

# Conservation of wild birds. Codification

2009/0043(COD) - 16/12/2016 - Follow-up document

The Commission has presented its report on the results of the REFIT Fitness Check on the Birds and Habitats Directives. This provides a comprehensive policy evaluation of the two Directives and examines their performance against the five criteria of (i) effectiveness, (ii) efficiency, (iii) relevance, (iv) coherence and (v) EU added value. The check, supported by a study, involved intensive evidence gathering and consultation with stakeholders at both EU and national level.

The resulting analysis brings together a substantial body of evidence and seeks to identify changes that can be logically attributed to the intervention of the Directives. However, despite **evidence of large scale declines in European nature** during the 20th century, the work has been limited by the fact that there was **no clear baseline** against which to estimate how the status of flora and fauna might develop **in the absence of EU action**.

**Effectiveness:** the evaluation showed that the general objectives of the Directives have not yet been met and that it is not possible to predict when they will be fully achieved. It is clear, nevertheless, that the status and trends of bird species as well as other species and habitats protected by the Directives would be **significantly worse in their absence** and improvements in the status of species and habitats are taking place where there are targeted actions at a sufficient scale.

**Efficiency:** the evaluation on efficiency sought to find out if the costs involved in implementation are reasonable and in proportion to the benefits achieved. However, as Member States do not have a duty to report to the Commission on the costs and benefits of the Directives, there is **limited quantitative information** available at the EU scale to underpin assessments on efficiency. Compliance costs of designating, protecting and managing Natura 2000 sites have been estimated to be at least EUR 5.8 billion annually across the EU. Only a **qualitative assessment of opportunity costs** was possible, showing that the Directives do not create barriers to investments that are sustainable and not damaging to the conservation values of the sites.

The **multiple benefits** of the Directives, estimated at EUR 200-300 billion per year, **significantly exceed identified costs**. Their implementation contributes to local economies through job creation and tourism, especially in rural areas. However, internalisation of costs has not yet been achieved as the socio-economic benefits of the many ecosystem services provided by Natura 2000 have not yet gained widespread recognition, acknowledgement and acceptance in public policy.

The report notes that overall EU co-funding for Natura 2000 during the 2007-2013 period represented only 9-19% of the estimated financing needs and national co-funding was unable to cover the remaining gap. Moreover EU funding has not always been able to achieve demonstrable progress.

**Relevance:** the extent to which the objectives and measures contained within the Nature Directives are consistent with the current needs of EU natural habitats and species of wild fauna and flora, including wild birds was examined. Evidence shows that the Directives continue to be **relevant for tackling the key pressures on habitats and species**. Their general and specific objectives remain valid, setting out what is to be achieved and leaving the responsibility for identifying and responding to specific threats to the Member States.

**Coherence:** the report looked for **evidence of synergies or inconsistencies** between the Directives and other EU policies which are expected to work together, such as other EU environmental directives and other EU sectoral policies affecting land and water use and adaptation to climate change.

It concludes that:

- the Nature Directives are coherent with each other but there is **continued need to promote implementation solutions that optimise the attainment of their conservation objectives**; this needs to be done with full regard to the socioeconomic context in which they operate and working with different stakeholder communities;
- other environmental directives are **consistent and complementary** with the Nature Directives, although experience highlights the **need and value for improved coordination**, in particular as regards **monitoring and reporting** with a view to collecting data once for multiple purposes and reducing burden;
- the Nature Directives and the EU 2020 Biodiversity Strategy constitute an **integrated and fully coherent policy approach**. In particular, the Directives are key instruments for achieving the headline target of the EU Biodiversity Strategy to ‘halt the loss of biodiversity and ecosystem services in the EU and help stop global biodiversity loss by 2020’;
- **other sectoral EU policies** may have **competing objectives**. For example, given the continuing decline of species and habitats associated with agriculture, greater efforts are needed to conserve and enhance biodiversity, through more effective integration with the CAP in order to reach biodiversity objectives.

**EU added value:** as to whether action continues to be justified at the EU level and changes can reasonably be attributed to EU intervention, there appears to be a broad recognition that the Directives have established **a stronger and more consistent basis** for protecting nature than existed in Europe before their adoption. The needs and rationale for EU level action through the Nature Directives **remain valid** also with a view to achieving the **multiple ecosystem service benefits** that they deliver to society.

Overall, the evaluation concludes that:

- the goals of the Directives continue to **reflect the needs of nature conservation and sustainable use for nature**, people and the economy although **more efforts** are needed to achieve them.
- within the context of broader biodiversity policy, the Directives are **fit for purpose**; however, fully achieving their objectives and realising their full potential will depend on **substantial improvement in their implementation** in relation to both **effectiveness** and **efficiency**, working in **partnership with different stakeholder communities** in the Member States and across the EU, to deliver practical results on the ground.