



**Friends of
the Earth
Europe**



TEN ACTIONS FOR A BIODIVERSE EUROPE

With just three years left to halt the loss of biodiversity by 2020, the EU must double down on ten actions to secure a positive future for Europe's nature and people

September 2016

Ten Actions for a Biodiverse Europe

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The EU has spent more than two years evaluating its foundational nature protection laws – the Birds and Habitats Directives. Now they have been found “fit for purpose”. But with just three years remaining in which to reach the 2020 goal of halting the loss of biodiversity in the EU, now is the time for a redoubling of action to secure a positive future for Europe’s nature.

Friends of the Earth Europe (FoEE) believes we all thrive when nature thrives. Having vibrant nature in our lives is a need and a right.¹ The EU and every national and regional government must now intensify action to care for and restore the nature we love and need.

This briefing sets out the ten key steps Friends of the Earth wants to see in the EU Commission’s expected communication on biodiversity this Autumn 2016.

Needed: action

The ‘fitness check’ of the EU Birds and Habitats Directives (or ‘Nature Directives’) has shown that the EU nature protection laws in place across Europe are “fit for purpose” – experts have found they work well to protect nature when properly implemented.²

“The balance of the evidence demonstrates that the Directives are fit for purpose and the added value they provide at EU level is clear. The Directives have generated many important benefits for nature conservation and sustainable development overall. [...] However] a number of significant challenges related to implementation have been identified.”

(Evaluation Study to support the Fitness Check of the Birds and Habitats Directives)³

Yet despite having a fit legal framework in place, nature is in serious trouble across Europe, and *action* is insufficient. The latest ‘state of nature’ reports show that more than 60% of the EU’s protected species and 77% of the EU’s habitat types are still in bad shape; and that since 2010, irreversible biodiversity loss has continued largely unabated.⁴ A large proportion of species are at risk of extinction. The complacent status quo is not an option.

There are three main policy failures contributing to this:

- a) A lack of implementation and enforcement of sound legislation – including major illegal breaches and major delays in putting the Nature Directives to work;
- b) Adverse policies driving habitat destruction, especially in the wider countryside – for example policies supporting industrialised agriculture, including the Common Agricultural Policy (CAP) and inadequate controls on pesticides;
- c) A lack of funding for activities to conserve nature.

To improve the state of nature in Europe, the EU must understand these hurdles, and in the Autumn 2016 communication set out *actions to overcome them*.

¹ FoEE. 2016. Nature is our right, www.foeeurope.org/policies-protect-nature-europe-250116

² FoEE. 2016. What’s holding up EU nature laws?, www.foeeurope.org/whats-holding-up-saving-eu-nature-laws-160816

³ Milieu et al. for the EU Commission. 2016. Evaluation Study to support the Fitness Check of the Birds and Habitats Directives, www.foeeurope.org/sites/default/files/biodiversity/2016/study_evaluation_to_support_fitness_check_of_nature_directives_final.pdf

⁴ EU Commission. 2015. Summary, Mid-term review of the EU biodiversity strategy to 2020, ec.europa.eu/environment/nature/biodiversity/comm2006/pdf/mid_term_review_summary.pdf

Full implementation of Europe's nature laws

To unleash the power of the Nature Directives, they must be much more fully enacted and applied across the EU.

The evaluation study of the Nature Directives concludes that *“problems with the pace and extent of progress towards the objectives of the Directives are not due to the legislation itself but stem from its implementation.”*⁵

Fact box: delays

24 years after the Directives were adopted and 12 years after the deadline, the process of designating protected nature sites has still not been completed. Designation of marine sites is only half finished. Management of protected sites is even further behind – in 2012, less than 50% of the sites had a management plan or concept. For example, in the UK, only 14% of the SCI and SAC network area is covered by a comprehensive management plan.

Push through management of protected nature sites

Coverage of the *Natura 2000* network of protected nature sites is still incomplete – action is mainly needed to finish designating marine sites, though there are also still some gaps on land. Marine protected areas are vital to combat accelerating biodiversity loss and extinctions in Europe's seas. They still only cover 6% of our seas, well below the 10% global target.⁶

Moreover, many Member States are far behind in putting in place appropriate measures to ensure good management of protected nature sites. Less than 50% have a clear conservation objective or management plan: many countries have few or no plans.⁷

ACTION 1. *Member States must finish designating Natura 2000 sites and establish and implement management plans for all protected nature sites – using an inclusive, participatory process. The Commission must pursue much greater progress on this, including by enforcing action through freezing EU funds or applying for legal injunctions.*

Clamp down on illegal activities

Too often the strong EU safeguards given to protected sites and species are flouted. Consistently, damaging activities and unlawful developments are needlessly threatening Europe's protected nature. This partly explains why a high proportion of protected sites are in an 'unfavourable' condition. National governments need to be better held to account for allowing damage to protected sites, habitats and species.

Examples of damaging and unlawful developments to Natura 2000 sites

- **Northern Ireland:** Authorities remain inactive as the largest unlawful quarry in Europe dredges 1.7 million tons of sand from the bed of protected Lough Neagh each year. The dredging has taken place with no planning permission, no Environmental Impact Assessment or Habitat Assessment. The activity is likely to have contributed to pollution and disturbance to wildlife. Over the past 30 years, local bird populations have declined by more than 75%.⁸
- **Cyprus** is anticipated to be taken to the European Court of Justice after giving the final go-ahead to

⁵ Milieu et al. for the EU Commission. 2016.

⁶ European Commission. 2015. Staff working document, Mid-Term Review of the EU Biodiversity Strategy to 2020 eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52015DC0478

⁷ These are: Bulgaria, Hungary, Ireland, Netherlands, Poland, Portugal, Romania, Slovakia.

⁸ www.foe.co.uk/green-blog/reasons-be-shocked-nature-attack-northern-ireland

a large tourism development in Polis-Gialia marine reserve, a crucial breeding ground for two rare species of sea turtle. The project, incorporating two golf courses, a hotel and 792 villas, is expected to impact a quarter of all Loggerhead turtle nests in Cyprus. A 475m building-free buffer zone was recommended, but lobbyists reduced this to just 20m.⁹

- **Bulgaria** plans to build a motorway through the spectacular Kresna Gorge, financed by the EU, which will have a devastating impact on a unique natural treasure (e.g. snakes, turtles and bats found nowhere else). To avoid damage, the EU demanded to reroute the road via a tunnel. However the government has consistently failed to make designs for the tunnel, instead drawing up plans to begin construction through the gorge.¹⁰
- **Germany:** Pähler Schlucht forest nature reserve, Bavaria. In 2014, private owners logged 50% of the trees in parts of the forest for timber – including old trees providing key wildlife habitats – damaging habitats that should be protected by German and EU law. Gaps in the forest canopy appeared, altering the microclimate and worsening storm damage. Bavarian nature conservation authorities did not come to the site, nor impose restrictions until it was too late.¹¹

Everyday enforcement is also often sorely lacking. A study in Rhineland-Palatinate, Germany, concluded that only 50% of measures that planners imposed on developments to compensate for damage had in practice been carried out.¹² Nature conservation authorities are often ill-equipped and their concerns not always taken on board.

The Commission has proven slow in handling complaints and hesitant in challenging infringements when they are raised. Of the over 4,000 complaints reported to the Commission, only 19% of them led to action.¹³ This is not helped by the fact that the Commission has no ability to monitor, detect, or investigate infringements on its own in environmental matters, making it difficult to gather the necessary information on implementation or breaches of the laws.

ACTION 2. *The Commission must get tougher on stopping illegal activities in protected sites and penalising governments and authorities that fail properly to implement and enforce EU nature laws.*

ACTION 3. *The Commission should increase capacity to investigate complaints and infringements on the ground and bring them to action. As part of this, the EU should introduce environmental inspections and use modern remote sensing technologies to ensure better detection of breaches of legislation – this may require new EU legislation.*

ACTION 4. *The Commission and Member States should ensure that the Environmental Liability Directive is fully implemented to prevent and remedy pollution which damages protected sites and species.*

Repair the agricultural landscape and protect pollinators

Protecting Europe's nature is not only about special sites and targeted species. We must also restore nature beyond those confines, ensuring that habitats are better connected, and that the wider landscape is managed with nature in mind.

⁹ www.foeeurope.org/cyprus-likely-face-court-threatened-turtles-290816

¹⁰ www.foeeurope.org/save-Kresna-Gorge-briefing-110316

¹¹ www.bund.net/waldreport2016

¹² NABU Rheinland-Pfalz. 2007. Die Umsetzung von Kompensationsmassnahmen im Rahmen der Bauleitplanung in Rheinland-Pfalz, https://rlp.nabu.de/imperia/md/content/rlp/die_umsetzung_von_kompensationsmassnahmen_im_rahmen_der_bauleitplanung_in_rheinland-pfalz.pdf

¹³ 'Out of the 4,102 cases reported under the Nature Directives, only 768 of them led to action by the Commission'. Milieu et al. for the EU Commission. 2016.

Here we cannot ignore the crippling effect of our industrial farming system on our nature.

How Europe's industrial farming and agricultural policy damages nature

The Common Agricultural Policy (CAP), which has bearings on 80% of the EU land area, still promotes large-scale industrialised farming – with very low minimum standards for nature. Industrial farming practices have resulted in the loss of wildflower meadows, hedges and trees, and continue to limit sources of food and shelter for pollinators and other wildlife. Agriculture is the most prominent pressure on the health of land ecosystems.¹⁴ One third of Europe's farmland bird species are threatened or near threatened, and 39% are still declining.

Under the CAP, the majority (88%) of Europe's farm holdings are exempted from measures that would help protect nature. Environmental subsidies have been cut down at EU level, and are not fully used in 75% of Member States. For example, Romania does not make use of the opportunity to fund protection *Natura 2000*. Germany provides funding for harmful bioenergy production far outstripping nature conservation measures. Portugal funds monoculture eucalypts and banksia tree plantations instead of biodiverse native species. Harmful pesticides and chemical fertilisers are still widely used – damaging soil and water health, pollinators and other beneficial insects, and the web that relies on them.

Take action to make farming more sustainable

Ultimately our food and farming system needs a radical overhaul towards an ecological and fair agriculture that protects wildlife and natural resources, supports resilient, sustainable family farms, and reduces our impact on developing countries – by promoting low-intensity, diverse agro-ecological farming.¹⁵ The EU must use the opportunity of the mid-term review of CAP to move away from incentivising industrialised and intensive farming practices, towards one that supports rather than undermines full implementation of the Nature Directives and sustainable farming and food production. In this way the objectives of the nature laws can be mainstreamed throughout all policies.

ACTION 5. The EU should fundamentally reform farming policies to end harmful industrial practices, whilst substantially increasing the role of agroecology and ensuring EU nature laws are central to any new CAP.

Take action to protect pollinators

Bees and pollinators are in decline – nearly one in ten wild bee species face extinction in Europe¹⁶ – an indicator of the plight of ecosystems across the countryside. Bees pollinate the plants we need for food and materials. The monetary value of pollination by bees and other insects has been estimated at €22bn in Europe every year. But they cannot be measured in monetary terms alone – they are also critical to maintaining and promoting wider biodiversity.

It has also been estimated that European farming policies are causing higher demand for pollination; but honeybee stocks are insufficient to supply 90% of demands, meaning that we are increasingly dependent on wild pollinators.¹⁷ Yet bees and pollinators are especially impacted by those same intensive farming policies and practices (such as loss of wildflower meadows and hedges, and the application of harmful pesticides), and by climate change. For future food security it is essential that we maintain a diverse wild bee population – in a changing climate we may be dependent on a wider variety of species in the future.

ACTION 6. The Commission should introduce a pollinators initiative to remove the threat to bees and pollinators.

¹⁴ European Commission. 2015. Staff working document, Mid-Term Review of the EU Biodiversity Strategy to 2020

¹⁵ FoEE, 2013. CAP position paper, www.foeeurope.org/position-paper-cap-reform

¹⁶ IUCN. 2015. European Red List of Bees and the Status and Trends of European Pollinators www.iucn.org/content/nearly-one-10-wild-bee-species-face-extinction-europe-while-status-more-half-remains-unknown

¹⁷ Breeze, et al. 2014. Agricultural Policies Exacerbate Honeybee Pollination Service Supply-Demand Mismatches Across Europe. www.ncbi.nlm.nih.gov/pmc/articles/PMC3885438/

This pollinators initiative must ensure coordinated action to reduce all threats to bees and other pollinators. The initiative should contain concrete actions to monitor wild pollinators, halt the destruction of pollinator habitats and create extensive new habitat areas; and to remove the threat to pollinators from pesticides – including making the current restrictions on neonicotinoid insecticides permanent and extended to all crops; strengthening the regulation of pesticides to avoid harm to all insect pollinator species; and adopting EFSA guidance on risk assessment of pesticides for impacts on bees.

Connect nature through green infrastructure

Connecting fragmented biodiverse sites with each other, e.g. providing wildlife networks and corridors, is necessary to ensure that species can thrive in a changing climate. A green infrastructure framework would make high quality biodiverse green infrastructure a standard element of spatial planning and land use development and ensure ecosystem connectivity and restoration of species and habitats.

ACTION 7. *The EU should roll out and fund an EU wide network of Green Infrastructure (the TEN-G network), enshrining it in spatial plans and land use policies.*

ACTION 8. *Member states should speed up the restoration of at least 15% of degraded ecosystems.*

Invest in nature protection without offsetting

Current funding for nature is inadequate. Proper funding is needed for the management of the *Natura 2000* network, for targeted conservation action for rare species, action on Green Infrastructure, restoration of degraded ecosystems, and for monitoring the state of nature.

Given that a healthy and sustainable society and economy is dependent on our looking after nature, such funding should be regarded as an investment in a sustainable economy and our future wellbeing.

However, Friends of the Earth rejects any proposal that integrates nature into unproven market-based instruments and turns biodiversity into a tradable commodity as a basis for finance, as this threatens to further deplete biodiversity and sites.

Secure more funds to support nature protection

The EU needs to invest more in nature. It has been estimated that the full and effective implementation of the *Natura 2000* network would cost €6 billion EUR per year.¹⁸ Though not insubstantial, this investment can be expected to reap a high return. The economic benefits that flow from the *Natura 2000* network are estimated to be up to €300 billion EUR per year, including supporting 4.5 million jobs. Currently however, *Natura 2000* is under-funded by 80-90% (in terms of contributions from the EU budget; other funding is available through EU structural funds, but Member States are not currently utilising this opportunity).

ACTION 9. *The Commission and Member States must invest substantially more to achieve a major improvement in the state of nature – at minimum covering the amount required to manage and restore Natura 2000 areas. Member States and the Commission should act on existing commitments to reform environmentally harmful subsidies.*

¹⁸ EU Commission. 2011. Staff Working Paper – Investing in Natura 2000, ec.europa.eu/environment/nature/natura2000/financing/docs/financing_natura2000.pdf

No offsetting

The wider countryside across Europe is already very degraded, particularly in more densely populated areas. Biodiversity offsetting and habitat banking through a potential 'No Net Loss' initiative has been mooted as one way to provide innovative finance for funding conservation and restoration.

An offsetting scheme would aim to make up for biodiversity loss in one area by financing restoration or protections in another. However, such a strategy would be flawed and risky and would distract from proper and concerted conservation activity. By promising to restore or even increase biodiversity elsewhere to compensate for its destruction, such a mechanism would facilitate nature destruction in the first place, delivering a 'license to trash'. An offsetting mechanism would open the door to putting a price on irreplaceable nature and turn biodiversity into a tradeable commodity. Moreover, experience has shown how difficult it is to replace nature once it has been destroyed – due to the complexity and lack of enforcement. Previous offsetting efforts have often had poor overall results.¹⁹

ACTION 10. *The Commission must not propose a mechanism for biodiversity offsetting – instead it should strengthen approaches to avoid damage in the first place.*

Conclusion: Speed up action and prioritise nature

To conclude, the EU and its Member States must prioritise our nature. To have a chance of meeting the 2020 goal of halting the loss of biodiversity in the EU, and to ensure that the Directives deliver even more on protecting Europe's most important nature places and species, the Commission must now intensify action to encourage and enforce better implementation. The EU and Member States also need to ensure that nature is at the heart of other policies – and in particular to halt the damage from major projects and the threat from industrial farming practices.

People want nature in their lives.²⁰ Ordinary people are standing up for their right to nature and for strong laws to protect nature – more than 520,000 citizens have said so directly to the Commission in a record breaking public consultation. Where the laws are flouted, communities are demanding action. They deserve to live in a healthy vibrant natural environment; and the EU has a responsibility to step up action to deliver it.

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¹⁹ FoEE. 2014. Nature Is Not For Sale, www.foeeurope.org/sites/default/files/news/foee_position_nature_is_not_for_sale.pdf

²⁰ Nearly all Europeans agree (97%) that it is important to halt biodiversity loss because it is a moral obligation. Nine out of ten Europeans agree or strongly agree (93%) that it is important to halt biodiversity loss because our well-being and quality of life is based upon nature and biodiversity. Attitudes of Europeans towards the issue of biodiversity - EU Flash Barometer No. 379 ec.europa.eu/public_opinion/flash/fl_379_sum_en.pdf : 5.1.



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Friends of the Earth Europe campaigns for sustainable and just societies and for the protection of the environment, unites more than 30 national organisations with thousands of local groups and is part of the world's largest grassroots environmental network, Friends of the Earth International.

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