

Science for Environment Policy

Policies to protect natural areas from roads assessed in France

New research in France has analysed the effectiveness of legal instruments and environmental assessments to protect natural areas against the impacts of roads. The Natura 2000 network appears to be the most effective, but the study calls for environmental assessments to take place earlier on in decision-making processes for road projects to better protect natural areas.

The construction and use of roads can cause major changes to natural environments, so much so that a new 'science' has emerged called 'road ecology'. There are a number of international, supranational and national legal instruments designed to limit negative impacts of roads, but although their individual effectiveness is sometimes evaluated, there is little research considering all relevant instruments collectively.

The study aimed to assess the effectiveness of the French legal system in protecting natural areas relative to road projects. It identified 43 legal instruments and environmental assessments at national, European and international levels and classified these in terms of their effectiveness. Effectiveness is defined as the ability of the text of a legal instrument to produce real and direct protective effects.

Just over half of the instruments aimed to provide strict protection of natural areas, whilst 14% protected habitat devoted to specific species and 35% provided indirect protection through heritage protection and land use planning. The strongest instruments were found at the European Community level, such as the [Natura 2000 network](#). However, any natural area can be subjected to several protection procedures at different levels and most provisions of international law need to be implemented through national law to be effective.

Forest is the best category of protected natural ecosystems in France, thanks to an instrument that prohibits any change in the allocation or land use designation capable of compromising woodland preservation or protection. The analysis also indicates that protection by ecosystem type (such as the [Ramsar Convention](#) on wetlands) can improve the coherence and effectiveness of the protection system.

An important national instrument is the [Grenelle Environment](#), which puts forward green and blue networks as key measures to prevent biodiversity loss by connecting habitats through ecological corridors. It proposes that highway construction must be compatible with these networks, but there are no formally binding obligations or powers to force unwilling participation. To date, there has been a large commitment to the instrument, but little implementation.

Environmental Impact Assessments (EIAs) are another important instrument that must be undertaken to identify, predict, assess and mitigate environmental consequences of road projects. However, only projects costing more than €1.9 million¹ are subject to EIAs and, in some cases, the EIA can be waived. On the whole, EIAs are produced by project owners, which raises questions about objectivity and they also tend to be completed late on in the decision-making process for road projects, with little reference to ecosystem functioning.

Overall, the study indicates that the legal system of protection instruments in France is complex. The use of more than one instrument on one site does not necessarily establish more protection. The Natura 2000 network is judged to be the most effective and relevant instrument in terms of its linkages between natural areas, but national instruments need greater scope for the whole system to be effective.



24 January 2012
Issue 314

Subscribe to free
weekly News Alert

Source: Mallard, F. & François, D. (2013) Effectiveness of the legal framework for natural areas protection relative to French road projects. *Land Use Policy*. 30:582-591. Doi: 10.1016/j.landusepol.2012.05.006.

Contact:
fanny.mallard@ifsttar.fr

Theme(s): Biodiversity, Land use, Sustainable development and policy assessment

The contents and views included in Science for Environment Policy are based on independent, peer-reviewed research and do not necessarily reflect the position of the European Commission.

To cite this article/service: "[Science for Environment Policy](#)": European Commission DG Environment News Alert Service, edited by SCU, The University of the West of England, Bristol.

1. Twenty-six years after Directive n° 85/337/CEE of 27 June 1985, the monetary threshold was suppressed by Decree n° 2011-2019 of 29 December 2011, related to the reform of impact studies of projects of works, structures, land planning.