

Directives work for nature and for the citizens of the EU. These can be summarised as follows.

- **Completion of the Natura 2000 network both on land and at sea:** although great progress has already been made, there are still gaps in this hugely important set of protected areas, especially at sea.
- **Secure proper management of the Natura 2000 network:** each site needs clear conservation objectives, prescriptions for positive management and regulation of uses not compatible with conservation.

- **Allocate adequate financing of the Natura 2000 network from both EU and national funds:** preliminary data suggests that the Natura 2000 network is still under-funded, partly because very few countries have allocated sufficient amounts of their EU financing streams to biodiversity conservation.
- **Exploit synergies and reduce conflict with other EU legislation:** synergies with other EU environmental legislation need to be exploited to enhance the objectives of the Birds and Habitats Directives; at the same time, several EU policies are in clear

conflict with these objectives, which must be mitigated.

- **Help wildlife adapt to the impacts of climate change:** the flexibility inherent in the Birds and Habitats Directives to tackle climate change has not yet been fully utilised through the positive implementation of the Directives, leaving Europe's wildlife vulnerable in the face of climate change.
- **Increased public awareness and support:** despite efforts in all EU countries to communicate the Directives to the public, there is still a large amount of misunderstanding and misinformation surrounding their obligations and opportunities. This lack of understanding is often the cause of attacks against the Directives from various groups representing industry, agriculture and other sectors. Therefore, the challenge still remains to inform and engage the relevant sectors, communities and interest groups in the better implementation of the Nature Directives.

¹ http://ec.europa.eu/environment/nature/natura2000/management/guidance_en.htm

² Paul F. Donald et al. (2007) International Conservation Policy Delivers Benefits for Birds in Europe. *Science* 317, 810.

For further information, please contact:
Alistair Taylor – EU Biodiversity Policy Officer
 Tel: +44 (0) 1767 693450 (Direct Dial)
 Fax: +44 (0) 1767 683211
 E-mail: alistair.taylor@rspb.org.uk

www.rspb.org.uk

Construction of the Via Baltica transport link in Poland threatens the pristine Rospuda Valley wetlands within the Augustow Primeval Forest Natura 2000 site and the numerous species and habitats for which this is protected.



David Trilling (rspb-images.com)



White stork by David Jaer (rspb-images.com)

What are the Birds and Habitats Directives?

The two key pillars of the EU's nature conservation policy are the **Birds Directive (Council Directive 79/409/EEC on the conservation of wild birds)** and the **Habitats Directive (Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora)**.

The Birds Directive is the EU's oldest piece of nature legislation, and its focus is exclusively on birds. The Habitats Directive complements the Birds Directive by extending the legal protection to animals other than birds, to plants and to communities of plants forming typical and recognisable habitats. Together, these two Directives have been successful in slowing the loss of biodiversity (the variety of life on Earth) within the EU. They have been central to attempts to halt that loss by 2010 and will form the legal backdrop to targets developed beyond 2010.

What is the scope of the Directives?

The Birds Directive protects all wild birds in the European territory of the EU Member States. It requires special measures, especially through the

establishment of Special Protection Areas (SPAs), for those birds that are most vulnerable, including migratory species. The Directive also regulates hunting, taking and trading in wild birds through a number of specific provisions.

The Habitats Directive is based on the selective listing of animal and plant species (not including birds) and habitats of Community importance, and it establishes the Natura 2000 network for their protection. It sets out a detailed process for designating, managing and protecting these sites, and incorporates the SPAs into Natura 2000. It also provides a system of protection and regulates the exploitation of a long list of animal and plant species.

What is the overarching aim of the Directives?

Using a combination of habitat conservation and species protection, the essential aim of the two Directives is to maintain, and where necessary restore to, favourable conservation status for the most valuable elements of flora, fauna and habitats in the EU. A principal tool to achieve this is the set

of Natura 2000 protected areas, alongside the protection of species and habitats in the wider landscape.

What is the relationship between the Birds and Habitats Directives and economic development?

The Directives provide a flexible framework that if implemented correctly can deliver both nature conservation and development. The Natura 2000 network of protected areas is an excellent example. The Directives require that a part of the territory of each Member State should be designated as protected areas, where conservation objectives should take precedence. This does not mean that all land use and development activities should be completely stopped within these Natura 2000 sites but that they should be compatible with the priorities of nature conservation. This way, Natura 2000 can provide an opportunity to land users and developers to carry out activities taking advantage of the special conditions of these sites.

Financial incentives already exist within the various EU funds to provide

economic support to manage and benefit from these natural areas. BirdLife Partner organisations are working hard to broaden the scope of such measures in different countries.

From time to time, conflicts may arise between ill-judged human activities and the conservation objectives of the Directives. There are many complaints by concerned citizens or organisations about harmful developments in Natura 2000 sites or regarding animal killings. While some of these are quickly resolved, others result in lengthy legal challenges and prosecution.

The success of the Directives should not be judged so much in terms of stopping inappropriate activities but by providing a tool kit to resolve conflict through better design, mitigation or compensation. Most of the conflicts arise from slow implementation, misunderstanding or deliberate misinformation. Where the Directives are properly transposed into national law, implemented, enforced, financed and communicated, effective and sustainable solutions can always be found.

The great bustard is one of the species that benefits from special protection measures under the Birds Directive.

What flexibility do the Directives offer to Member States?

As all the other EU Directives, the Birds and Habitats Directives are clear in their objectives and overall obligations but leave the details of achieving these to the Member States. The transposition of this framework into law, its implementation and enforcement are the competence of the Member States, and their national, regional and local authorities.

An EU-level legal framework is essential, both because nature does not recognise borders (think of migratory birds or rivers) and because stakeholders everywhere need planning security, equal opportunities and a level playing field across the single market of the EU. This helps ensure no Member State gains a short-term economic advantage over another by destroying its environment. At the same time, Member States have the flexibility to find solutions best fitting to the national or local circumstances to comply with the provisions of the Directives. There are numerous guidance papers produced at EU level on various aspects of the Directives that should help authorities design solutions that work best.

What have they achieved?

Without the Directives and Natura 2000, it is likely that European nature would be in a significantly worse condition than it is today. A scientific study looking at changes in the populations of bird species protected by the Birds Directive in the 15 “older” EU member states found that, overall, these species did better than other birds not subject to special conservation measures in these countries. They also performed better than the same species outside the EU15 at the same time. The study found a strong positive relationship between the total area of Special Protection Areas and overall population trends of the species for which they were designated. This is the best evidence yet that the Birds Directive works, although it takes time for its impact to show.

Another important achievement of the Birds Directive is the protection of wild birds from excessive exploitation, such as hunting and trade. These activities are regulated in all of the EU member states, although standards of enforcement vary. Efforts are targeted at those countries within the EU where illegal hunting still goes on, resulting in the avoidable death of millions of birds.

One of the outstanding and visible achievements of the two Directives is the Natura 2000 protected sites network, which now numbers more than 26,000 sites covering about 17% of the EU’s territory. There is no other region of the world that can boast with a similar international system of protected areas selected systematically for their importance for biodiversity.

What are the benefits of the Directives to EU citizens?

- **Preserve our natural heritage:** the Birds and Habitats Directives are key mechanisms to preserve our

The Picos de Europa regional wildlife park in Spain is part of the Natura 2000 network and its stunning landscapes and wildlife are protected under the Birds and Habitats Directives.

valuable natural heritage for future generations. They also represent the main contribution of the EU to the global Convention on Biodiversity (CBD) as well as other relevant treaties, and are admired the world over, with efforts to adopt similar standards in some countries.

- **Quality of life:** they make a significant contribution to the wellbeing and quality of life of the citizens of Europe through preserving and improving a wide range of ecosystem services and by offering tens of thousands of green spaces for relaxation and leisure activities. Users of natural resources, e.g. farmers, tourists, hunters, fishermen, depend on rich wildlife and stunning landscapes.
- **Maintain traditions:** Natura 2000 sites are helping to preserve traditional ways of life and farming practices that are compatible with conservation and provide valuable alternative employment and financing opportunities in some of the less developed regions of the EU.
- **EU-wide integration:** the Directives are an excellent example of where the EU can show that European integration provides an

added value to its citizens. The European Commission’s Eurobarometer surveys have shown that the environment is one of the fields where citizens have most trust and confidence in a strong EU role.

How do the Directives cope with climate change?

Although when the Directives were adopted climate change was only a remote threat, they cope very well with the challenges posed by this phenomenon. The objectives and measures of the Directives are flexible enough to help wildlife and their habitats cope with the impact of climate shifts, provided that they are fully and adequately implemented across the EU. Biodiversity and climate change are closely interlinked: many habitats, like forests and wetlands, as well as the oceans, are important carbon sinks. There is increasing

evidence that protected areas will always fulfil an essential role in supporting animal and plant species and providing services to humans, even if the species mix within them changes with the changing climate. Healthy, well-functioning ecosystems can also protect us against extreme weather events, like floods, forest fires or erosion. However, wildlife also needs a helping hand to adapt to new climates as distributions change, especially in productive and urbanised landscapes outside protected areas. Within Natura 2000 sites, management objectives must take account of climate predictions.

What are the future challenges of the Nature Directives?

Despite the great progress in their implementation and the excellent results already achieved, many challenges remain to make the



Healthy ecosystems can protect us against extreme weather events.



Carlos Sanchez (rspb-images.com)

Carlos Sanchez (rspb-images.com)