



# Delivering the 2020 Target

## Priority initiatives for the EU Biodiversity Conservation Policy beyond 2010

Joint BirdLife and EEB written contribution to the European Commission's  
pre-stakeholder consultation on the 2020 Biodiversity Strategy

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## Introduction

By 2010 the EU should have halted the loss of biological diversity within its own territory and beyond. That it has failed to do so have become increasingly clear in the lead up to and during 2010, the International Year of Biodiversity. The principal reasons in the EU for this failure are well known: implementation of the Birds and Habitats Directives, which are the backbone of EU nature conservation policy, is still incomplete, and the failure to integrate biodiversity concerns into other policies, coupled with a severe shortage of funding are still the main stumbling blocks.

While the above makes depressing reading, there are reasons for optimism. The Birds and Habitats Directives have been shown to be effective at halting and reversing biodiversity loss, when properly implemented and adequately financed, and great progress has been made in setting up the Natura 2000 network of protected sites.

Furthermore, in March 2010 EU Heads of State adopted an ambitious 2050 Vision and 2020 Target for biodiversity conservation. The 2020 target, while not perfect, goes beyond the 2010 target and commits the EU to:

*“halting the loss of biodiversity and the degradation of ecosystem services in the EU by 2020, and restoring them in so far as feasible, while stepping up the EU contribution to averting global biodiversity loss”.*

If the EU is to achieve this target, rapid and decisive action is needed. In this context BirdLife International and EEB have set out a series of specific actions that would enable a new EU biodiversity policy framework to achieve its goals. These actions build on the successes of the existing policy framework, while also seeking to reinforce and address gaps in this framework. The European Commission is expected to publish its new policy framework at the end of 2010, in the form of a new EU Biodiversity Strategy. The EU must respond in a comprehensive, rapid and decisive way to the deepening biodiversity crisis by launching a ‘rescue package’. This document draws an initial outline of the contents such a rescue package would need to include.

# **Sub-targets for post 2010 biodiversity, focus areas, indicators and policy action**

In order to facilitate our response to the ideas on potential sub-targets already presented by the Commission we organised our input according to these proposed sub-targets. In this paper we also address some crosscutting issues already identified by the Commission, BirdLife or EEB.

## **1 Strategic Sub-target 1 (ST1) Integration and sustainable use of resources**

### ***1.1 Main Focus: ST1 - Agriculture and agro-ecosystems:***

Agriculture made compatible with the conservation of farmland biodiversity

### ***1.2 Proposed Indicators:***

- a) High Nature Value farmland / biodiverse grasslands
- b) Percentage of non crops habitats (how much agriculture land is on average, at farm level, not dedicated to crops but to landscape elements, fallows, extensive grassland, field margins etc)
- c) Farmland biodiversity index covering birds and other taxa such as plants and butterflies.

### ***1.3 Proposed Policy measures:***

#### **1.3.1 Reform the Common Agriculture Policy**

A Proposal for CAP reform has been prepared by BirdLife International, European Environment Bureau, European Forum on Nature Conservation and Pastoralism, International Federation of Organic Agriculture Movements EU Group and WWF. In the detailed new CAP proposal<sup>1</sup> we are calling for a reformed Common Agricultural Policy (CAP) that fully rewards farmers and land managers for the delivery of public goods and services that society needs but which are not rewarded by the market.

We propose a new policy which rewards farmers and land managers for the delivery of public goods such as farmland biodiversity, long term soil fertility, watershed management, carbon storage and improved ecosystem resilience. Whilst such public goods are highly valued by society, they are not secured by the market and their ongoing provision is under threat, particularly through agricultural

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<sup>1</sup> Proposal for a new CAP

[http://www.birdlife.org/eu/pdfs/Proposal\\_for\\_a\\_new\\_common\\_agricultural\\_policy\\_FINAL\\_100302.pdf](http://www.birdlife.org/eu/pdfs/Proposal_for_a_new_common_agricultural_policy_FINAL_100302.pdf)

intensification on land with more productive potential, or abandonment on the more marginal land. If implemented, our vision would provide a clear set of policy objectives and efficient tools to support more sustainable farming, and represent real value for money for taxpayers.

The new CAP would ensure payments are properly targeted to achieve specific policy objectives, defined within overarching strategies developed at Member States level and subject to Commission approval. The new CAP would fully reflect the ‘partnership principle’ to ensure all stakeholders contribute to the development of national approaches. All payment schemes would be assessed, prior to implementation, to ensure they would not produce negative environmental effects and would be subject to thorough and regular assessment to allow for ongoing improvements.

Environmental regulation would represent a firm baseline to our vision and would underpin CAP support for farming activity that goes beyond the legally binding reference level. Unlike the current approach, the new CAP would be fully in line with the polluter-pays principle and support would not be paid for respecting the legal baseline. The obligations contained within current cross-compliance rules are a good starting point but these must be effectively implemented and augmented with additional requirements including those relating to the Water Framework Directive, the future EU Soil Framework Directive and the Sustainable Pesticide Use Directive.

We envisage a set of tools ranging from Direct decoupled payments attached to certain farming system commitments, to agri-environmental measures, investment grants and support measures. Member States would establish national and regional programmes distributing national funding allocations across all three frames, setting, within agreed EU guidelines, the premia levels and specific details of commitments. Commission oversight would ensure coherence, effectiveness and fair treatment of all farmers and land managers.

### **1.3.2 Adopt comprehensive legislation on soil biodiversity**

When the Soil Framework Directive was proposed, soil biodiversity was to be addressed only through research, not policy measures. Although the Soil Directive has been stalled for the last two years for political reasons, some important research has taken place in the mean time on soil biodiversity. A recent study<sup>2</sup> commissioned by the European Commission makes a very compelling case for taking action to conserve soil biodiversity. The study shows that literally everything we do as a society begins and ends with soil biodiversity. The adoption of the proposed Soil Directive will of course be an important step forward in protecting soil biodiversity but as it is not explicitly part of

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<sup>2</sup> Anne Turbé, Arianna De Toni, Patricia Benito, Patrick Lavelle, Perrine Lavelle, Nuria Ruiz, Wim H. Van der Putten, Eric Labouze, and Shailendra Mudgal. Soil biodiversity: functions, threats and tools for policy makers. Bio Intelligence Service, IRD, and NIOO, Report for European Commission (DG Environment), 2010.

the scope of the Directive, the question is justified whether the Commission can and should propose additional action to protect soil biodiversity.

### **1.3.3 Better implementation and enforcement of Water Framework Directive.**

The adoption of the EU Water Framework Directive (WFD) in 2000 was a major landmark establishing new requirements for integrated river basin planning in order to achieve ecological objectives. Ten years of planning and consultation across Europe went into River Basin Management Plans (RBMP), which were thought to be the main vehicles for realising the new water management regime by setting the environmental objectives. 10 years later only 14 out of 27 have published their plans with a number of especially southern Member States developing serious delays. But also the plans that have been adopted are a cause of concern. In many cases member states have simply repackaged their existing water management plans as river basin management plans. And although some progress in some areas can be observed, especially in the restoration of rivers that have been heavily damaged in the past, it has become clear that much more will need to be done to make the WFD actually deliver on its objectives. The already adopted plans need to be strengthened, especially to deal with diffuse pollution from agriculture. The preparation of the next cycle of plans will need to substantially improve from the first cycle and actually ensure a final departure from unsustainable current practice. The WFD will need to be given more teeth by developing additional EU legal instruments to save water and to return the saved water to keep our rivers flowing and our wetlands wet as well as initiatives to improve river continuity.

### **1.3.4 Introduce biodiversity as a key element of sustainable consumption and production and natural resource policies.**

High-level consumption of goods and services with low levels of re-use and recycling is one of the most important drivers of biodiversity loss world-wide through the constant search for new natural resources and increasing levels of energy input into the system. Ever-increasing levels of consumption are in turn driven by the unlimited growth ideology and the heavy reliance on consumption to drive the economy forward. Truly ecologically production and consumption must mean a steady and rapid decline in the exploitation of unrenovable resources and keeping the use of renewable resources within the biophysical limits defined by the normal functioning of ecosystems and, ultimately, the whole biosphere. The EU currently has a range of initiatives to aim at sustainable production and consumption but biodiversity considerations and criteria are notably missing. The European Commission needs to assess the feasibility of introducing a range of tools that help assess the overall impact of the individual products and services on biodiversity and natural ecosystems, alongside other metrics such as carbon footprint and energy efficiency. These analytical

tools must then be used to deploy effective tools able to impact on production and consumption: biodiversity footprint assessment, biodiversity labelling, biodiversity-friendly public procurement policy, green taxation, eco-design etc. This will require a coordinated approach with the review of the EU's resource thematic strategy as well as the EU's flagship initiative for a resource efficient economy under the EU 2020 strategy.

#### **1.3.5 Develop binding sectoral 2020 strategies to secure buy-in for the delivery of the 2020 target.**

It is envisaged that the new 2020 target should be operationalised at various levels and the key sectors generating impacts on biodiversity should also come up with their own sectoral 2020 targets and a strategy to achieve it. This obligation should be used to re-energise the process of involving stakeholders in achieving EU biodiversity policy and commit themselves to better implementation and financing. This can also help to give a new push to the Business and Biodiversity Initiative. Such sectoral targets should be developed for and in cooperation with the major sectors impacting biodiversity: energy, transport, tourism, agriculture, forestry, fisheries, etc.

#### **1.3.6 Improve governance for biodiversity and ecosystems through reform of the EU institutions.**

Full implementation of a new EU biodiversity policy can only succeed if it is not only the responsibility of the parts of the EU institutions that are dedicated to the environment but it is owned up by all the relevant Directorates General (DGs), Council formation and Parliamentary Committees. Coordination between these various bodies to measure progress against the 2020 target and sub-targets is also needed. Within the European Commission, the existing inter-service coordination group on biodiversity should have a stronger and more extensive mandate to regularly bring together high-level representatives of all the relevant DGs to discuss issues relevant to the 2020 target. Similar cross issue coordination structures should be set up also within the European Council and European Parliament. The Coordination Group on Biodiversity and Nature must be made a more powerful force for coordination and debate between the Commission, Member States and stakeholders. Specific working groups are needed on amongst other things renewable energies and climate change adaptation.

#### **1.3.7 Ensure that the use of bio-energy will not undermine biodiversity and climate objectives.**

The EU drive to increase the use of bioenergy is rapidly bringing new pressures on land and natural resources both inside the EU and globally. While certain forms of bioenergy clearly have a role to play in tackling climate change it is now clear that many bioenergy streams are not sustainable and fail to deliver emission reductions in the short to medium term while inducing severe negative

impacts on biodiversity and natural resources. The competition for land, leading to clearing on natural habitats and unsustainable forms of intensification is a particular concern. The EU must urgently revise its deeply flawed policy choices on bioenergy and bring in effective sustainability standards to ensure that all bioenergy delivers for the climate while not harming biodiversity. Active policies must be pursued ensure that the most promising bioenergy technologies are developed while the worst ones are not supported. In particular the indirect land use change effect caused by biofuels will need to be acknowledged as significant and mitigated through a new proposal from the Commission that will ensure only those biofuels that actually deliver real benefits will be promoted. The 10% renewable energy target for the transport sector must be urgently revised in light of current understanding of the (lack of) real potential for emission savings through biofuels. Equally important, the Commission must urgently propose binding standards on biomass (other than biofuels) and make sure the drive to reach the 20% renewables target is compatible with forest conservation objectives both inside the EU and globally.

## **2 Strategic Sub-target (ST2) Overexploitation of marine resources**

### ***2.1 Main Focus: ST 2 - Fish and fisheries***

Achieve sustainable fishing

### ***2.2 Proposed Indicators:***

- a) Area of Marine Protected Areas
- b) Percentage of stable fish stocks (among those exploited by the EU fleet)
- c) Fishing over-capacity of EU fleet

### ***2.3 Proposed Policy measures:***

#### **2.3.1 Reform the Common Fisheries Policy**

By 2012 the Common Fisheries Policy must be reformed to include a provision that requires that all commercially exploited fish stocks be subject to Long Term Management Plans designed to attain abundance levels of maximum sustainable yield by 2015 and mortality rates of  $F = 0.10$  by 2020. The new CFP must contain a provision ensuring that aquaculture carried out in EU waters adheres to operational standards that are consistent with GES indicators, addressing such issues as invasive

species, pollution, etc. It must also include a provision calling for the adoption of minimum criteria for eco labelling that will ensure that fish products bearing eco labels are in fact harvested consistent with the FAO's ecological protection standards.

### **2.3.2 Establish Marine protected areas and complete the Natura 2000 network at sea.**

By 2012 the Marine Natura 2000 Network of protected sites must cover a minimum of 20% of the EU's marine surface area, adequately representing natural ecosystems with a coherent, ecologically-connected network.

The EU must also take concrete action to negotiate the establishment of a network of high seas marine protected areas, increased to at least 20% of the world's ocean area, representing high seas natural ecosystems with a coherent, ecologically-connected network

### **2.3.3 Implement the EU Marine Framework Directive**

Achieve or maintain Good Environmental Status for European marine waters, consistent with the GES descriptors that have been set by the EU.<sup>3</sup>

### **2.3.4 Take effective action to protect biodiversity in International Waters (high seas and third country waters)**

The European Union must systematically apply the same high standards for conservation and sustainable management of fisheries and fishing areas in negotiating international fishery management agreements with third countries and in Regional Fisheries Management Organisations (RFMOs), and take concrete action to ensure EU fleets are adhering to these standards throughout the world's oceans. The EU must ensure that all fish imported into the EU is caught legally and has the documentation to prove its legal provenance. By 2011, Bluefin Tuna must be protected from international trade by a ban under Appendix 1 of the Convention on International trade in Endangered and Threatened Species (CITES).

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<sup>3</sup> The MSFD outlines 11 high level descriptors of GES in Annex I of the Directive. These are as follows: 1. Biological diversity is maintained. The quality and occurrence of habitats and the distribution and abundance of species are in line with prevailing physiographic, geographic and climatic conditions. 2. Non-indigenous species introduced by human activities are at levels that do not adversely alter the ecosystems. 3. Populations of commercially exploited fish and shellfish are within safe biological limits, exhibiting a population age and size distribution that is indicative of a healthy stock. 4. All elements of the marine food webs, to the extent that they are known, occur at normal abundance and diversity and levels capable of ensuring the long-term abundance of the species and the retention of their full reproductive capacity. 5. Human-induced eutrophication is minimized, especially adverse effects thereof, such as losses in biodiversity, ecosystem degradation, harmful algal blooms and oxygen deficiency in bottom waters. 6. Sea-floor integrity is at a level that ensures that the structure and functions of the ecosystems are safeguarded and benthic ecosystems, in particular, are not adversely affected. 7. Permanent alteration of hydrographical conditions does not adversely affect marine ecosystems. 8. Concentrations of contaminants are at levels not giving rise to pollution effects. 9. Contaminants in fish and other seafood for human consumption do not exceed levels established by Community legislation or other relevant standards. 10. Properties and quantities of marine litter do not cause harm to the coastal and marine environment. 11. Introduction of energy, including underwater noise, is at levels that do not adversely affect the marine environment.

## **3 Sub-target 3 (ST3) Fragmentation and Green Infrastructure**

### **3.1 Main Focus: ST3 - Fragmentation and green infrastructure**

Ensure EU wide habitat connectivity and functionality

### **3.2 Indicators:**

- a) Fragmentation index/landscape ecological potential
- b) Land sealing index (zero net land sealing target)
- c) Annual habitat restoration (in ha)

### **3.3 Proposed Policy measures:**

#### **3.3.1 Biodiversity neutrality of infrastructure and urban development**

Built development is a key driver for land-use change in the EU, and so contributor to biodiversity loss. The protection afforded to the EU's key species and habitats by the Natura 2000 network, and in particular, the controls on plans and projects through Article 6 of the Habitats Directive, remains a key regulatory mechanism to stop biodiversity loss from built development. However, protection of the Natura 2000 network alone will not be enough to prevent biodiversity loss. Protection and enhancement of biodiversity needs to be integrated into spatial planning and development management in the wider countryside and urban areas, outside of protected area networks. Any new development should have zero net negative impacts on biodiversity. As a first step, the 2020 target should be made into a key, enforceable objective of Structural funds, Cohesion funds and Trans-European Network policy; so that all built development and infrastructure projects enabled by EU funding contribute fully to the target. Through the Lisbon treaty, the EU now has 'Territorial Cohesion' as the 'third dimension' of cohesion policy. The EU needs to ensure that meeting the 2020 Biodiversity target through biodiversity neutrality in built development is an integrated and key aim of its territorial agenda. This needs to be reflected strongly in the Second Action Programme for the Implementation of the Territorial Agenda of the European Union, due to run from 2011. A new European Spatial Development Perspective should integrate no net loss of biodiversity as a key message into its spatial planning policy options. The EU needs to ensure that member-states integrate these wider spatial planning and development management principles into their national frameworks.

### **3.3.2 Environmental Impact assessment procedures (EIA and SEA) take biodiversity target fully into consideration and avoids further fragmentation**

Environmental impact assessment procedures, particularly environmental impact assessment (EIA) of projects, strategic environmental assessment (SEA) of plans and programmes and impact assessment (IA) of European Commission policies, have vital roles to play in conserving biodiversity outside protected area networks. Additionally, the European Commission's 2009 report on the SEA Directive (2001/42/EC) found it contributes to improved organisation, structure and transparency of the whole planning procedure in most Member States. These three forms of environmental assessment should be strengthened so that decisions at all levels on infrastructure and built development ensure biodiversity enhancement or neutrality. The EIA Directive, if reviewed, should adopt an explicit objective to protect biodiversity and a stronger requirement on Member States to ensure the content of Environmental Reports are of adequate quality and a clear preference for choosing the environmentally better alternative. Requirements for monitoring biodiversity impacts, for assessment of reasonable alternatives, and for public consultation at screening and scoping stages all need strengthening in both EIA and SEA. IA of Commission initiatives is currently a very weak mechanism for biodiversity conservation as its procedural requirements are not legally binding and are blind to environmental limits. BirdLife and EEB recommend that the requirements of the SEA Directive should be extended to require appraisal of national and European policies, or equivalent safeguards introduced to ensure proper consideration of policy proposals that are beneficial (or at least neutral) in terms of biodiversity impacts.

### **3.3.3 Green infrastructure development through connectivity enhancement and habitat restoration is planned on EU and member states level as part of EU Territorial Cohesion policies**

Development of Green Infrastructure, which we understand as a spatial network that connects wildlife habitats as well as delivers critical ecosystem services, will require initiatives on all levels of governance. Although the implementation of the Birds and Habitats as well as the Water Framework Directive, if done correctly, will provide vital building blocks for this, it can only work when supported by a proper integration into spatial planning policies on the regional and national level as well as by funding from the EU budget and by a closer coordination with other EU policies, most notable the EU regional development, transport and agriculture policies.

## **4 Sub-target 4 (ST4) Invasive Species**

### **4.1 Main Focus: ST4 - Prevention, containment, eradication and monitoring Invasive Species**

Reduce pressure on biodiversity from Invasive alien species

#### **4.2 Indicators:**

- a) Number of “problem” IAS in the EU
- b) Eradication and control (number of species/% of their populations subjected to an effective response)

#### **4.3 Proposed Policy measures:**

##### **4.3.1 Adopt comprehensive legislation on controlling Invasive Alien Species.**

The main drivers affecting global biodiversity are: habitat change, climate change, overexploitation, pollution and IAS. While EU instruments exist to deal to some extent with some of those five factors, there is currently no comprehensive instrument at EU level to tackle IAS. IAS are a contributing factor to the status of 44% of the Critically Endangered Species of birds in the world and contributed to the extinction of half of the birds that have gone extinct in the last 500 years. Furthermore, IAS problems will intensify in the EU as rapidly growing trade and transport activities expand the opportunities for IS introduction, and environmental pressures such as rising CO<sub>2</sub> concentrations, warmer temperatures, greater nitrogen deposition, altered disturbance regimes and increased habitat degradation facilitate further invasions. Apart from the high impact on biodiversity, IAS also cost dearly to the economy in terms of lost income, the cost of eradication, control and containment.

The need for an EU-level strategy on IAS has been explicitly recognised by: the European Environment Council; the European Parliament; the Committee of the Regions; the European Economic and Social Committee; the Sixth Environmental Action Programme (6th EAP); and the Commission Communication on Halting Biodiversity Loss and its associated Action Plan. In December 2008, following a series of meetings for MS Nature Directors and NGOs, the EC published a Communication towards an EU Strategy on Invasive Species. This outlines a viable high-level strategic approach to the issue at EU level, incorporating recent advances in knowledge, reflecting and supporting CBD Article 8c, and including three basic options for action. On 25th of June 2009, the meeting of the Council of Europe (Environment) adopted Conclusions regarding an

EU IAS Strategy, which allows the Commission to further progress an EU IAS Strategy and develop new, comprehensive IAS legislation.

BirdLife has adopted a position on IAS<sup>4</sup>, which is based on the principles of prevention, early detection, rapid eradication and long-term control and containment. Islands and freshwater habitats are particularly vulnerable to IAS and should therefore enjoy a particular attention in the new IAS legislation. A precautionary approach, awareness and vigilance and sharing best practice are also essential to success.

## **5 Sub-target 5 (ST5) Nature Conservation**

### ***5.1 Main Focus: ST5 - Nature conservation and the state and management of species and habitats***

All European species and habitats, including those covered by the birds and habitats directives and all Natura 2000 sites, achieve good conservation status.

### ***5.2 Indicators:***

- a) Red List Index
- b) Percentage of Species and Habitats that are in Favourable conservation status
- c) Financing Natura 2000 (€ actually spent on upfront conservation)

### ***5.3 Proposed Policy measures:***

#### **5.3.1 Better implementation and enforcement of existing biodiversity-relevant legislation, in particular the Birds and Habitats Directives (the 'Four Eye Initiative').**

The European Union has world-class environmental legislation, which has withstood the test of time. The two pillars of the EU's nature conservation legislation are the Birds and Habitats Directives. Even though they have been around since 1979 and 1992, respectively, they provide a strong legal framework to secure the maintenance and restoration of biodiversity within the European territory of the EU member states. The main stumbling block has been the highly unsatisfactory implementation and enforcement of these Directives, as well as other key environmental legislation such as the Water Framework or the Environmental Liability Directives. Now that the terrestrial Natura 2000

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<sup>4</sup> Birdlife Position on Invasive Alien Species (IAS) in the EU  
[http://www.birdlife.org/eu/pdfs/2009\\_BHDTF\\_BirdLife\\_position\\_EU\\_IASadopted\\_Nov\\_2009.pdf](http://www.birdlife.org/eu/pdfs/2009_BHDTF_BirdLife_position_EU_IASadopted_Nov_2009.pdf)

network of protected areas is nearing completion, the focus must shift from site designation to the ongoing challenges of conservation measures including management plans, restoration, monitoring and financing.

We believe that for the EU to stand a chance of achieving the new 2020 target, the Birds and Habitats Directives, as well as other existing biodiversity-relevant legislation must be fully implemented and enforced in all the EU Member States. We propose a practical way forward to ensure this, which we call the “**Four-eye initiative**” – based on the concepts of Induction, Information, Inspection and Investigation.

**Induction:** to train enforcement agents, relevant authorities, the judiciary and other key stakeholders in the requirements of the Directives. A main obstacle to proper implementation is the often poor level of knowledge and understanding among civil servants and magistrates at all levels from the local to the EU. The Commission, in cooperation with member states should set up an ambitious and comprehensive training program aiming to ensure that all relevant civil servants in charge of issue of high relevance to nature conservation are fully informed and aware of EU legislation and policy. This should cover also the legal community: national judges, prosecutors and lawyers who often are much more familiar with national legislation than with the transposition of EU legislation in this domain.

**Information:** a more efficient and widespread dissemination of guidance and good practice on implementation and enforcement using the latest information technology. Violations of the EU nature legislation and stakeholders hostility, particularly to the proper management of Natura 2000, often stems from misconceptions and lack of knowledge. Key stakeholders groups should be targeted in a much more systematic way and key information such as Natura 2000 maps and data bases should be made easily available on line.

**Inspection:** to set up an EU-wide inspection capacity and make full use of Information and Communication Technologies (ICTs) in order to verify implementation and compliance with the EU Nature and environment legislation.

**Investigation:** to establish both legislation and a global task force to investigate environmental crime and compliance with EU standards outside the EU.

In terms of improved enforcement, this initiative would essentially just provide the Commission with the same tools it already has for the enforcement of other EU policies such as, for example, in the areas of competition or animal hygiene laws.

### **5.3.2 Set and monitor Favourable Reference Values for species and habitats to achieve their favourable conservation status**

The overarching objective of the Habitats Directive is to achieve the favourable conservation status of the species and habitats of Community interest identified in the relevant Annexes of the Directive. One of the key measures to achieve this is the setting up of the Natura 2000 network of protected areas. The Birds Directive has an equivalent objective which is to maintain the populations of all wild birds at a level that corresponds to ecological, scientific and cultural requirements, while taking into account economic and recreational requirements. The Birds Directive explicitly refers to the preservation, maintenance and re-establishment of habitats both within and outside protected areas. Article 6 of the Habitats Directive explicitly obliges Member States to establish measures which correspond to the ecological requirements of the species and habitats in Annexes I and II of the Directive. When putting these requirements together, it seems clear that the two Directives require the maintenance and restoration of the populations of species and the habitats that are the focus of the Directives at a favourable status at the site, site network and other appropriate (EU, biogeographical) levels. The term “Favourable Reference Value” was coined to describe the level at which the species and habitats can be regarded as being in a favourable status. Therefore, we strongly recommend that work is carried out to set and monitor Favourable Reference Values at the site, protected area network and biogeographical levels to all the species and habitats that are the focus of the Birds and Habitats Directives. According to the first ever status assessment of the species and habitats of the Habitats Directive published in 2009, only 17% of these are in favourable status. BirdLife’s assessment of the status of birds in the EU in 2004 highlighted that 48% were in unfavourable status in 2000. The overall status of Natura 2000 sites is not known, however, recent BirdLife’s assessment<sup>5</sup> shows that in none of the EU countries can the status of the network be considered favourable. This points to the urgent need to set these favourable reference values at the site, site network and national levels against which the status of the species and habitats can be measured. BirdLife has adopted a position paper on how to define FRV for SPAs<sup>6</sup> and has a range of case studies to show how FRVs can be set at national level as well.

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<sup>5</sup> A report by BirdLife International into EU progress towards halting biodiversity loss  
<http://www.birdlife.org/eu/pdfs/BirdLife2010AssessmentreportFINAL.pdf>

<sup>6</sup> BirdLife Position on Favourable Conservation Status of IBAs and SPAs  
[http://www.birdlife.org/eu/pdfs/Nature\\_Directives\\_material/BHDTF\\_PositionFavourable\\_Conservation\\_Status.pdf](http://www.birdlife.org/eu/pdfs/Nature_Directives_material/BHDTF_PositionFavourable_Conservation_Status.pdf)

## **6 Sub-target 6 (ST6) Contribution to global biodiversity**

### **6.1 Main Focus: ST6 - Addressing the EU ecological footprint and further contributing to global biodiversity efforts**

EU net negative global biodiversity impact is significantly reduced

### **6.2 Indicators:**

- a) Ecological footprint supported by biodiversity and resource use indicator
- b) EU funding to biodiversity and ecosystem conservation outside the EU (€ actually spent on upfront conservation by the EU and its Member States)

### **6.3 Proposed Policy measures:**

#### **6.3.1 Mainstream funding to biodiversity and habitat restoration into existing Development Aid funding of the EU and Member States**

The loss of biodiversity and natural resources and degradation of ecosystems are a fundamental challenge to the achievement of the Millennium Development Goals. Biodiversity and ecosystems provide essential services such as the provision of water, forest biomass, soil fertility and agricultural productivity on which the rural poor in large parts of the developing world depend. The EU should substantially strengthen support for biodiversity and ecosystem services and ensure that it is not a driver of biodiversity loss and ecosystem degradation in its development cooperation. In practical terms EU funding for biodiversity in the context of EU Official Development Assistance has at least to be doubled.

#### **6.3.2 Liability of EU private sector and institutions outside the EU**

New legislation is needed to ensure that any EU based economic operator can be held fully accountable for damage caused to biodiversity and ecosystems outside the EU, especially when this results from illegal or negligent activities. The current Gulf of Mexico oil spill is just the latest in a long history of major environmental disasters caused by EU based companies and highlights the weakness of EU legislation, even in comparison to the already weak US legal framework.

#### **6.3.3 Extend the EU's Natura 2000 network to the Outermost Regions and Overseas Territories**

The EU's Outermost Regions (ORs) (belonging to France) and Overseas Territories (OCTs) (belonging to Denmark, France, Netherlands and the United Kingdom) represent a unique, very rich and highly threatened biodiversity which for a long time have remained outside the scope of the

EU's biodiversity policy. The requirements of the Birds and Habitats Directives do not apply to these important territories; therefore they are missing some key safeguards for the maintenance and restoration of their rich natural heritage. Recently, the EU has started the development of the so-called BEST initiative (Voluntary scheme for Biodiversity and Ecosystem Services in Territories of European Overseas) to promote the establishment of terrestrial and marine protected areas. This scheme should be seen as the extension of the Natura 2000 network to the peripheral regions of the EU and synergies between the BEST and Natura 2000 should be fully exploited. The European Commission should provide guidance on the various aspects of the BEST scheme and should facilitate the exchange of information and best practice between protected area practitioners in the EU and the ORs/OCTs.

## 7 Crosscutting – Funding to biodiversity and nature Conservation

### ***7.1 Allocate more funding for biodiversity within the EU Budget.***

According to the Commission's Communication from 2004, the EU's Natura 2000 network alone would need about 6.1 b Euros a year to function properly. Preliminary figures from ongoing projects suggest that the revised cost estimate for the network is still more or less the same, although we suspect that this is not based on comprehensive and realistic needs assessments for the whole terrestrial and marine networks and therefore a serious underestimate of what is really needed. No such estimates exist for maintaining or restoring biodiversity outside protected areas.

On the supply side, the EU's dedicated nature conservation budget (LIFE+ Nature & Biodiversity) is about 0,1% of the total EU budget and is less than what is needed for Natura 2000 alone. Although nature conservation is now one of the objectives of all the major EU funds, preliminary studies suggest that funding actually allocated to this objective is often insufficient. A BirdLife study<sup>7</sup> covering six countries showed that although the potentially available funds could cover the financial needs of the Natura 2000 network it is highly unlikely that these funds will actually be allocated and spent to this end. However, it is impossible to get a clear picture of the budget allocations to measures clearly benefitting nature conservation from the existing programming documents, due to the lack of clear geographical and thematic focus of such measures.

The year 2010 is also decisive in agreeing on the structure and priorities for the EU budget beyond 2012. We stress that the new EU budget must support ecologically sustainable development and that it should have fighting the biodiversity and climate crises as a top priority. In terms of biodiversity, sufficient funding must be found for the following priorities:

- 4 Billion Euros per year for Natura 2000 network through LIFE +, Rural Development and Cohesion funds: establish ring-fenced funding for Natura 2000 to cover 50 to 75 % of the financial needs identified in various studies.
- In addition allocate at least the same amount of funding for the protection and restoration of biodiversity in the wider countryside to achieve the favourable conservation status of species and habitats of the Nature Directives and to enhance and restore critical ecosystems. This can be achieved through the redirection of the CAP funding streams into supporting sustainable

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<sup>7</sup> Financing Natura 2000: assessment of funding needs and availability of funding from EU funds - [http://www.birdlife.org/eu/pdfs/N2000\\_Final\\_composite\\_report\\_09.pdf](http://www.birdlife.org/eu/pdfs/N2000_Final_composite_report_09.pdf)

land management by farmers and other land managers, combined with a beefed up dedicated EU environment fund (LIFE+). However, experience shows that specific ring fencing is needed to secure funding for biodiversity conservation.

- Global biodiversity; the EU must significantly increase its funding for global biodiversity conservation, with particular focus on the following issues:
  - Conservation of European migratory species also outside the territory of the EU and in particular in Africa and the Middle East.
  - Conservation in the EU's Overseas Territories which host more threatened and endemic species than the European territories of the Member States and should therefore be the focus of targeted EU funding through the European Development Fund.
  - Stopping the loss of tropical forests, which host the vast majority of species on Earth. One of the possible mechanisms to do it is through REDD (Reduced Emissions from Deforestation and Forest Degradation), which will need an estimated 17-35 billion Euros a year. The EU must be one of the key donors of this programme and must insist on achieving added value for biodiversity conservation through this funding stream.
  - Ecosystem-based mitigation and adaptation needs to be adequately reflected in any funds going to address Climate change: Climate change is being accelerated by biodiversity loss and ecosystem degradation. Healthy and resilient ecosystems—for example, forests and bogs—contain massive carbon reservoirs and are vital to regulating the global climate at the same time they deliver vital habitats for biodiversity. Their adequate protection and restoration will deliver multiple benefits. Therefore any funding going to address climate change issues in the future EU budget needs to streamline biodiversity and should aim at strengthening ecosystem resilience.

Finally, it is also essential to build into the new Regulations on the various EU spending lines solid safeguards to prevent any harmful investment from the EU and MS budgets which threatens biodiversity similar to the existing cross compliance requirements under the CAP but with meaningful and effective controls.

## ***7.2 Introduce a range of instruments to improve funding streams for biodiversity protection and to mainstream biodiversity into financial and macro-economic policies.***

The EU Budget in itself will not be able to cover all the financing needs for protecting biodiversity across the EU and beyond. Harnessing market forces to channel currently existing financing streams into conservation could tap into potentially huge sums of money and could also be used to change the behaviour of investors, consumers and producers towards more ecologically sustainable options. On a larger scale macro economic policies which are in a state of transition following the economic crisis should be reformed to acknowledge the fundamental important that biodiversity has as the natural capital underpinning our economies. Some relevant new policy instrument and options are explored in more detail below.

**Biodiversity offsets:** there are a number of offset programmes in existence both globally (e.g. in the US, Australia, South Africa) and within the EU (e.g. Germany), which have been operating with varying degrees of success. Offsets basically involve developers compensating for unavoidable loss of species/habitats/ecosystem services after all the options of avoidance and mitigation has been exhausted. The European Commission commissioned a study on the feasibility of introducing habitat banking, which is a particular form of biodiversity offsets to the EU, which is published in 2010. BirdLife has adopted a biodiversity offsets position paper<sup>8</sup> which highlights the many potential pitfalls inherent in biodiversity offset programmes and the essential safeguards any such programme must meet to be successful. The global Business and Biodiversity Offsets Programme (BBOP) is collecting valuable experience and has published a range of guidance documents on the subject. These essential safeguards are a robust and functioning monitoring and control system as well as the need to have the offset to be in place and being of the same level of quality before the development can go ahead and another site be destroyed,

**Payments for ecosystem services (PES):** the importance of ecosystem services to human society was highlighted in the Millennium Ecosystem Assessment (2004) and since then a huge range of papers has been published on the subject. Despite the growing interest in the subject, there are still only a few in-depth studies into the links between biodiversity, the normal functioning of healthy ecosystems and the valuable service streams they provide. There are though, numerous initiatives to introduce payments for services, like carbon sequestration, water quality and biodiversity protection in several countries around the world. Most schemes are small scale although some have the potential to generate large on-going income streams for land management or conservation. The most

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<sup>8</sup> [http://www.birdlife.org/action/change/europe/habitat\\_directive/index.html](http://www.birdlife.org/action/change/europe/habitat_directive/index.html)

notable attempt to introduce a global PES system is the REDD+ initiative, which presents a range of difficulties that need to be overcome to make it workable. The RSPB has published a document on ecosystem services which highlights some of the potential pitfalls and limitations of such schemes. The most eagerly anticipated publication on the subject will be the TEEB report to be launched in October at the CBD COP10, which offers recommendations for decision-makers. The EU should introduce a range of financial and policy tools to help the more widespread use of PES schemes while it is essential to make sure that such schemes do not jeopardize the fulfilment of biodiversity (site, species and habitat) conservation objectives.

**Auctioning of biodiversity credits:** the idea behind such schemes is to incentivise private landowners to provide biodiversity services at lowest cost to society. This is, in effect, an ecosystem service payment which is done in a way as to reveal the true costs of offering biodiversity benefits to the public and hence reduce the costs to the buyer (who can be state or private).

**Environmental Fiscal Reform:** Biodiversity conservation is a public good which will be undersupplied unless government's at all levels ensure it is not undervalued or overexploited. Critical to this is ensuring that fiscal policies incentivise conservation and not degradation (as many energy, agriculture and fishery subsidies do). There are a number of ways the tax system can be used to ensure polluters pay for the damage they do to the environment or ensure that society helps to meet the cost of protecting the natural assets for the benefits they supply. The Commission should make every effort to help member States green their taxation while ensuring environmentally perverse subsidies are eliminated.

There are a number of other innovative approaches being developed to green decision making processes and planning regimes. These include the adoption of conservation credits, improved credit arrangements for businesses engaged in activities enhancing biodiversity or adhering to particularly strict standards and the development of valuation guidelines to incorporate ecosystem services into cost benefit analysis. Wider adoption of such initiatives can help reduce pressure on the environment and ensure the value of biodiversity is routinely reflected in all decisions which affect it.

## **Other crosscutting issues**

### **8 Biodiversity and ecosystems Monitoring and Research.**

The EU Research Framework Program (future FP8) needs to give increased attention to research on biodiversity, conservation measures and ecosystem functions. The EU and Member states also need to create permanent facilities for long term biodiversity monitoring in order to ensure the constant gathering and elaboration of high quality data needed in order to inform various policies development and monitor progress against the targets.

### **9 Better public access to environmental information.**

Publicly and easily available high quality and up to date information on biodiversity and ecosystems is crucial in order to inform public debate, civil society action and policy implementation at all levels. The creation and maintenance of efficient web based platforms presenting all relevant data gathered by EU and national authorities is crucial to this end. Making the most of the INSPIRE Directive is an obvious first step.

## Annex

### Overview table of sub-targets, focus, indicators and proposed policy measures

Strategic sub-target	Focus	Indicators to measure it	Policy measures to achieve them
<b>ST1 Integration and sustainable use of resources</b>	Main focus: ST1 - Agriculture and agro-ecosystems	a) HNV/grasslands b) % of non crops habitats c) farmland biodiversity index	- 1.3.1 Reform the Common Agriculture Policy
	Addressing other sectors and issues having impact on biodiversity		- 1.3.2 Adopt comprehensive legislation on soil biodiversity - 1.3.3 Better implementation and enforcement of Water Framework Directive. - 1.3.4 Introduce biodiversity as a key element of sustainable consumption and production and natural resource policies. - 1.3.5 Develop binding sectoral 2020 strategies to secure buy-in for the delivery of the 2020 target. - 1.3.6 Improve governance for biodiversity and ecosystems through reform of the EU institutions. - 1.3.7 Ensure that the use of bio-energy will not undermine biodiversity and climate objectives.
<b>ST2 Overexploitation of marine resources</b>	Main focus: ST 2 - Fish and fisheries	a) Area of Marine Protected Areas b) Percentage of stable fish stocks (among those exploited by the EU fleet) c) Fishing over-capacity of EU fleet	- 2.3.1 Reform the Common Fisheries Policy

	Addressing other sectors and issues having impact on biodiversity		<ul style="list-style-type: none"> <li>- 2.3.2 Establish Marine protected areas and complete the Natura 2000 network at sea.</li> <li>- 2.3.3 Implement the EU Marine Framework Directive</li> <li>- 2.3.4 Take effective action to protect biodiversity in International Waters (high seas and third country waters)</li> </ul>
<b>ST3 Fragmentation and Green Infrastructure</b>	Main Focus: ST3 - Fragmentation and green infrastructure	<ul style="list-style-type: none"> <li>a) Fragmentation index/landscape ecological potential</li> <li>b) Land sealing index (zero net land sealing target)</li> <li>c) Annual habitat restoration (in ha)</li> </ul>	<ul style="list-style-type: none"> <li>- 3.3.1 Biodiversity neutrality of infrastructure and urban development</li> <li>- 3.3.2 Environmental Impact assessment procedures (EIA and SEA) take biodiversity target fully into consideration and avoids further fragmentation</li> <li>- 3.3.3 Green infrastructure development through connectivity enhancement and habitat restoration is planned on EU and member states level as part of EU Territorial Cohesion policies</li> </ul>
<b>ST4 Invasive Species</b>	Main Focus: ST4 - Prevention, containment, eradication and monitoring Invasive Species	<ul style="list-style-type: none"> <li>a) Number of “problem” IAS in the EU</li> <li>b) Eradication and control (number of species/% of their populations subjected to an effective response)</li> </ul>	<ul style="list-style-type: none"> <li>- 4.3.1 Adopt comprehensive legislation on controlling Invasive Alien Species.</li> </ul>
<b>ST5 Nature Conservation</b>	Main Focus: ST5 - Nature conservation and the state and management of species and habitats	<ul style="list-style-type: none"> <li>a) Red List Index</li> <li>b) Percentage of Species and Habitats that are in Favourable conservation status</li> <li>c) Financing Natura 2000 (€ actually spent on upfront conservation)</li> </ul>	<ul style="list-style-type: none"> <li>- 5.3.1 Better implementation and enforcement of existing biodiversity-relevant legislation, in particular the Birds and Habitats Directives (the ‘Four Eye Initiative’).</li> <li>- 5.3.2 Set and monitor Favourable Reference Values for species and habitats to achieve their favourable conservation status</li> </ul>
<b>ST6 Contribution to global biodiversity</b>	Main Focus: ST6 - Addressing the EU	<ul style="list-style-type: none"> <li>a) Ecological footprint supported by biodiversity and resource use</li> </ul>	<ul style="list-style-type: none"> <li>- 6.3.1 Mainstream funding to biodiversity and habitat restoration into existing Development Aid funding of the EU and Member States</li> </ul>

	ecological footprint and further contributing to global biodiversity efforts	indicator b) EU funding to biodiversity and ecosystem conservation outside the EU (€ actually spent on upfront conservation by the EU and its Member States)	- 6.3.2 Liability of EU private sector and institutions outside the EU - 6.3.3 Extend the EU's Natura 2000 network to the Outermost Regions and Overseas Territories
<b>Crosscutting– Funding to biodiversity and nature Conservation</b>			- Allocate more funding for biodiversity within the EU Budget. - Introduce a range of instruments to improve funding streams for biodiversity protection and to mainstream biodiversity into financial and macro-economic policies.
<b>Other crosscutting issues</b>			- Biodiversity and ecosystems Monitoring and Research - Better public access to environmental information.