

## EDITORIAL

### EU's financial perspective for the period 2007-2013

The debate on the EU's financial perspective for the period 2007-2013 is currently hotting up in Brussels with a view to Member States reaching a political agreement at the June European Council.

The financial perspective is important because it's a huge amount of money - around EUR 120 billion a year. If this money is used wisely, it could bring enormous benefits to wildlife across Europe and, in so doing, help the EU to meet its commitment to halt biodiversity loss by 2010. If this money is mispent on inappropriate agricultural subsidies or environmentally-damaging infrastructure, then Europe's beleaguered wildlife will continue to decline.

The proposed environmental spending under the direct control of DG Environment is tiny - just 0.24% of the budget. It is the Commission's intention that environmental priorities should be 'mainstreamed' across a range of expenditure programmes, particularly Headings 1 ("Sustainable Growth"), 2 ("Preservation and Management of Natural Resources") and 4 ("The EU as a Global Partner").

It is very difficult to judge from the draft financial perspective how much priority will be given

to the environment, compared with competing Lisbon economic development objectives and fixed agricultural subsidies. There are plenty of opportunities, but no guarantees, that environmental needs will be met.

The Luxembourg Presidency is seeking to obtain a political agreement on the package from Heads of State and Government at the European Council in June. This aspiration is strongly supported by the Commission, which has warned that a failure to reach an agreement in June will lead to delays in the implementation of policies after 2007. However, differences of opinion on issues such as the inclusion of Romania and Bulgaria in the CAP budget and the UK rebate continue to hamper the agreement of a compromise deal. Moreover, six Member States wish to limit their contribution to the EU's budget to 1% of Gross National Income (GNI), whereas the Commission has put forward proposals based on a ceiling of 1.24%.

As agricultural expenditure under Pillar 1 of the CAP - which represents one third of the budget - is fixed until 2013, BirdLife is concerned that any reduction in the size of the overall budget will result in significant cuts to other budget lines, some of which deliver significant environmental bene-

fits such as the rural development programme (Pillar 2 of the CAP). NGOs are therefore campaigning to ensure that budgetary cuts do not affect the most important spending streams for wildlife.

At the same time, the situation does present some real opportunities. In particular, momentum is building in favour of securing sufficient funding for Natura 2000. Parliament's Rapporteur, Reimer Böge MEP (EPP/DE, Ger) is recommending that EUR 21 billion should be ring-fenced over 7 years for Natura 2000 financing and Commission President, Jose Barroso, has stated that he would support increased and ring-fenced funding for nature conservation. BirdLife believes that such an approach is vital in order to guarantee the allocation of sufficient funding to Natura 2000 and is calling on the Council to support Mr Böge's recommendations.

Now is the time to meet the threats and take the opportunities. The European Union must ensure the EU financing programmes help rather than hinder the achievement of the EU's environmental and sustainable development objectives or risk bequeathing an impoverished Europe to future generations.

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### Special points of interest:

- CAP cyberaction handover



Wigeon (*Anas penelope*) by Chris Gomersall



## CAP cyberaction handover in the European Parliament - Tuesday 15 March 2005

A reception on "BirdLife's Vision for Farming and Nature" was organised in the European Parliament on 15 March, hosted by Terry Wynn MEP (PES, UK). Mariann Fischer Boel, Commissioner for Agriculture and Rural Development, who attended as the guest of honour, was presented with a giant postcard containing two key requests: support farming methods that contribute to maintaining and restoring rich wildlife areas in Europe and increase the overall funding available for nature-friendly farming practices. These requests were supported by over 60,000 members and supporters from across Europe.

The reception was opened by Terry Wynn, who congratulated BirdLife on

its work in pushing for continued reform of the CAP. Graham Wynne, Chief Executive of the RSPB, spoke on behalf of BirdLife and highlighted

development and agri-environmental schemes. Mrs Fischer Boel thanked BirdLife for the postcard and for organising the event, and spoke of the

need to continue the process of CAP reform started by her predecessor, Franz Fischler. Claire Pappazoglou drew the speeches to a close by thanking all participants and speaking of the importance of financing the Natura 2000 network.

Thank you to all Partners who attended and made the evening such a success for BirdLife in Brussels.

Photos and a full attendance list are available on request.



Photo European Parliament

the need to seize the opportunity presented by the financial perspective to dedicate sufficient funding to rural

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## VISIT 'EUROPE'S COUNTRYSIDE ALIVE'

As part of BirdLife International's Farming for Life Campaign, the "Europe's Countryside Alive" photo competition has been supported by over one thousand amateur photographers from all over the World. Entrants to the competition have strived to capture the wonderful diversity of the EU's rural countryside and the wildlife it shelters, on camera. The stunning results show just how vital it is to keep our countryside alive.

The photo competition has been organised by BirdLife to promote a strong message to decision-makers, farmers and the general public about the need for sustainable rural development in Europe to protect our wildlife. Farmland wildlife is disappearing at an alarming rate. Without radical changes in farming policy, we will lose the rich variety of our natural heritage.

From 31<sup>st</sup> May 2005, a series of exhibitions will display the award-winning entries to this competition. Winners win an expenses-paid weekend for two, to a beautiful retreat in Europe's countryside and prizes will be awarded in a special presentation in the European Parliament on 1<sup>st</sup> June. Wild birds and other wildlife, such as plants, insects and mammals share open fields, meadows and hedges. They depend upon farmland for their survival. Populations of wild species have been drastically reduced over the last 30 years, as a result of our Common Agricultural Policy (CAP) which has encouraged intensive farming throughout the EU.

BirdLife's Farming for Life Campaign involves all of the organisation's 25 EU Partners who are pushing for reform of the EU's agricultural policies.

Reform began in 2003, but BirdLife wants to see more radical changes to further integrate wildlife-friendly practices into modern farming. A thriving countryside and a better future for birds, other wildlife and rural communities can only be delivered by sustainable farming, which marries economic prosperity with protection of the environment.

See 'Europe's Countryside Alive' from 31<sup>st</sup> May 2005 at:

**European Parliament, Brussels**

**31-05-05 to 03-06-05**

Rez-de-chaussée couloir  
Ground Floor, ASP building.  
(via parliamentary access only)

**European Commission's Green Week, Brussels**

**31-05-05 to 03-06-05**

BirdLife International's stand (number 50)



## MEPs vote for LIFE+

On 26 April MEPs sent a strong political message that EU nature needs proper financing.

MEPs in the European Parliament's environment committee voted overwhelmingly in favour of reinstating a dedicated nature programme under the LIFE+ regulation. This is in direct response to the European Commission's plans to axe the LIFE Nature programme.

This move reinforces strong calls in the Council of Ministers to reinstate a biodiversity fund while increasing the budget to cover nature financing activities

that cannot be co-financed under other EU policies.

BirdLife welcomes the strength of the MEPs convictions on this matter. However, we maintain that the best way to deliver financing for the Natura 2000 is not to isolate sites from the rest of land use policies but to deliver EU co-financing through rural development, structural and fisheries funds. LIFE+ should be used to cover those habitats and species that cannot be covered under other funds, such as wetlands and the imperial eagle.

Ultimately it will be the Financial Perspectives that decide the budget for each policy area. But MEPs' call to give 23 billion Euro for LIFE+ will up the ante to provide significant funding for Natura 2000. With only five years to go significant funds will be needed if the EU is to meet its target of halting biodiversity decline by 2010.

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## Regional Policy

On 17 March BirdLife Partners convened in Brussels for the Regional Policy Task Force meeting. This was a timely opportunity to update Partners on Brussels level action, to exchange information on national lobbying and to plan ahead for future activities.

In Brussels, discussions on the draft Structural Fund and Cohesion Fund regulations have continued on a weekly basis in the European Council working group. Arguably there has not been much change since the agreement on principles and guidelines under the Dutch presidency – except the Commission is taking a stronger hand in the process under the Luxembourg Presidency.

A key area of concern for us in the Council discussions is the erosion of the Partnership Principle (Article 10 of the draft General Regulation) through the deletion of 'environmental partners'. Our other main policy messages – halting payments when Structural Fund projects are in breach of EU environmental legislation, Strategic Environmental Assessment, and making sure that the approval of Member States' plans and programmes is conditional on the availability of Funds to finance Natura



Puffin (*Fratercula Arctica*) by Thelma K Sykes

2000 – have not been addressed by Member State Governments.

What is much more promising, however, is that our efforts in the European Parliament are bearing fruit. Together with the Coalition of Environmental NGOs, BirdLife proposed amendments to the Regional Committee rapporteurs on the General Regulation, and ERDF, ESF and Cohesion Fund regulations. In March, the rapporteurs produced draft reports and, with the amendments proposed by MEPs, all our recommendations have been taken up. Committee members will vote on the amendments on the 29 May, and all MEPs will have the

opportunity to vote at the plenary session in July.

In last two months we have also been following progress on the Community Strategic Guidelines with interest. The Coalition prepared a briefing and has made representations to the Commission on the inclusion of the environment and Natura 2000 in the guidelines. The draft proposal will be discussed by an informal Council of Ministers in Luxembourg in May.

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## Changes at ECO

The European Community Office has a new telephone system.

The switchboard and fax numbers remain the same:

Tel: +32 (0) 280 08 30

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New direct lines are:

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Pamela Balin, ECO's Secretarial and Information Officer, will be leaving on 3rd June to go on maternity leave, she will return beginning of October, and then go on half time parental leave for six months.

From 30th May, Alessia Pautasso will be replacing her until end of November.

Alessia is also Italian, she has a Degree in International and Diplomatic Sciences from Turin University and she has just finished an Internship at

the RUNC Offices here in Brussels. She loves travelling and reading, and she speaks, apart from Italian, English, French and German.

She will be receiving both Pamela's email ([Pamela.Balin@birdlifeeco.net](mailto:Pamela.Balin@birdlifeeco.net)) and the general ECO email: [bleco@birdlifeeco.net](mailto:bleco@birdlifeeco.net)

## Environment Council Conclusions - 10 March 2005

The Environment Council adopted a contribution with a view to the mid-term review of the Lisbon Strategy by the Spring European Council, which was held in Brussels on 22 and 23 March 2005.

The Environment Ministers warned that the Lisbon strategy is fully consist-

ent with the Gothenburg sustainable development strategy and that its three dimensions - economic, social and environmental - are of equal importance.

The Council confirmed the objective of halting the loss of biodiversity by 2010, notably through the integration

of environmental requirements in all policies.

The Council also adopted conclusions on Climate Change addressed to the European Council.

## Sustainable Development Strategy Review

The European Commission issued a communication called "*The 2005 Review of the Sustainable Development Strategy: Initial Stocktaking and Future Orientations*" on 9 February 2005. [COM(2005)37 final] This was the preparation for the scheduled review of the strategy in 2005. The EU Sustainable Development Strategy (SDS) was issued in 2001 by the Commission, and adopted at the European Council meeting in 2001, in Gothenburg. The SDS is also where, the target of halting biodiversity decline by 2010, was agreed by Heads of State.

The European Council in March (22 and 23) re-launched the Lisbon Strategy and reaffirmed that the Lisbon Strategy is to be seen in the wider

context of the Sustainable Development Strategy. Regarding the Sustainable Development Strategy the Council agreed to adopt a declaration on guiding principles for sustainable development in the European Council in June and to renew the Strategy by the end of the year.

The new Sustainable Development Strategy, which will be adopted by the end of 2005 (probably at the December European Council meeting) on the basis of a Commission Communication, will be more ambitious and more comprehensive, comprising targets, indicators and an effective monitoring procedure. The new Strategy will be based on positive long-term vision and should fully integrate the

internal and external dimensions. This can be potentially very important for BirdLife, who will be promoting its indicator of common birds as a biodiversity indicator to be adopted in the new strategy.

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## European Parliamentary Questions & Answers

*The Questions & Answers are set out as follows:*

*Subject, Question nr., Name & Party asking, date of question, Summary of Question, Commissioner answering, date of answer, Summary of answer.*

*Please contact us for more information on any of these questions & answers.*

### **Birds Directive - Cyprus - E-2171/04 by Chris Davies (ALDE) - 13/09/2004**

In view of the widespread yet illegal trapping of migratory birds on Cyprus, is the Commission satisfied that the Republic is in compliance with the Birds Directive (79/409/EEC)?

In particular, is the Commission satisfied that the law against such trapping is being enforced by the authorities, that prosecutions are taking place, that appropriate deterrent penalties are being awarded by the courts, that action is being taken to prevent the sale of dead wild birds in restaurants on the island, and that steps are being taken to prevent the importing of nets for catching wild birds?

### **Answer by Mrs Wallström - 28/10/2004**

From 1 May 2004 Cyprus is required to fully implement and enforce Community legislation, including the Birds Directive. No transition period has been given and no specific derogations have been requested by Cyprus. However, Community legislation does not apply to the sovereign base areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus. In October 2003, Cyprus adopted Law 152(I)/2003 for the protection and management of wild birds and game species, which transposes the requirements of the Birds

Directive. A preliminary assessment of this legislative act shows that the transposition of the Directive's provisions is generally faithful in terms of the results to be achieved. A thorough assessment of the conformity of the Cypriot legislation with the Birds Directive is underway.

The use of certain bird-trapping methods, like the ones involving the use of mist nets and lime sticks, which leads to a large-scale or non-selective capture or killing of birds, is incompatible with the Birds Directive. The Cypriot authorities are determined to eradicate these illegal activities and, since 2002, a series of measures have been taken.

The enforcement of the new legislation has been effective, with the deployment of wardens having been increased in critical areas, while strict controls and frequent inspections in restaurants have also taken place. Furthermore, information campaigns were launched and the Cypriot authorities have also been cooperating with non-governmental organisations. In addition, the recent Law 152(I)/2003 makes prosecution easier and introduces dissuasive penalties for offenders. The fines were increased from CY£2,000 to CY£10,000 and the term of imprisonment increased to three years. The legislation also allows for automatic confiscation of all equipment used in illegal activities.

The Commission, within the limits of its powers, will continue monitoring the implementation of this legislation in Cyprus and will take all appropriate measures to ensure the correct application of Community environmental law.

### **Decoupling of agricul-**

### **tural aid - P-2357/04 by Niels Busk (ALDE) - 28/09/2004**

Farmers who produced calves during the reference period 2000-2002 but have now stopped production can continue to receive aid without producing a single calf.

Will the Commission say to what extent it is possible for farmers who give up farming or retire to continue receiving agricultural aid?

Is there a ceiling on the amount of aid?

What will the Commission do to ensure that active, producing farmers and, in particular, new, young farmers receive aid rather than farmers who have given up farming.

Does the Commission agree that agricultural aid should go to the person who owns or runs the farm?

### **Answer by Mr Fischler - 19/11/2004**

Council Regulation (EC) No 1782/2003 lays down the rules for farmers receiving direct payments. A distinction has to be made between entitlements and payments. Entitlements are the right to yearly payments.

In order to qualify for entitlements, the farmer has to be an active farmer. In the case where the farmer has died in the meantime, the son or daughter who has inherited the farm can apply instead. The reform was not intended to provide entitlements to landowners just because of ownership of a piece of agricultural land.

Once the entitlements have been established, payments corresponding to entitlements can only be triggered

if the farmer has at his disposal a number of hectares corresponding to the number of entitlements.

A special situation exists for farmers who had little or no land available to them, e.g. in cases of animal production. In such cases, entitlements subject to special conditions are given according to Article 47 of Council Regulation (EC) No 1782/2003. The farmer can, however, only trigger payments for these "special" entitlements, if he can prove that he maintains a minimum of 50% of the livestock units, which were used to determine his entitlements.

Consequently the question by the Honourable Member can be answered as follows:

Farmers that have given up farming cannot receive entitlements and therefore they cannot receive payments.

There is no limit on the amount of aid a farmer may receive. The amount depends on the size of the farm and/or the activities of the farm in a reference period.

The reform results in entitlements (the right to support) being given to the active farmers.

New farmers can receive entitlements out of a national reserve if the Member State concerned makes use of the option to apply Article 42 (3) of Council Regulation (EC) No 1782/2003.

The Commission fully shares the view that the agricultural aid should be given to the active farmer that runs the farm.

### **Implications of recent European Court of Justice ruling for cockle fishing and gas extraction in the Wadden Sea - P-2115/04 by Kathalijne Buitenweg (Verts/ALE) - 18/10/2004**



Between 30 August 2004 and 16 December 2004 cockle fishermen may fish for 8 million kg of cockle meat in the Wadden Sea, under licences granted by the Netherlands Minister for Agriculture, Nature and Food Quality. However, on Tuesday, 7 September 2004 the European Court of Justice in Luxembourg ruled that such licences may be granted only if evidence has been provided that no significant damage will be caused to a natural site covered by the Habitats Directive. The Wadden Sea is such an area, and the required evidence has not been provided. What's more, studies carried out under 'EVA2', commissioned by the Ministry of Agriculture, Nature and Food Quality and the Ministry of Transport, Public Works and Water Management, manifestly show that mechanical cockle fishing has harmful effects.

What steps does the Commission intend to take, in the light of this ruling and in its capacity as guardian of the Habitats Directive, to prevent 8 million kg of cockle meat from being unlawfully fished for?

Is the Commission of the opinion that the Netherlands Government must reconsider the granting of the licences in the light of the Court's judgment?

In its ruling the European Court states that the scientific evidence that no damage will be caused to the protected area must be very stringent. However, Netherlands plans for drilling for natural gas in the Wadden Sea foresee temporary subsidence in the Wadden Sea. On 30 April 2004 the Commission already indicated in its answer to a question by former Member of Parliament Alexander de Roo that Council Directive 92/43/EEC(1) of 21 May 1992 on the conser-

vation of natural habitats and of wild fauna and flora must be complied with at all times in protected areas. The Commission also announced on 30 April 2004 that it would be reminding the Dutch authorities, in a letter addressed to the Permanent Representation of the Netherlands, of their obligations under Directive 92/43/EEC in this respect.

What response have the Dutch authorities given to that letter?

Does that response give cause for new steps on the part of the Commission?

Does the European Court ruling of Tuesday, 7 September alter the Commission's position on the Netherlands plans for drilling for gas in the Wadden Sea, and, if so, in what way?

**Answer by Mr Wallström - 25/10/2004**

The Wadden Sea has been designated by the Netherlands as a special protection area under Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds and has been put forward as a proposed site of Community importance under Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora. Article 6(3) of Directive 92/43/EEC provides, inter alia, that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon shall be subject to appropriate assessment of its implications for the site. It provides further that, in the light of the conclusions of the assessment and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained

that it will not adversely affect the integrity of the site concerned.

As regards the issue of shellfish harvesting in the Wadden Sea, as indicated in the replies to written questions P-2375/03 and P-2991/03 by Mr de Roo, the Commission has opened cases relating to, inter alia, the adverse effects of this activity on the populations of wild birds. The Commission has contacted the Netherlands regarding the application of Article 6(3) of Directive 92/43/EEC to the authorisations for cockle fishing. The Court of Justice ruling of 7 September 2004 in case C-127/02 to which the Honourable Member refers confirms that the mechanical cockle fishing falls within the concept of plan or project in the sense of Article 6(3) of that Directive. The Commission will examine all information that will be provided by the Netherlands and will then consider whether further steps need to be taken in this context.

As regards the plans of the Netherlands for gas extraction in the Wadden Sea, the Commission has recently sent a letter to the Netherlands reminding the authorities of their obligations under Article 6(3) and 6(4) of Directive 92/43/EEC and requesting to be kept informed about the future developments regarding the plans. The Commission is in contact with the Dutch authorities about this issue. On the basis of the information provided, the Commission will consider if further steps need to be taken in this context. In general, the above-mentioned ruling of the Court of Justice seems to confirm the approach that the Commission is taking.

**Environmental Impact Assessments (EIA) - E-2558/04 by Chris Davies (ALDE) - 12/10/2004**

Written Question E-1922/04, which I tabled, included three elements, only two of which were clearly answered by Mrs Wallström on 29 September 2004.

Even if the answer is a simple 'No', will the Commission now indicate whether it intends to ensure that the benefits of enhanced environmental technology are taken into account in EIAs?

**Answer by Mrs Wallström - 19/11/2004**

Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (EIA Directive) as amended by Council Directive 97/11/EC of 3 March 1997 does not require economic considerations to be included in Environmental Impact Assessments. In relation to this matter the Honourable Member may refer to the reply by the Commission to the Honourable Member's written question E-1922/04. Individual project proponents may decide to opt for environmental protection technologies having a positive economic performance. However, the environmental impact assessment process under the EIA Directive would only focus on the environmental effects of the project.

Another issue is the so-called "Extended Impact Assessment" process, which is now carried out for major Commission policy initiatives. The process is set out in the Commission's Communication of 5 June 2002 on Impact Assessment. The Commission's policy proposals, including those in the environmental field, are now assessed ex-ante for their environmental, economic and social impacts. Positive effects in terms of innovation and technological develop-



ment should be taken into account when dealing with economic impacts. Where possible, these impacts should be evaluated in quantitative terms with the help of modelling techniques, as was done to support the Climate Change debate.

Finally, the Commission is taking further steps to strengthen the link between the environment and the economy. The Environmental Technology Action Plan (ETAP), adopted by the Commission on 28 January 2004 aims to exploit the potential of environmental technologies to boost competitiveness while at the same time protecting the environment; innovation is certainly a key for achieving both objectives.

**Proposal for a Commission regulation on rural development - P-2624/04 by Georgios Papastamkos (PPE-DE) - 15/10/2004**

The proposal for a Commission regulation on rural development (COM (2004) 490 final) is intended as the centrepiece of the new programming period 2007-2013. It seeks to address the economic, social and environmental challenges which directly affect more than half of the population of EU-25.

One significant innovation is the grouping together of existing funding measures in a single financial and programming instrument, the European Agricultural Fund for Rural Development (EAFRD). This legislative innovation by the Commission raises a number of justifiable questions, some of which are set out below:

Are the simplification, transparency and effectiveness intended by the EAFRED compatible with multiple planning levels which, it is thought, will prove unwieldy and bureaucratic? The territorial units and the objectives provided for in the proposal for a regulation do not tally with those

in the new Cohesion Policy. Effective synergy will not, therefore, be achieved. Suffice it to say that out of the 88.75 million euros, only 31.3 are intended for regions eligible for the Convergence Objective. This is deemed to be very little, given the large size of their rural areas and their low level of development.

On the basis of which criteria have these funds been distributed? How will they be divided among the EU Member States?

The Annex mentions the smaller Aegean islands. Which islands are these? Furthermore, the regions eligible for sustainable land use include regions with special disadvantages. However, these regions may not exceed 10% of the area of the country concerned. For countries with a long coastline and many islands, this is a very low rate.

One further question relates to the first afforestation of non-agricultural land. However, given that in some countries, such as Greece, a large amount of non-agricultural land belongs to local authorities, should the measure not include this case too?

**Answer by Mrs Fischer Boel - 04/01/2005**

The Commission believes that for an EU policy of the magnitude of Rural Development for which around €97 billion will be spent in the period 2007-2013 according to the Commission proposals, a more strategic approach, like the one for the new Cohesion policy, should be put in place at both EU and Member States level. However, the delivery instrument will be the rural development programmes at national or regional level. This brings into the programming process a great deal of simplification compared to the current situation, insofar as the Community Support Frameworks and the Programming Com-

plements will be suppressed. This holds for both Cohesion and Rural development policies.

There are three policy objectives for Rural development as spelled out in the Commission proposal: agricultural and forestry competitiveness, environment; land management and diversification of activities; and quality of life in rural areas. However, Rural Development plays an important role in contributing to the economic and social cohesion (Article 3 of the draft Regulation on support for Rural Development).

It is not correct that only €1.3 billion are earmarked for the regions under the new Convergence Objective. This amount is part of the Structural Funds originating from the current European Agriculture Guidance and Guarantee Fund (EAGGF) Guidance Section (which is a Structural Fund) which finances Rural Development measures in the current Objective I regions (see Article 70(7) of the above draft Regulation), but this is not the only rural development funding destined to the Convergence regions, since currently, in the Objective I regions, rural development measures are also financed by the Guarantee Section of EAGGF. In the ongoing 2000-2006 period, for the EU-15, more than 55% of rural development spending from both EAGGF Sections goes to Objective I regions. The enlargement brought this rate to around 2/3 of total EAGGF spending and this level of spending will remain within the Convergence Objective regions for 2007-2013. In other words, 2/3 of the total EAFRD amount will be spent in the Convergence regions.

The distribution of the Rural Development funds between Member States will take into account the current sharing of EAGGF-Guidance in the Structural Funds programmes in each Member State as part

of the above €1.3 billion transferred from the Cohesion policy; when distributing the remaining amount the Commission will take into account past performance and particular situations and needs of the Member States (see Article 70(5) of the above draft Regulation).

The smaller Aegean Islands are defined in Council Regulation (EEC) No 2019/93(1) (all Aegean Islands with no more than 100,000 inhabitants; Euboea and Crete are excluded).

The 10% limitation of areas affected by specific handicaps (other than mountain and other less-favoured areas) is as it is currently provided for in Article 20(2) of Regulation (EC) No 1257/1999(2). The Commission did not change this figure in its proposal for 2007-2013.

Local authorities are not excluded from support for first afforestation of non-agricultural land: reading of Article 42(3) of the above draft Regulation for 2007-2013, by cross-reference to the general conditions applicable to sub-section 2 (Article 39) which establish that support under this sub-section shall be granted for forests and wooded areas owned by private owners or by their associations or by municipalities or their associations, is to be understood in a way that when support is granted to natural persons or private-law corporations the aid rates in annex apply. Aid rates have a sense when dealing with private persons (natural or private-law) and support in this case represents public expenditure. Aid rates are without sense for public bodies such as municipalities, since their expenditures are by definition 100% public.



By Andy Hay



# BirdLife

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## The Brussels Briefing

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Editor: Claire Papazoglou

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### Further information on specific topics

The Briefing is not large enough to contain the text of all the source materials used to compile it. If you would like further information on specific topics reported in the Brussels Briefing, please contact us - details above.