment transport.
33. www.iucnredlist.org/details/3897/0.
34. europa.eu/rapid/press-release_MEMO-16-319_en.htm.
35. ECJ C-103/00.
36. Stoyan Mihov, Veselin Koev, BIOM Ltd. Improvement of the river connectivity and ecological conditions along the Yantra River and Rusenski Lom River.
37. dams.reki.bg/Dams/About.
38. CHAP(2015)01905.
39. *Myricaria germanica* is classified as "critically endangered" in the Austrian Red List.
40. www.tt.com/lebensart/freizeit/11339784-91/besucherzahlen-im-naturpark-tiroler-lech-schnellen-hoch.csp.
41. europa.eu/rapid/press-release_IP-10-523_en.htm?locale=en.
42. Although the Schaalsee landscape is overall a positive example for targeted Natura 2000 implementation, it must be noted that the designation process of the Natura 2000 site Schaalsee in Mecklenburg-Vorpommern is not finalized yet. This process is expected to be finalized by 2018.
43. www.zv-schaalsee.de/.
44. www.otop.org.pl/uploads/media/layman_aw-biomass_eng_www.pdf.

HOW TO MAKE EU NATURE LAWS WORK

100%
RECYCLED



DESIGNATE

Complete the designation of marine Natura 2000 sites

MANAGE

Define and implement conservation measures and management plans

INVEST

Increase investment in the Natura 2000 network

ENFORCE

Strengthen enforcement of Europe's Nature Directives



Why we are here

To stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature.

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