

aquacross



Habitats Directive

Policy Review



This project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 642317.

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With thanks to:

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Project coordination and editing provided by Ecologic Institute.

Acknowledgments & Disclaimer

This project has received funding from the *European Union's Horizon 2020 research and innovation programme* under grant agreement No 642317.

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Habitats Directive

Policy Review
<p>Name/Type of the Legal Act or Policy</p> <p>Habitats Directive – Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.</p> <p>Amendment: The enlargement of the European Union with Croatia in 2013 brought the most recent amendments of the EU nature conservation legislation – Directive 2013/17/EU of 13 May 2013 <i>adapting certain directives in the field of environment, by reason of the accession of the Republic of Croatia. The changes concern only the annexes of the directive: new typical and endangered species and habitats in Croatia have been added to the annexes. In addition, a small number of earlier typographical errors were corrected. Unlike the previous enlargements, no new biogeographic regions were added to the existing ones but changes to the Indicative Map of Biogeographic Regions in light of Croatia's future accession to the European Union were already adopted by the Habitats Committee in 2011.</i></p>
<p>Entry into force</p> <p>5 June 1994</p>
<p>Departments/Units in charge</p> <p>DG ENV, Dir. B Natural Capital, 3. Nature</p>
<p>Common Implementation strategy (CIS processes)</p> <p>At EU level, implementation of the Habitats and Birds Directive is supported by the Habitats Committee (under Art. 20 and 21 of the Habitat Directive) resp. by the Ornis Committee (under Art. 16 of the Birds Directive) which comprise representatives from all Member States and the EU Commission (EC). Decisions are made with a qualified majority (using weighted votes). In its capacity as a scientific and technical advisory committee, the Habitats Committee also includes the Habitats Scientific Working Group. The Habitats Committee assists the EC in the implementation of the Habitats Directive and is responsible for delivering an opinion on the draft list of LIFE–Nature projects to be financed every year.</p>
<p>Administrative body handling implementation in MS</p> <p>Germany: The German Ministry of Environment (BMUB) coordinates and designates N2000 areas in EEZ, States (Länder) designate in their respective areas of jurisdiction. Whether or not the drafting of management plans for N2000 sites is obligatory depends on the state regulation. The responsible administrative body for management plans for the EEZ is the BfN. The responsible administrative bodies for drafting the management plans for terrestrial N2000 areas are the state environmental ministries or agencies.</p>

Austria: Implementation of the provisions of the Habitats directives is the responsibility of the Austrian states (Länder). The Austrian Environment Ministry (Umweltbundesamt) was responsible for compiling the report for 2007–2013, with support of a steering committee of representatives from the Länder.

UK:

Table 1. Responsibilities for surveillance assessment and implementation for transposition of Article 11 and Article 12.4 (incidental capture and kill) surveillance.

'Country'	Responsibility for assessment of surveillance requirement	Responsibility for implementing surveillance required
England	NE	Secretary of State
Wales	CCW	Welsh Ministers
Scotland	SNH	SNH
Northern Ireland	DoENI	DoENI
Offshore	JNCC	Secretary of State

Main Objective

Art. 2: The aim of this Directive shall be to contribute towards ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora in the European territory of the Member States to which the Treaty applies.

The EU Birds and Habitats Directives require the Member States to implement two main sets of provisions: The first set of measures requires Member States to establish a strict protection regime for all wild European bird species and other endangered species listed in Annex IV of the Habitats Directive, both inside and outside Natura 2000 sites. The second set requires the designation of core sites for the protection of species and habitat types listed in Annex I and II of the Habitats Directive and Annex I of the Birds Directive, as well as for migratory birds. Together, these designated sites form part of a coherent ecological network of nature areas, known as the European Natura 2000 Network. Other than the selection of sites for the Natura 2000 Network, which is done on purely scientific grounds, measures under the two directives must take account of the economic, social and cultural requirements and regional and local characteristics of the area concerned.

Other objectives/Key concepts/key elements of the legislation

The provisions of the Directive require Member States to introduce a range of measures, including:

- ▶ Maintain or restore European protected habitats and species listed in the Annexes at a [favourable conservation status](#) as defined in Art. 1 and 2;
- ▶ Contribute to a coherent European ecological network of protected sites by designating [Special Areas of Conservation](#) (SACs) for habitats listed on Annex I and for species listed on Annex II. These measures are also to be applied to [Special Protection Areas](#) (SPAs) classified under Art. 4 of the Birds Directive. Together [SACs](#) and [SPAs](#) make up the Natura 2000 network (Art. 3);
- ▶ Ensure conservation measures are in place to appropriately manage SACs and ensure appropriate assessment of plans and projects likely to have a significant effect on the integrity of an SAC. Projects may still be permitted if there are no alternatives, and there are imperative reasons of overriding public interest. In such cases compensatory measures are necessary to ensure the overall coherence of the Natura 2000 network (Art.

6);

- ▶ Member States shall also endeavour to encourage the management of features of the landscape that support the Natura 2000 network (Art. 3 and 10);
- ▶ Undertake surveillance of habitats and species (Art. 11),
- ▶ Ensure strict protection of species listed on Annex IV (Art. 12 for animals and Art. 13 for plants).

[Report](#) on the implementation of the Directive every six years (Art. 17), including assessment of the conservation status of species and habitats listed on the Annexes to the Directive.

Terminology

Conservation status: the sum of the influences acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions as well as the long-term survival of its typical species within the territory referred to in Art. 2.

Site: geographically defined area whose extent is clearly delineated;

Special area of conservation: a site of Community importance designated by the Member States through a statutory, administrative and/or contractual act where the necessary conservation measures are applied for the maintenance or restoration, at a favourable conservation status, of the natural habitats and/or the populations of the species for which the site is designated;

Favourable conservation status: The maintenance or restoration of “favourable conservation status” (FCS) is the overall objective for all habitat types and species of Community interest. Such species are listed in Annexes II, IV and V to the Directive. In simple terms, FCS could be described as a situation where a habitat type or species is doing sufficiently well in terms of quality and quantity and has good prospects of continuing to do so in future. The fact that a habitat or species is not threatened (i.e. not faced by any direct extinction risk) does not necessarily mean that it has favourable conservation status. The target of the Directive is defined in a positive way, as a ‘favourable’ situation to be reached and maintained, which needs to be defined based on the best available knowledge. Therefore, the obligation of a Member State FCS for species is defined in general terms in Art. 1(i) of the Habitats Directive.

Derogations

While the nature directives apply to the Spanish and Portuguese outermost regions (Canaries, Madeira, Azores), and are voluntarily applied by Spain to Ceuta and Melilla, they do not apply to the French outermost regions. *See Commission Staff Working Document, Annex to the Communication from the Commission, ‘Halting the Loss of Biodiversity by 2010—and Beyond; Sustaining Ecosystem Services for Human Well-being, Impact Assessment’ (SEC(2006) 607, 22 May 2006) p3, s 5.1.1.*

Types of management measures

Art. 6 is one of the most important articles in the Habitats Directive as it defines how Natura 2000 sites are managed and protected: Paragraphs 6(1) and 6(2) require that, within Natura 2000, Member States:

- ▶ Take appropriate conservation measures to maintain and restore the habitats and species for which the site has been designated to a favourable conservation status;
- ▶ Avoid damaging activities that could significantly disturb these species or deteriorate the habitats of the protected species or habitat types.

Paragraphs 6(3) and 6(4) lay down the procedure to be followed when planning new developments that might affect a Natura 2000 site. Thus: Any plan or project likely to have a significant effect on a Natura 2000, either individually or in combination with other plans or projects, shall undergo an *Appropriate Assessment* to determine its implications for the site. The competent authorities can only agree to the plan or project after having ascertained that it will not adversely affect the integrity of the site concerned (Art. 6.3). In exceptional circumstances, a plan or project may still be allowed to go ahead, in spite of a negative assessment, provided there are no alternative solutions and the plan or project is considered to be of overriding public interest. In such cases the Member State must take appropriate compensatory measures to ensure that the overall coherence of the Natura 2000 Network is protected. (Art. 6.4)

Spatial coverage

Natural habitats and wild fauna and flora in the European territory of the Member States to which the Treaty applies.

Reporting units – what are the specific transposition requirements

Art. 17 of the Habitats Directive requires that Member States regularly prepare and submit reports on progress made in implementing the directive, using a format agreed by the Habitats Committee and published in 2005 (EC, 2005). For the period from 2007 to 2012, Habitats Committee guidelines were published, and edited by the ETC/BD (Evans and Arvela, 2011). The Art. 17 reports prepared by Member States have three sections: a) general information on directive implementation, including information on the number of sites and their area, the proportion of sites with management plans and measures undertaken; b) assessments of the conservation status of species; and c) assessments of the conservation status of habitats. Art. 17 reporting covers the habitat types and species across the whole territory of the Member State concerned, not only those within Natura 2000 sites.

Management unit

Natural habitats and wild fauna and flora in the European territory of the Member States to which the Treaty applies.

Key planning steps

Art. 4.1: On the basis of the criteria set out in Annex III (Stage 1) and relevant scientific information, each Member State shall propose a list of sites indicating which natural habitat types in Annex I and which species in Annex II that are native to its territory the sites host. For animal species ranging over wide areas these sites shall correspond to the places within the natural range of such species which present the physical or biological factors essential to

their life and reproduction. For aquatic species which range over wide areas, such sites will be proposed only where there is a clearly identifiable area representing the physical and biological factors essential to their life and reproduction. Where appropriate, Member States shall propose adaptation of the list in the light of the results of the surveillance referred to in Art. 11. The list shall be transmitted to the Commission, within three years of the notification of this Directive, together with information on each site. That information shall include a map of the site, its name, location, extent and the data resulting from application of the criteria specified in Annex III (Stage 1) provided in a format established by the Commission in accordance with the procedure laid down in Art. 21. *Art. 4.2:* On the basis of the criteria set out in Annex III (Stage 2) and in the framework both of each of the nine biogeographical regions referred to in Art. 1 (c) (iii) and of the whole of the territory referred to in Art. 2 (1), the Commission shall establish, in agreement with each Member State, a draft list of sites of Community importance drawn from the Member States' lists identifying those which host one or more priority natural habitat types or priority species. Member States whose sites hosting one or more priority natural habitat types and priority species represent more than 5% of their national territory may, in agreement with the Commission, request that the criteria listed in Annex III (Stage 2) be applied more flexibly in selecting all the sites of Community importance in their territory. The list of sites selected as sites of Community importance, identifying those which host one or more priority natural habitat types or priority species, shall be adopted by the Commission in accordance with the procedure laid down in Art. 21. *Art. 4.3:* The list referred to in paragraph 2 shall be established within six years of the notification of this Directive. *Art. 4.4:* Once a site of Community importance has been adopted in accordance with the procedure laid down in paragraph 2, the Member State concerned shall designate that site as a special area of conservation as soon as possible and within six years at most, establishing priorities in the light of the importance of the sites for the maintenance or restoration, at a favourable conservation status, of a natural habitat type in Annex I or a species in Annex II and for the coherence of Natura 2000, and in the light of the threats of degradation or destruction to which those sites are exposed. *Art. 4.5:* As soon as a site is placed on the list referred to in the third subparagraph of paragraph 2 it shall be subject to Art. 6 (2), (3) and (4).

Timelines

Art. 17 requires Member States to report every six years about the progress made with the implementation of the Habitats Directive. As the main focus of the directive is on maintaining and/or restoring a favourable conservation status for habitat types & species of community interest, monitoring & reporting under the directive is focusing on that. Monitoring of conservation status is an obligation arising from Art. 11 of the Habitats Directive for all habitats (as listed in Annex I) and species (as listed in Annex II, IV and V) of Community interest. Consequently this provision is not restricted to Natura 2000 sites and data need to be collected both in and outside the Natura 2000 network to achieve a full appreciation of conservation status. The main results of this monitoring have to be reported to the Commission every six years according to Art. 17 of the directive.

Integration/coordination issues with other related pieces of legislation

The Birds Directive and the Habitats Directive are largely coherent, internally and with each

other, despite some differences in scope and operational measures. Ultimately, both aim at contributing to ensuring biodiversity in coordination with other instruments. The protection regime for SCIs, SACs and SPAs has been harmonised through Art. 7 of the Habitats Directive.

The Nature Directives work in coordination with other EU environmental legislation and policies. Particularly important are the horizontal instruments, namely the EIA, SEA and Environmental Liability Directives, as well as legislation and policy in the key water, marine and climate change areas. The objectives and goals of these instruments are coherent with the Nature Directives, although coordinated implementation in practice is required to achieve the best outcomes. Improvements in coordination and management could also reduce the administrative burden on stakeholders, for example in reporting. Regarding other policy areas beyond environment, the picture is more mixed.

The development of network energy infrastructure and energy sources such as biofuels, wind power, shale gas and hydropower can also have negative impacts on habitats and species. There are good examples of ways to prevent/reduce such impacts in Commission guidance documents on wind energy and Natura 2000 and on environmental assessment for energy infrastructure; and through stakeholder initiatives such as the Renewables Grid Initiative, bringing together transmission system operators and NGOs.

With regard to fisheries, the legal framework is considered coherent with the Directives; however the last reform of the CFP still has to deliver results on the ground. In this respect the completion of the marine part of the Natura 2000 network and its effective management is expected to bring an important improvement. Concerns have been expressed by some stakeholders about the impacts of aquaculture on habitats and species, but also about the burden placed on aquaculture caused by strict interpretation of the requirements under Art. 6.3 of the Habitats Directive.

There is limited evidence available regarding the impact of the Directives on the EU internal market. A common approach through the Directives is considered as vital to avoid a 'race to the bottom' in environmental standards while giving business legal certainty. However some business stakeholders highlighted the fact that different implementation approaches across Member States have disadvantaged some economic operators and this has prevented a level playing field.

On international and global commitments on nature and biodiversity, the Directives are generally considered as coherent. Very few inconsistencies, particularly in relation to species protection under international treaties have been identified and the Directives are key instruments for EU to deliver on these international commitments

Coordination issues with the EU Biodiversity Strategy

The Habitats Directive is directly linked to the EU Biodiversity Strategy – Target 2: Fully Implement the Habitat and Birds Directive. The Habitats Directives (along with the Birds Directive) is the cornerstones of the EU's biodiversity policy, enabling all 28 EU Member States to work together, within the same legal framework, to conserve Europe's most endangered and valuable species and habitats across their entire natural range within the EU. The Habitats and Birds Directives make a major contribution to the EU's biodiversity target.

They contribute directly through the conservation of targeted habitats and species, which include a high proportion of semi-natural habitats and threatened species (especially amongst vertebrates). Many more species are protected indirectly, through the diverse and species-rich habitats in the Natura 2000 network. The Directives also support all the targets of the EU's Biodiversity Strategy, especially the restoration of ecosystem services under Target 2. However, the Directives alone cannot deliver the EU 2020 goal of halting the loss of biodiversity without complementary action being taken, especially in other key policy sectors such as agriculture.

Relevance to ecosystems/habitats?

Ecosystems/habitats addressed explicitly by the legal act/policy: Marine, coastal and halophytic habitats; Coastal sand dunes and continental dunes; Freshwater habitats; Temperate heath and scrub; Sclerophyllous scrub (matorral); Natural and semi-natural grassland formations; Raised bogs and mires and fens; Rocky habitats and caves; Forests. The directive relates to all habitats and species in the whole territory of the Member State concerned.

Links to Aquatic Biodiversity and Ecosystem Services: See [Annex 1: Natural habitat types of community interest whose conservation requires the designation of special areas of conservation](#), for list of aquatic habitats that are explicitly mentioned by the directive. Clear links to ecosystem services. The EU Birds and Habitats Directives represent the most ambitious and large-scale initiative ever undertaken to conserve Europe's natural heritage. [State of nature in the EU- Results from reporting under the nature directives 2007-2012 report](#) highlights the importance of healthy ecosystems for providing society with a wealth of valuable ecosystem services, such as fresh water, carbon storage, pollinating insects etc., protection against floods, avalanches and coastal erosion, as well as ample opportunities for tourism and recreation. The benefits that flow from the Natura 2000 network alone are estimated to be worth in the order of €200 to €300 billion/year.

Drivers

Definition of Drivers: The policy does not seem to distinguish between Pressures and Drivers – the 'list of threats and pressures' available on the reference portal (see 8.3) contains both human activities that produce an environmental impact (i.e. agriculture or transportation) and direct environmental effects (i.e. pollution).

Drivers addressed in legal text : Agriculture; Forestry; Sylviculture; Mining, extraction of materials and energy production; Transportation and service corridors; Urbanisation; residential and commercial development; Biological resource use other than agriculture & forestry; Human intrusions and disturbances; pollution; Invasive, other problematic species and genes; Natural System modifications; Natural biotic and abiotic processes (without catastrophes), Geological events, natural catastrophes, Climate change, Threats and pressures from outside the EU territory (see 8.3 and [list of pressures and threats](#) used for the assessment).

Indicators: The list of pressures and threats is compatible with similar lists used for reporting under the Water and Marine Strategy Framework Directives and for the Ramsar

Convention as well as the proposals of Salafsky et al. (2008)¹. Special attention was paid to ensure potential marine threats and pressures were included.

The relative importance of a threat or pressure must be ranked in one of three categories:

Code	Meaning	Comment
H	High importance/ impact	Important direct or immediate influence and/or acting over large areas.
M	Medium importance/ impact	Medium direct or immediate influence, mainly indirect influence and/or acting over moderate part of the area/acting only regionally.
L	Low importance/ impact	Low direct or immediate influence, indirect influence and/or acting over small part of the area/ acting only regionally.

As the intention is not to report every existing threat or pressure the total number of data entries is strictly limited to a maximum of 20 (to avoid very long lists of threats and pressures of minor importance). If there are no threats and pressures present, “X” should be used to indicate no pressures and threats. Unknown threat or pressure should be indicated by “U”. The number of entries with the highest rank is limited to a maximum of 5 data entries. This will make it possible to identify the most important factors at a European scale. It is recommended to use the lowest number of possible data entries to adequately describe the situation and it is recommended to use level 2 categories for “high importance” (for example J02 “human induced changes in hydraulic conditions”). (From Assessment and reporting under Art. 17 of the Habitats Directive Explanatory Notes & Guidelines for the period 2007–2012)

Pressures

Definition Pressures: The policy does not seem to distinguish between Pressures and Drivers – the ‘list of threats and pressures’ available on the reference portal (see below) refers to both human activities (i.e. agriculture or transportation) and direct environmental effects (i.e. pollution). The policy does distinguish between pressure and threat: “For Art. 17 reporting pressures are considered to be factors which are acting now or have been acting during the reporting period, while threats are factors expected to be acting in the future. It is possible for the same impact to be both a pressure and a threat if it is having an impact now and this impact is likely to continue.” The list of pressures and threats used for the assessment can be found on the [Art. 17 Reference Portal](#) includes: Agriculture; Forestry; Sylviculture; Mining,

¹ Salafsky, N., et al. 2008. A standard lexicon for biodiversity conservation: unified classifications of threats and actions. *Conservation Biology* 22: 897–911.

extraction of materials and energy production; Transportation and service corridors; Urbanisation; residential and commercial development; Biological resource use other than agriculture & forestry; Human intrusions and disturbances; pollution; Invasive, other problematic species and genes; Natural System modifications; Natural biotic and abiotic processes (without catastrophes), Geological events, natural catastrophes, Climate change, Threats and pressures from outside the EU territory.

Indicators: The list of pressures and threats is compatible with similar lists used for reporting under the Water and Marine Strategy Framework Directives and for the Ramsar Convention as well as the proposals of Salafsky et al. (2008). Special attention was paid to ensure potential marine threats and pressures were included. The relative importance of a threat or pressure must be ranked in one of three categories:

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Assessment of Environmental State

Difficult to determine distinction between ‘state’ and ‘status’ within the directive. See 8.5.

Assessment of Status

‘Favourable Conservation Status’ (FCS) is the overall objective to be reached for all habitat types and species of community interest and it is defined in Art. 1 of the Habitats Directive. In simple words it can be described as a situation where a habitat type or species is prospering (in both quality and extent/population) and with good prospects to do so in future as well. The fact that a habitat or species is not threatened (*i.e.* not faced by any direct extinction risk) does not mean that it is in favourable conservation status. The target of the directive is defined in positive terms, oriented towards a favourable situation, which needs to be defined, reached and maintained. It is therefore more than avoiding extinctions. Favourable Conservation Status is assessed across all national territory (or by biogeographical or marine region within a country where 2 or more regions are present) and should consider the habitat or species both within the Natura 2000 network and in the wider countryside or sea. Favourable Conservation Status is defined in the Habitats Directive (Art. 1e for habitats and Art. 1i for species).

The Habitats Directive requires periodic assessment of the species and habitat types to see if they are at FCS. For reporting under Art. 17 *a format with three classes of Conservation*

Status has been adopted; – Favourable (FV), Unfavourable–Inadequate (U1) and Unfavourable–Bad (U2). 'Favourable Conservation Status' is defined in the Directive and effectively describes the situation where the habitat or species can be expected to prosper without any change to existing management or policies. The unfavourable category has been split into two classes to allow improvements or deterioration to be reported: 'Unfavourable–Inadequate' for situations where a change in management or policy is required to return the habitat type or species to favourable status but there is no danger of extinction in the foreseeable future and 'Unfavourable–Bad' is for habitats or species in serious danger of becoming extinct (at least regionally). There is also an 'Unknown' class which can be used where there is insufficient information available to allow an assessment. For graphical representation, each class is colour coded, green for Favourable, amber for Unfavourable–Inadequate, red for Unfavourable–Bad and grey for unknown. Assessments should be qualified with a plus or minus to indicate a trend (improving or declining) as described below in section II d.

Favourable Conservation Status is defined in Art. 1 of the Habitats Directive by four parameters for each habitat type and species. The agreed method for the evaluation of conservation status assesses each of the parameters separately, with the aid of an evaluation matrix, and then combines these assessments to give an overall assessment of conservation status. The parameters are: range, population (species), and area (habitat types). They all require the setting of threshold values to determine if the parameter is favourable or unfavourable. These are referred to as 'Favourable Reference Values'.

The aim of the mid-term review is to take stock of progress in relation to the targets and actions under the EU biodiversity strategy to 2020. Identifying gaps in implementation is necessary in order to inform decision-makers of areas in which increased efforts are needed to ensure that the EU meets its biodiversity commitments by 2020. The 2015 mid-term review of the EU biodiversity strategy to 2020 consists of a Report from the Commission to the European Parliament and the Council on ["The Mid-Term Review of the EU Biodiversity Strategy to 2020"](#) and the more detailed Commission Staff Working Document ["EU assessment of progress in implementing the EU Biodiversity Strategy to 2020 part 1, part 2, part 3"](#). Contributions from the Member States to the 2015 Mid-Term Review, based on their 5th national reports to the Convention on Biological Diversity, are compiled in a [separate document](#). For a summary of progress towards the 2020 biodiversity targets see the [leaflet](#). The latest report on the state of nature in the EU shows that the number of species and habitats in secure/favourable or improved conservation status has increased slightly since the 2010 baseline. However, many habitats and species that were already in unfavourable status remain so, and some are deteriorating further. While much has been achieved since 2011 in carrying out the actions under this target, the most important challenges remain the completion of the Natura 2000 marine network, ensuring the effective management of Natura 2000 sites, and securing the necessary finance to support the Natura 2000 network.

This year (2015) the European Commission is carrying out a "Fitness Check" of the [Birds Directive](#) (2009/147/EC) and [Habitats Directive](#) (92/43/EEC) as part of its ongoing [Regulatory Fitness and Performance](#) (REFIT) initiative. The REFIT initiative focuses on reducing 'regulatory burden', so as to meet EU policy and regulatory goals at least cost and best achieve the benefits of EU regulation. "Fitness Checks" are comprehensive evidence-

based policy evaluations that are intended to identify excessive administrative burdens, overlaps, gaps, and inconsistencies. The Fitness Check will include online consultations and interviews with stakeholders across the EU-28 planned for the first half of 2015. Initial findings will be presented at a stakeholder conference in September 2015, with a final report envisaged in early 2016.

Data

The Art. 17 reports prepared by Member States have three sections; (i) general information about the implementation of the Directive, (ii) the assessments of conservation status of species, and (iii) of habitats. The Art. 17 reporting covers the habitats and species in the whole territory of the Member State concerned, not only those within Natura 2000 sites.

Main outcomes from the nature directives reporting: The European Commission and the European Environment Agency supported by its European Topic Centre on Biological Diversity have published several reports summarising the main result of the status of species (including [birds](#)) and habitats at the EU (EU biogeographical) level. The information reported by the Member States and the EU assessments of status can be accessed through the web viewing tool. Dataset containing the reported information and the EU assessments of status can be downloaded from European Environment Agency's datacentre. Basic statistics and an overview of the main results from the Member State reports are provided in National Summaries. The Art. 17 reports from the Member States were delivered via the ReportNet mechanisms of the European Environment Agency.

Funding

There are many EU funding opportunities for financing biodiversity and Natura 2000 across different instruments. However, only the LIFE programme provides dedicated support to biodiversity and Natura 2000 as a primary objective, whereas other EU funding instruments are primarily targeted to deliver EU goals on rural, regional, infrastructural, social and scientific development. Evidence is mixed on the extent to which nature and biodiversity are successfully integrated into the funding programmes, as this depends on priority-setting at national and regional levels and capacity of stakeholders to absorb funds.

The CAP and Nature Directives are potentially complementary, as some of the CAP's incentives and associated environmental conditions (e.g. cross-compliance) can be beneficial for biodiversity, although much depends on Member State implementation choices. For example, direct payments, as well as payments for areas facing natural and other specific constraints can support farming systems associated with certain European protected habitats and species, although eligibility rules have led to unintended biodiversity damage in some Draft Emerging Findings –Evaluation Study to support the Fitness Check of the Birds and Habitats Directive 5 areas. Pillar 2 funded measures, and especially agri-environment – climate schemes are the primary means of supporting management practices that are beneficial to biodiversity. Without such support via the CAP the conservation status of agricultural habitats and species would be worse than it currently is. However, the CAP could contribute more to the goals of the Nature Directives, especially if Pillar 2 funding was increased and Member States better tailored and targeted their measures more towards

biodiversity priorities.

Cohesion Policy has both positive and negative impacts on the objectives and implementation of the Directives. It can provide funding to directly support their objectives (e.g. conservation measures) but also for activities that may threaten nature objectives such as transport, energy and other infrastructure. There is room for improvement in the integration of the goals of both Directives into Cohesion Policy to enhance the role of green infrastructure and nature-based solutions.

Life-Programme: Although Member States carry the major responsibility for funding the Natura 2000 network within their national borders, in some cases there are possibilities for receiving EU money. The main EU financing instrument for this is the LIFE programme which is intended to fund environmental pilot projects, in order to establish best practice for larger financial instruments such as Structural Funds. LIFE-Nature is the main fund for biodiversity, although some Natura 2000 sites also receive money from LIFE-Environment. As a funding instrument LIFE has a much smaller financial capacity than other EU funding sources such as the Common Agricultural Policy and Structural Funds. Projects financed by LIFE are also of limited duration.

Art. 8 of the Habitats Directive specifically refers to EU co-financing for necessary conservation measures and requires adoption of prioritised action frameworks (PAF) to define the funding needs and priorities for Natura 2000 at a national or regional level and so facilitate their integration into different EU funding instruments.

EAFRD: Direct opportunities include, for example, financing a range of Natura 2000 activities in the context of agri-environment-climate and forest-environmental schemes, compensation payments for additional costs and income foregone resulting related to managing agricultural and forest land within Natura 2000 sites, improving knowledge on rural biodiversity, and drawing up Natura 2000 management plans. Furthermore, a great variety of more indirect opportunities are available, allowing the management of Natura 2000 to be linked with broader rural development efforts, such as promoting organic farming, improving risk management and enhancing business development. These indirect opportunities can provide, for example, support to carrying out certain activities identified in site-specific management plans such as supporting biodiversity-friendly organic farming and branding of local produce from Natura 2000 sites

EMFF: In general, the EMFF Regulation stipulates that where appropriate the specific needs of Natura 2000 areas and the contribution of the programme to the establishment of a coherent network of fish stock recovery areas should be integrated into the EMFF OPs (Art. 18(c) of the Regulation). According to the Regulation, dedicated support in accordance with PAFs is provided for the management, restoration and monitoring of coastal and marine Natura 2000 sites (Art. 40(e)). Support is also foreseen to be given to the preparation, including studies, drawing-up, monitoring and updating of protection and management plans for fishery-related activities relating to Natura 2000 sites (Art. 40(d)). In addition, support is also made available for the management, restoration and monitoring of other marine protected areas (MPAs) to support the implementation of the Marine Strategy Framework Directive (MSFD) (Art. 40(f)). Such general support can also be used, for example, to contribute to maintaining and/or restoring the overall ecological connectivity of the Natura 2000 network. Finally, support is also provided for the uptake of aquaculture

methods compatible with biodiversity conservation, including Natura 2000 management requirements (Art. 54). Furthermore, a variety of more indirect opportunities are available, allowing the management of Natura 2000 to be linked with the broader development of fisheries and/or viability of fishing communities. Such opportunities include, for example, the establishment of cooperation between scientists and fishermen, and the diversification of livelihoods in rural communities. While these indirect opportunities do not necessarily cater for all management measures relevant to a site, they can provide support for carrying out certain activities identified in site-specific management plans such as development of Natura 2000 monitoring in the context of broader schemes aimed at monitoring the marine environment.

ERFD: The ERDF will provide several opportunities to fund Natura 2000 during the 2014–2020 period. Dedicated support is possible for the protection of biodiversity and ecosystem services, including Natura 2000. In addition, support is also made available for a range of activities supporting broader sustainable regional development, with possible indirect links to Natura 2000 management. Such indirect measures include, for example, supporting investment in the mitigation of and adaptation to climate change (e.g. nature-based solutions for carbon storage and sequestration, mitigating risks of climate change), protecting, promoting and developing cultural heritage (e.g. Natura 2000 sites) and integrating Natura 2000 related socio-economic opportunities into broader plans to regenerate deprived urban and rural communities.

European Social Fund: The ESF could provide several opportunities to fund Natura 2000 during the 2014–2020 period. Most of the opportunities are not, however, Natura 2000 specific but rather support broader social and economic cohesion, with possible indirect links to Natura 2000 management. Such indirect opportunities include, for example, enhancing the competitiveness of SMEs dealing with Natura 2000 and enhancing Natura 2000 related institutional capacity and efficient public administration.

Horizon 2020: Given the scope of Horizon 2020, all opportunities related to financing management activities on Natura 2000 sites need to take place in the research context. However, this allows for a wide range of Natura 2000 measures to be funded, mainly related to the development and testing of new management approaches and/or evaluation of the past Natura 2000 management regime.

Cohesion Fund: The Cohesion Fund (CF) will provide a number of opportunities to fund Natura 2000 during the 2014–2020 period. Dedicated support is provided for the protection of biodiversity and ecosystem services (e.g. in the context of green infrastructure). Support is also made available to a range of activities supporting investment in broader sustainable regional development, with possible links to Natura 2000 management.

Such indirect measures include, for example, supporting investment in adaptation to climate change (e.g. nature-based solutions and integrating Natura 2000 related socio-economic opportunities into broader plans to regenerate deprived urban and rural communities).

About AQUACROSS

Knowledge, Assessment, and Management for AQUatic Biodiversity and Ecosystem Services across EU policies (AQUACROSS) aims to support EU efforts to protect aquatic biodiversity and ensure the provision of aquatic ecosystem services. Funded by Europe's Horizon 2020 research programme, AQUACROSS seeks to advance knowledge and application of ecosystem-based management (EBM) for aquatic ecosystems to support the timely achievement of the EU 2020 Biodiversity Strategy targets.

Aquatic ecosystems are rich in biodiversity and home to a diverse array of species and habitats, providing numerous economic and societal benefits to Europe. Many of these valuable ecosystems are at risk of being irreversibly damaged by human activities and pressures, including pollution, contamination, invasive species, overfishing and climate change. These pressures threaten the sustainability of these ecosystems, their provision of ecosystem services and ultimately human well-being.

AQUACROSS responds to pressing societal and economic needs, tackling policy challenges from an integrated perspective and adding value to the use of available knowledge. Through advancing science and knowledge; connecting science, policy and business; and supporting the achievement of EU and international biodiversity targets, AQUACROSS aims to improve ecosystem-based management of aquatic ecosystems across Europe.

The project consortium is made up of sixteen partners from across Europe and led by Ecologic Institute in Berlin, Germany.

AQUACROSS PARTNERS

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