Analysis of the new biogeographical seminar approach for evaluating the effectiveness of management measures in Natura 2000 areas and of the BEF Group's potential to contribute to this process

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Introduction

In May 2011, the European Commission adopted a new biodiversity strategy aiming at halting the loss of biodiversity and ecosystem services by 2020. Moreover, the document includes an even more ambitious vision for 2050: "By 2050, European Union biodiversity and the ecosystem services it provides – its natural capital – are protected, valued and appropriately restored for biodiversity's intrinsic value and for their essential contribution to human wellbeing and economic prosperity, and so that catastrophic changes caused by the loss of biodiversity are avoided". Sceptics might argue that such a goal and vision are unrealistic—the—best proof of this view is the EU's failure in achieving its target to stop the biodiversity decline by 2010. However, the fact that the EU openly acknowledged this failure is not only a sign of policy maturity, but also an important precondition for a successful achievement of newly settled goals. The acknowledgment of the failure, the analysis of its reasons while maintaining the nature conservation policy ambitions invites for seeking new implementation approaches. The new communication process established on biogeographic level for seeking an effective management of the Natura 2000 network is an example of a new, more collaborative approach.

The implementation of the EU's nature conservation policy is built on the Habitats² and Birds³ Directives. One of the major corner stones of the directives is the Natura 2000 protected areas network. An intensive process of Natura 2000 site selection has been on-going so far; it has shaped a network of protected areas covering 17.5% of the EU's surface with 26,106 sites⁴, whose total area is nearly the same as the surface of Lithuania, Latvia, Estonia, Finland and Sweden together. Although this process is still on-going as bilateral communication between the European Commission (EC) and the Member States, the majority of sites are selected and have entered into a new process, which focuses on ensuring the favourable conservation status of the natural heritage listed in the annexes of the directives. This new on-going process is reviewed in this paper.

The purpose of this analytical paper is to provide background information on the new biogeographic seminar process on the Natura 2000 management through the perspective of

European Commission: communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions. Our life insurance, our natural capital: an EU biodiversity strategy to 2020 (http://ec.europa.eu/environment/nature/biodiversity/comm2006/pdf/2020/1_EN_ACT_part1_v7[1].pdf)

² Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora;

³ Directive 2009/147.EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds

⁴ Natura 2000 barometer: http://ec.europa.eu/environment/nature/natura2000/barometer/index_en.htm

an environmental NGO. The paper represents the view of the Baltic Environmental Forum Group (BEF Group) and serves as communication paper for the members of the BEF Group network defining their role in the process. This document, providing the subjective opinion of BEF about the on-going process and contributing with recommendations based on our existing experience, is also open for other interested stakeholders. As the new biogeographic level process is very much connected to facilitation and stakeholder networking focused on the Natura 2000 management, we hope that the view of BEF having long-year experience in bringing stakeholders together to a facilitated forum, will be valuable.

1 Background

1.1 The overall objective of the new biogeographic seminars

The establishment of a new process on biogeographic level is intended as a mechanism to analyse and interpret the results from the reports on the species' and habitats' conservation status on biogeographic level and to make recommendations for future action. The aim is to facilitate the discussion between the Member States, experts, stakeholders, and the European Commission on the measures needed to adequately react to the findings of the analysis, with a specific focus on the contribution of the Natura 2000 network. The process is intended to help the Member States to develop and implement measures necessary to achieve the favourable conservation status of species and habitats of Community interest and to improve the status of bird species.

The new process is seen as an important tool to promote progress towards the implementation of the new EU Biodiversity Strategy's targets. While the responsibility to maintain or restore the favourable conservation status of the species and habitat types of Community interest and to help improving the status of bird species naturally occurring in the EU will remains with the Member States, the European Commission considers that the success of measures taken would benefit from co-ordinated or collaborative approaches among the Member States sharing a common biogeographic context.

A major accent of the new process is strengthening the collaboration between the Member States on biogeographic level. Although different collaboration mechanisms exist (e.g. through the Baltic Sea Region Programme (previously Interreg) and LIFE/LIFE+), they have neither paid specific attention on biogeographic regions nor brought all involved countries together to take common solutions. The EC as initiator of the process sees that the new process would provide EU added value by enhancing opportunities on biogeographic region level to:

- strengthen cross-border cooperation,
- exchange information on conservation objectives and measures applied throughout the network,
- agree/recommend good practice in management/restoration and monitoring,
- agree/recommend adaptation of conservation objectives and measures to changing conditions, including climate change,
- promote the coherence of the Natura 2000 network,
- contribute to the implementation and the updating of the future prioritised action framework of measures involving Community co-financing.

It is foreseen that the seminars will be held as periodic events within the biogeographic region. The outcome of such events should be:

- to identify the species and habitats for which a good management of the Natura 2000 network will play a key role in achieving the favourable conservation status; and, on the other hand, the species and habitats for which improving their conservation status needs to be addressed more widely through sectoral policies such as agriculture, forestry, fisheries etc.
- to help the Member States in exchanging information on conservation objectives and measures including the best practice,
- to define priorities and recommend cost-effective ways to reach the favourable conservation status and deal with climate change impacts,
- to facilitate the exchange of information on the follow-up of conservation measures and on the contribution of the Natura 2000 network to reach the favourable conservations status,
- to harness expert knowledge and the common understanding on the feasibility and likely timeframes for the recovery of species and habitats in response to the particular targeted actions,
- to discuss constraints in the management of the Natura 2000 network (incl. conflicts, issues linked to public acceptance etc.),
- to catalyse cooperation between Member States, including cross-border cooperation on the management of Natura 2000 sites,
- to identify potential synergies and benefits of management measures for Natura 2000 with other environmental and climate change objectives,
- to recommend an adaptation of wider sectoral policies where necessary in order to complement the conservation measures within the Natura 2000 network.

The seminar implementation involves an intensive preparation process. The process is led by the European Commission; however, the tasks are distributed among different parties. The overall process is driven by the established steering group, which involves Member States, the European Commission and assigned experts. During the process preparation, the European Nature Topic Centre prepared a scoping methodology to prioritise habitats and species to be evaluated during the discussions. The whole seminar preparation is organised by contracted consultants who draft the seminar document and facilitate preparations. The Member States are also invited to deliver information on the targeted habitats and species in form of answers to a special questionnaire. Although also NGOs have received the questionnaire and are invited to contribute by providing information, the participation of NGOs in the preparation process is limited.

1.2 The scope of the seminars in the Boreal biogeographic region

An important step in the preparation process of the Natura 2000 network management implementation debate is defining the scope of the assessment. Since the annexes of the directives listing the protected habitats and species are rather long, the European Commission recognised the need to narrow down the scope of the natural values to be discussed. The methodology and actual proposal for the scope of the seminars was provided by the European Nature Topic Centre. The main argument to include certain habitats and species into the seminar focus were the results of the reports on the Habitats Directive Article 17 by the Member States. As a result of the scoping, those habitats were included, whose status in the Article 17 report was evaluated as unfavourable and whose range of habitats covered the whole Boreal region. The table below indicates the habitat types resulting from the scoping process.

Name of Habitat Group	N2K code	Name
Grasslands and heaths	6210	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia) (*important orchid sites)
Grasslands and heaths	6530	Fennoscandian wooded meadows
Grasslands and heaths	6270	Fennoscandian lowland species-rich dry to mesic grasslands
Grasslands and heaths	6450	Northern boreal alluvial meadows
Grasslands and heaths	6510	Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis)
Grasslands and heaths	9070	Fennoscandian wooded pastures
Wetlands	7230	Alkaline fens
Wetlands	7160	Fennoscandian mineral-rich springs and springfens
Wetlands	7110	Active raised bogs
Wetlands	7120	Degraded raised bogs_still capable of natural regeneration
Wetlands	91D0	Bog woodland
Forests	9010	Western taiga
Forests	9060	Coniferous forests on , or connected to, glaciofluvial eskers
Forests	9070	Fennoscandian wooded pastures
Forests	91E0	Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion. Alnion incanae. Salicion albae)
Forests	9050	Fennoscandian herb-rich forests with Picea abies
Forests	9080	Fennoscandian deciduous swamp woods
Coastal	1630	Boreal Baltic coastal meadows
Freshwater	3260	Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation

Steering Group, Copenhagen, 16 June 2011

Table 1. List of habitats selected for the Boreal seminar assessment.

It is important to highlight that the scoping was done in a very consistent manner considering scientific arguments. Therefore the list has an added value beyond the seminar itself. This list provides a very good guidance for setting priorities – both for the state authorities during the resource allocation and the conservation action planning as well as for NGOs acting as a watchdog and contributing to conservation through their expertise and by initiating conservation projects.

The list of prioritised habitats sets the basis for the assessment of the conservation status of protected species. Under each habitat type there are lists of associated and typical species, which not only serve as indicators illustrating the conservation status of the habitat, but also list species, which are related to the habitat and need conservation efforts. It could be criticised that the chosen approach does not evaluate species separately and thus the species' conservation could not be comprehensively evaluated and would to a certain extent be considered as secondary priority. However, understanding the need to narrow down the assessment in order to focus the attention on the primary conservation objects, the chosen approach seems rational. The workshop document lists species in a table dividing them into "benefiting species" and "species with conflict of managements". Such an approach allows highlighting conflicting management practices, which so far have not been discussed intensively on higher level, but have been an important issue on site level.

1.3 The organisation of the work

Although the pilot biogeographic seminar on the Boreal region is foreseen to take place from 28 till 30 May 2012, the actual preparation for the event started around one year before this date. The preparations included the scoping process and will also include a preparatory workshop in January 2012. The established steering group, which is led by the European Commission, takes the major decisions, which are implemented by the contracted consultants, the European Nature Topic Centre and the Member States. NGOs have also been involved in the process (however, no NGO representative is member of the steering group). The role to represent NGOs was given to the European Habitats Forum (EHF) and CEEWEB. These networks have actively communicated and involved interested NGOs and experts in the process. However, it was not fully clear whether the EC has given the mandate to these NGOs to coordinate the views of national NGOs or to represent the EHF and CEEWEB networks themselves. BEF was involved in the process by contributing with its expert opinion as well as by communicating with national stakeholders about the process.

As result of the preparation process, a pilot Boreal Natura 2000 workshop document will be prepared (the draft is already available), which summarises the information on the targeted habitats and the associated species, including their major threats, conservation requirements, management measures and recommendations. The document will serve as major information basis for the discussions during the workshop. In the preparatory discussions it was

mentioned that the process will not end after the workshop, but further work will be on-going. However no details are known about the process after the workshop yet.

2 A different approach than the prior biogeographic seminars on the Natura2000 site selection process

Although the titles of the process might look very similar to the seminars, which have been implemented as part of the Natura 2000 site selection process, the biogeographic workshops on Natura 2000 management issues are very different. The differences are shown not only by their different content focus and discussions format, but also by their decision power. The Habitats Directive (Article 4) defines the role of the European Commission during the Natura 2000 site selection process very clearly. As a result, the biogeographic seminars as part of the site selection process had a very strong influence – it was obligatory to follow their conclusions. After the establishment of the sites, the Member States have a six year transition period during which they are obliged to establish a proper management to ensure the favourable conservation status of the protected habitats and species. For some EU Member States the transitional period is coming to an end; however, most of the countries still have this transitional period.

As the European Commission communicates, the directives do not set a clear role for the Commission regarding the steering of the management and effectiveness of the Natura 2000 protected areas network – ensuring the favourable conservation status is in the clear responsibility of the Member States. Due to this distribution of responsibilities, the outcomes of the upcoming biogeographic workshop will have only recommendatory character. It was quite disappointing for the NGO community to see the "weakened" role of the Commission. Also some officials of the competent authorities in the Baltic States shared this disappointment, as they had expected more legally binding outcomes of the biogeographic workshop, which would encourage the political level of the competent authorities not to reduce their political ambitions regarding nature conservation policy implementation. In fact, the enforcement of nature conservation policy faces a paradox situation, which might also contribute to the disappointment, especially on local level, towards the Natura 2000 network.

Available enforcement mechanisms of nature conservation policy implementation have been on the one hand biogeographic seminars for the site selection process and on the other hand the activities of the European Court of Justice. Besides these two mechanisms there is no other legally binding steering mechanism. Therefore, if already the management of selected Natura 2000 sites leads to unfavourable trends or – even worse – to the implementation of activities against the Natura 2000 requirements (e.g. economic development), only court

processes can have the function of enforcement mechanism. As court cases are lengthy processes and require a lot of human and financial resources, they may not be very efficient, especially if quick actions are required to stop unwanted trends. Moreover, due to the complicated submission process as well as cultural reasons (the belief that the court is something very negative), currently only very few cases are submitted to the court; the majority of cases in which the Natura 2000 conservation efforts are not properly implemented and result in a loss of values are not submitted. Taking this into consideration, it would be logical to have an alternative steering process, which would play a prevention role and still could have a strong, legally binding decision power (currently, the new biogeographic seminars and the Article 17 report do not play this role).

Despite a possible criticism of the too weak legal power of the outcomes, the new biogeographic workshop takes a quite new approach, which is based on stimulating the collaboration between the countries within a biogeographic region. This means that instead of examining each country separately (as during the previous biogeographic seminars), the Member States in one region will be invited to joint discussions and experience exchange, planning new common activities focusing on the improvement of conservation efforts. The starting point set by the scoping process is that all discussed habitats are in unfavourable condition and require extra efforts on national or regional scale. Therefore, there is no need to prove the sufficiency of conservation efforts. Instead, countries are invited to very open discussions. It seems that even separate countries will not be evaluated. Such a general atmosphere invites the Member States for very open discussions, stimulating a proactive approach and networking. Especially networking is highlighted as major goals of the event.

The format of the discussions will be structured not based on countries, but based on habitat groups (grasslands and heathlands, wetlands, forests, coastal and freshwater). The discussions will not be limited to the scientific evaluation and the setting of management requirements, but will also cover best practice exchange and provide a nature conservation perspective on policy instruments, such as the Common Agriculture Policy. The outcome of the seminar will be a document, which will comprise intellectual information on conservation needs for selected habitats and species, share best practices and define where more collaboration is needed among the countries and within a biogeographic region. The conclusions of the workshop should define the direction of further cooperation and the need for coming to common agreements (e.g. defining the favourable conservation status); however, there is no clear mechanism for the further continuation of the work. The format of the workshop suggests that the Commission is very open for any suggestion coming from the Member States (including NGOs) as well as for new ideas provided by experts "on the spot".

3 The role of NGOs, guidance for participation and preparation

The representation of NGOs is accepted as integral part of the process. NGOs are and will further be involved in the preparatory process and the workshop itself. However, the new approach of the workshop inviting to strengthen the collaboration opens a new perspective on the role of NGOs. Instead of the classical "watchdog" role, the format invites NGOs to discuss in the round-table providing very similar conditions for NGOs to contribute to the outcomes of the workshop as for delegates from competent authorities of the Member States. This is a good opportunity for NGOs to provide significant contribution and influence the result of the workshop. However, at the same time it is also quite challenging due to very limited available resources and a limited access to information and data.

During the preparatory process, the European Commission gave a mandate to the European Habitats Forum (EHF) and CEEWEB to coordinate the NGO representation in the process. These organisations stimulated and facilitated active discussions among the NGO community, which is a very important support for a good preparation. While the EHF is more responsible for the coordination of the NGOs from "old" EU Member States, CEEWEB has a facilitation role for NGOs from Central and Eastern European Member States. However, the mandate from the Commission is not fully clear – whether these NGO networks are expected to coordinate the representation of national nature conservation NGOs from the involved countries or whether they are expected to represent NGOs having membership in these networks. In other words, it is not fully clear whether these NGO networks are expected to represent themselves or a wider NGO community. It is important to highlight that despite this uncertainty, the process so far provided very good conditions for all interested NGOs to participate, e.g. the BEF Group although not being member of either NGO network experienced a very active collaboration.

A high-quality contribution to the process demands not only a good professional knowledge, but also time, human, financial and data resources, which, as mentioned above, poses a significant challenge for the NGO community. As a constructive dialogue in this process traditionally has to be backstopped with cases and data analysis, this calls for searching alternative ways how to maintain a constructive steering of the Natura 2000 network implementation on national scales with far less resources available compared to the national competent authorities. During the preparation of this document, several alternative screening methods have been considered and tested. A description of the approaches is given below.

Management implementation in grassland habitats

Grassland habitats require active and regular management activities - usually grazing or mowing. For the evaluation of the management efforts, the recommended exercise is to merge spatial data of the existing Natura 2000 protected areas for grassland habitats and land plots where agri-environmental measures according to national rural development plans are applied. The overlapping area indicates locations where grasslands are actively managed, activities have the potential to be continued for at least five years (as this is the requirement of agri-environmental programmes) and monitoring mechanism for the management implementation exist (role of national paying agencies). The exercise tested for Lithuania's conditions showed that such overlapping area is only 0.35% (or the average overlapping in each site, which includes grasslands habitats, is 1.14%). This result cannot be considered as giving a full picture on the level of management implementation due to the below described arguments, but it shows quite clearly that management efforts for grassland habitats are not sufficient and agri-environmental measures as management mechanism are not properly functioning, more efforts are needed regarding this policy measure. It is important to highlight that the result of the exercise provides only a very indicative measurement about the "health of grasslands" because certain important factors are impacting the assessment. Firstly, the exact habitat locations within the Natura 2000 sites are not mapped and since the selected Natura 2000 sites are also protecting other habitats, certain areas are not grasslands habitats and thus cannot overlap. Secondly, it is important to recognise that grassland areas might be also managed without support from agrienvironmental programmes, but at the same time the level of overlapping indicates a too low influence of this policy measure to the Natura 2000 network. Thirdly, this overlapping method is not considering management measures, which have been applied by targeted nature management projects or single efforts of protected areas administrations. However, despite of these considerations, this approach provides quite illustrative information indicating management efforts in grassland habitats and how rural development programmes, as nature conservation policy measures, address its targets.

Ensuring conservation measures in Boreal forest habitats

The conservation of the forest habitats in the Baltic States is mostly related to highly-limiting or excluding the area from economic activities. Therefore, the precondition for conservation implementation in the Natura 2000 areas designated for forest habitats is the exclusion of the area from active commercial use. Commercial use of forest is defined by the forest management categories: strict reserves (I), special purpose and recreation forests (II), forests for conservation (III) and commercial forests (IV). In principal, the first and second categories fit into the conservation requirements for forest management, while the third and fourth categories allow a more active forest harvesting, which can be conflicting with the conservation of forest habitats. By merging geospatial data of Natura 2000 sites for the conservation of forest habitats and forest management categories it is possible to define

conflicting areas. However, due to similar reasons as described for the grassland management, such assessment can only provide indicative information to raise a concern and define areas on which to focus the research more intensively.

The result of such a screening does maybe not give a detailed view on the implementation of conservation policies, but it provides a view on the general condition of the Natura 2000 network and links policy instruments with the needs for conservation efforts. These approaches could be also used as indicators during a regular steering of the Natura 2000 implementation beyond biogeographic workshops. The approaches are based on a geospatial data analysis, which requires skills to work with the GIS software and an access to geospatial data. Such skills could be a serious challenge for NGOs; however, if available it would require rather little efforts to conduct the screening and prepare for the biogeographic seminar discussions.

Of course, such a screening is not sufficient to form a more in-depth and comprehensive opinion about the quality of the Natura 2000 network management. These approaches also do not include screening the management of wetlands and freshwater habitats. For a good preparation, it is essential to read the biogeographic workshop draft document, which is accessible online. Additionally, valuable research could be done to screen the availability of nature management plans and forest management plans. The existence of nature management plans for Natura 2000 areas is an important precondition for the conservation implementation. However, the availability of the management plan does not mean that it is implemented and if it is implemented whether it is effective. The screening of forest management plans could be very valuable as it provides a detailed indication of the areas, which are excluded from commercial timber harvesting. However, such screening is very time consuming.

The role of NGOs is not limited to steering the Natura 2000 implementation in the region, but NGOs are also invited to take an active role by providing suggestions on how to improve the Natura 2000 management and share best practices. Thus, this is a good opportunity to illustrate NGO initiatives and promote their good practice examples on the application of nature management measures, the involvement of stakeholders, the stimulating of continuity or other conservation aspects.

4 The potential role of the BEF Group in the process

The new biogeographic workshop process highlights to the nature conservation community in the Boreal region the need for a stronger collaboration and networking to share and unite the efforts for enhancing the implementation of Natura 2000 and reaching the European biodiversity strategy goals. Although the mechanism is not clear yet, it is obvious that the debates on the Natura 2000 implementation will not end with the biogeographic workshop, but on the contrary, will stimulate the start of a new collaboration platform of nature conservation stakeholders. The Baltic Environmental Forum (BEF) as a technical assistance project from 1995 till 2004 has facilitated nature conservation policy implementation debates in the Baltic States in strong cooperation with Sweden, Finland and other countries. This process was more focused on the transposition and early implementation of the Natura 2000 network. The current process of the biogeographic workshop suggests a need for a similar forum to facilitate the efforts of Natura 2000 implementation in the Boreal region. BEF already has such experience, being active in the facilitation of stakeholder dialogues and understanding the stimulation of networks as its mission. Therefore, it would be little surprising if BEF would take an active role in such a process and suggest a practical networking mechanism to nature conservation stakeholders.

5 Conclusions

- (1) The new biogeographic workshop on the management of the Natura 2000 network in the Boreal region defines a new approach for strengthening the collaboration between nature conservation stakeholders instead of an enforcement mechanism for nature conservation policy implementation.
- (2) The process highlights the need for cooperation among conservation stakeholders and for merging efforts within the Boreal biogeographic region. Although the cooperation of the countries around the Baltic Sea has already long traditions, the new process invites for widening the scope. So far, such an organised collaboration and networking in the region has been implemented by the BEF technical assistance project (named BANAT project).
- (3) Nature conservation NGOs are invited to participate in the biogeographic workshop process. The international NGO networks European Habitat Forum and CEEWEB are mandated to coordinate the communication and involvement of NGOs in the process. Although it is not fully clear if these networks are mandated to represent their members or a wider NGO community, the on-going communication is active and informative.
- (4) The format of the biogeographic workshop process invites NGOs to take a role of equal expert communicating at the round-table instead of taking the classical "watchdog" role.
- (5) During the scoping process for the biogeographic workshops a list of natural heritage is shortened to the 19 habitat types (involving grasslands and heaths, wetlands, forests, coastal and freshwater habitats), which are recognised as being in unfavourable condition and which are most topical for the Boreal region. This list is made based on scientific criteria and can serve as very good reference to define priorities for monitoring the Natura 2000 implementation or initiating conservation actions.
- (6) The biogeographic workshop process addresses the evaluation of species conservation through the defined habitats. The assessment links habitats with their typical and associated species. The conservation management of those species will also be assessed during the process. The approach will allow to highlight conflicting management practices which are beneficial for one natural heritage group, but at the same time conflicting with other species or habitats.

- (7) In order to ensure an appropriate analysis of the conservation of associated species, the efforts of NGOs to update the list of associated species of the workshop document could be highly recommended.
- (8) The analysis of geospatial data can be a good approach to overcome the lacking resources of NGOs in the preparatory process for the biogeographic workshops to obtain a holistic overview on the management of the Natura 2000 network in the countries. Merging GIS data on grassland management within the rural development programme and forest management with the spatial data on protected habitats could provide illustrative information on the level of conservation implementation in the protected areas network. Although significant factors exists, which do not allow to make detailed conclusions, a geospatial data analysis could be a good tool to perform an initial analysis and make general evaluations as a good starting point for the workshop discussions.
- (9) BEF's practical experience on facilitating stakeholder networking within the implementation of the technical assistance project BANAT could be very valuable for the further steps in the process beyond the pilot biogeographic workshop. BEF's experience regarding stakeholder networking facilitation could be presented as best practice in this process and could be a basis for setting up a new collaboration mechanism for networking between nature conservation stakeholders in the Boreal biogeographic region.

The Baltic Environmental Forum (BEF) Group consits of five independet non-governmental organisations around the Baltic Sea.

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