## QUESTIONNAIRE

### A. General Information

**Please answer ALL questions in this table**

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<thead>
<tr>
<th><strong>Organisation:</strong></th>
<th><strong>Answer</strong></th>
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<tbody>
<tr>
<td>Nature Conservation Authorities:</td>
<td>Ministry of the Environment assisted by the following Authorities an Institutes: Metsähallitus, the Parks &amp; Wildlife in Finland Finnish Environment Institute Ministry of the Agriculture and Forestry</td>
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<tr>
<th><strong>Date:</strong></th>
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<tr>
<td>6 March 2015 and 11 March 2015</td>
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<tr>
<th><strong>Country (and, if applicable, region) represented:</strong></th>
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<th><strong>Organisation(s) represented:</strong></th>
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<tr>
<th><strong>Name of contact for enquiries (including follow-up interview if required):</strong></th>
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<tbody>
<tr>
<td>Heikki Korpelainen</td>
<td>Aulikki Alanen</td>
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<tr>
<td>Janne Pitkänen</td>
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<tr>
<th><strong>Contact email address:</strong></th>
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<tr>
<td><a href="mailto:Heikki.korpelainen@ymparisto.fi">Heikki.korpelainen@ymparisto.fi</a></td>
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<tr>
<td><a href="mailto:Aulikki.alanen@ymparisto.fi">Aulikki.alanen@ymparisto.fi</a></td>
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<tr>
<td><a href="mailto:janne.pitkanen@mmm.fi">janne.pitkanen@mmm.fi</a></td>
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<tr>
<th><strong>Contact telephone number:</strong></th>
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<td>+358503740247</td>
<td>+358 295 162 338</td>
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<th><strong>Languages spoken fluently by contact person:</strong></th>
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<tr>
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<th><strong>Language for the interview if it is not possible to conduct it in English:</strong></th>
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<th><strong>Type of organisations you represent:</strong></th>
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<td>EU authority or agency / Member State authority or agency / business or industry / educational or scientific institute / nature conservation charity / recreation / individual expert / other (please specify).</td>
<td>Member State authority or agency</td>
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<th><strong>Sector represented:</strong></th>
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<td>environment / water / agriculture / forestry / fisheries / transport / energy / extractive industry / industry / housing and other buildings / recreation &amp; tourism / science &amp; education / other</td>
<td>environment</td>
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B. EVALUATION / FITNESS CHECK questions

Please answer all questions that are relevant to you and for which you can provide informed insights from direct experience and/or supporting evidence.

We would kindly ask that you keep your answers as succinct as possible. They should summarise in no more than 2 pages any evidence relevant to a given question. More complete/detailed information, if any, should be provided in the form of references and/or web links. Definitions, explanations and examples are provided under each question to assist you in answering them.

When answering the questions, please note that the Fitness Check intends to examine the performance of the Nature Directives in relation to their stated objectives, taking into account expected results, impacts and external factors. The figure below presents the intervention logic as included in the mandate. For ease of reference, a table presenting the objectives of the Directives, differentiating between different types of objectives (strategic, specific, operational), is included in Annex I to this document.

The questions are structured around the five evaluation criteria addressed in the mandate: effectiveness = S, efficiency = Y, coherence = C, relevance = R, and EU added value = AV.
Effectiveness

This section focuses on assessing the extent to which the objectives of the Birds Directive and Habitats Directive have been met, and any significant factors which may have contributed to or inhibited progress towards meeting those objectives. By 'objectives', we refer not only to the strategic objectives, but also to other specific or operational objectives required under other articles of both Directives (as set out in Annex I to this questionnaire).

'Factors contributing to or inhibiting progress' can relate to the Nature Directives themselves (e.g. the clarity of definitions) or be external factors such as lack of political will, resource limitations, lack of cooperation of other actors, lack of scientific knowledge, or other external factors (e.g. see those listed in the above intervention logic).

We are particularly keen to learn of evidence that is not included in the Member State implementation reports1.

S.1.1 What progress have Member States made over time towards achieving the objectives set out in the Directives and related policy documents?

Please provide evidence on what progress has or is being made towards the achievement of the objectives set out in Annex I that are of relevance to you. Please address separately the objectives of the Birds Directive and the Habitats Directive, and specify which objective(s) you are referring to, with references to the corresponding Articles. If possible quantify the progress that is being made.

Answer:

**Strategic objectives**

Regarding the strategic objectives (Art 2 in the HD and Art 2 in the BD) of both of the Directives the most comprehensive datasets are the results of national implementation reports (art 17 and art 12 reports) of the Directives. The overall picture is that the objectives for all of the Habitat Types or Species have not yet been reached. However, achieving the Biodiversity objectives is a long term exercise. There have been only two rounds of 6-year assessments in the field of the HD and one of the BD. Therefore, we are still more a less dealing with the baseline information and are still very much in the beginning of the recovering process. While the unfavourable status has resulted from processes, which have been affecting for several decades, it is not realistic to expect to reach the objectives of the Favourable Conservation Status (FCS) in a few years. It is also important to understand that due to many reasons it will perhaps be impossible to ever fully reach the FCS for some of the Habitat Types or Species. A positive achievement of the legislation may also be that the conservation status is not getting worse any more. Looking into the trends is perhaps more important than to concentrate only on the achievement of the far reaching strategic objectives. Wise interpretation of these datasets is essential.

The Directives have boosted some successful national actions targeting to the improvement of certain Habitat Types also outside the Natura 2000 network:

1. *The Forest Biodiversity Programme METSO 2008–2025* aims to halt the ongoing decline in the biodiversity of forest habitats and species, and establish stable favourable trends in Southern Finland’s forest ecosystems. The objective of the programme is to ensure that Finnish forests will continue to provide suitable habitats for endangered and declining species. The programme is based on voluntary means. The scope of the programme is designed so that it covers the most important forested Habitat Types listed in the annex I of the HD. Programme covers following habitat types:
   - Herb-rich forests
   - Heathland forests with plenty of decaying wood

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• Forests adjacent to springs and pools
• Wooded mires and the wooded margins of open mires
• Swampy woodlands and wooded flood meadows
• Sunlit slopes on sandy esker ridges
• Biodiversity sites along emergent coastlines
• Wooded heritage biotopes
• Wooded habitats on calcium-rich bedrock and ultra-alkaline soil
• Wooded cliffs, bluffs and boulder fields important for biodiversity

During the period 2008–2014, altogether about 64 000 hectares of forests have been placed under permanent protection in the METSO Programme. In addition, over 48 000 hectares of biodiversity-friendly actions in forest management in commercial forests have been carried out under the METSO programme until the end of 2014. Most of the measures taken have improved the protection status of heathland forests with plenty of decaying wood, thus also positively affecting species dependent on dead wood.


http://www.ym.fi/fi-FI/Ajankohtaista/Tiedotteet/Vapaaehtoisessa_METSOohjelmassa_uusi_suo%2832847%29

2. National Peatland protection programme is in preparation (February 2015). Final target area is not determined but the programme covers all peat forming Habitat Types occurring in Finland.

http://www.ym.fi/soidensuojeluohjelma

Specific and Operational targets.

All of the specific and operational targets of both of the directives have been implemented in the national legislation, appropriate administrational arrangements are in place and remarkable investments have been made especially in order to meet the site protection target, the Natura 2000 network in particular. The designation of the network has been finalized covering 1857 sites, c. 5 million hectares (13% of the territory) in total.

Appropriate assessment procedures of plans and projects required by Art 6 of the HD have been applied since the first pSCIs in 1998. Consequently special knowledge and expertise for nature related impact assessments have increased and improved not only in the nature conservation administration but also among other authorities, consultants as well as various private stakeholders. As a sign of effectiveness can be mentioned, that until today there has been no need to apply the Art 6.4 procedure. In all cases assessments have been integrated to the planning and permission procedures in a way, which have helped to find an alternative solution which does not have significant negative impacts. This would hardly been achieved without the framework of Art 6 of the HD.

In the field of species protection the specific and operational targets have been met. The general protection system for birds (Art 5 in BD) has been in place already before the EU legislation. The strict protection system of the HD (art 12-13) has been transposed into the national legislation and derogation procedures are applied whenever they are required by the Directives. In addition, specific guidance and action plans have been developed for some of the species and a comprehensive guidance for all Annex IV species is under preparation.

Monitoring (Art 11 in HD and Art 10 in BD) obligations are demanding targets. Lot of improvements in this field have been achieved, for example inventories of the Habitat Types in Natura 2000 sites have been carried out in most of the sites. The available data has been sufficient for the reporting (art 17 in HD and Art 12 in BD) according both of the Directives although some data deficiencies still
remains. Especially underwater Habitat Types and follow-up of the site-specific trends will be a challenge also in the future.


Establishing the necessary management and protection measures according to the Art 6.1 in the HD and respectively Art 4 in BD is a long - and actually a never ending process, which has been going on ever since the designation of the first pSCIs and SPAs. Since the start of the EU membership an investment of 580 million € has been implemented for land acquisitions and compensations for the Natura 2000 sites for enabling the protection of the sites as Nature Protection Areas. Management planning of the sites covers more than 80 % of the network and the new IT-software for comprehensive planning system of Metsähallitus provides mechanisms for systematic follow-up and status assessment for the whole network.

Management and restoration activities/improving conservation status on Habitat Types and Species are ongoing and good results have been achieved, especially by the EU co-financed LIFE-projects:


Among them can highlighted for example restoration of boreal peatlands, species rich areas and old-growth forests:

http://julkaisut.metsa.fi/julkaisut/show/1111
http://julkaisut.metsa.fi/julkaisut/show/1733
http://julkaisut.metsa.fi/julkaisut/show/1884

Further examples of ongoing actions aiming to improve the conservation status of several Habitat Types and Species:


Also in SPAs The EU Life Nature funding has enabled significant waterfowl habitat restoration and management projects, which would otherwise have been delayed.

http://julkaisut.metsa.fi/assets/pdf/lp/Asarja/a149.pdf

Habitats Directive (Art. 10; connectivity)

The Forest Biodiversity Programme METSO (2008–2025) also aims to improve the connectivity of the protected area (PA) network of forests especially in Southern Finland. Private forest owners are encouraged to offer their valuable forest habitats under protection especially when they exist close to existing reserves. A spatial decision-support tool, Zonation-software, is used to evaluate the effect that single site has on the connectivity of wider PA network. http://cbig.it.helsinki.fi/software/zonation/

In addition, in METSO co-operation networks forest officials and forest owners together with other stakeholders are creating local green infrastructures at local and landscape levels, which enhance biodiversity protection and local recreation or economic possibilities, or deliver other social benefits. Land use planning system on all its levels supports connectivity of landscape. For example ‘National
land use guidelines', reinforced by the Parliament, also considers valuable peatlands by directing extracting land use to areas less valuable for biodiversity. By these means the Habitat Type Active raised bogs^{8} (7110) and other wetland habitat types linked to it are protected.

In the preparation of the Regional Plan for Uusimaa region new IT-software, like the Zonation and Green Frame have been in use for analysing the value of the areas for the purposes of green infrastructure and ecosystem services.


http://www.ymparisto.fi/en-US/Living_environment_and_planning/Land_use_planning_system

Answer: In this answer we have solely the Large Carnivores in mind.

In the context of objective to maintain or restore species at a Favourable Conservation Status, concerning Large Carnivores (wolf, brown bear, lynx and wolverine), all populations have increased significantly since directive enter into force in Finland. However, severe challenges in social and economic sustainability have been identified by the Evaluation of the Finnish National Policy on Large Carnivores, carried out in 2014.^{2}

Lynx: Minimum population in 1995 was ca. 750 and since then has increased to 2740-2890 adult individuals (in 2014). The ecological sustainability of the lynx population has been achieved through the application of existing population management measures. Within the reindeer husbandry area, the lynx population has shown a moderate proliferation and, in other areas of Finland, new habitats have been occupied together with strong, established lynx populations. In recent years, population management derogations under Article 16.e for hunting have served as an excellent tool for achieving economically and socially acceptable population management.

Brown Bear: Minimum population in 1995 was ca. 730 and since then has increased to 1450-1590 individuals (in 2015). The ecological sustainability of bear population has been achieved by allowing the bear population to grow within the dispersal zone in central parts of Finland and to enlarge range of the population towards western parts of the country. Furthermore, new areas of dense population have been formed. Conversely, population management derogations under Article 16.e for hunting have been used to address population growth in the reindeer husbandry area and in the region with most dense population in Eastern Finland, to achieve economic and social sustainability and acceptance of local people for population management.

Wolf: Minimum population in 1995 was ca. 140, since then population has increased to 220-245 individuals (in 2015). An unprecedented decrease in the ecological sustainability of the wolf population has been found between years 2007 (270-300 wolves) and 2013 (120-135 wolves). Since wolf population started to decrease in 2007, many legislative and administrative efforts were made to counter poaching. In 2014 comprehensive evaluation of Large Carnivore Policy was carried out and the Management Plan for Wolf was updated. Since 2014 wolf population has quickly recovered to 220-245 individuals (equals to 27 wolf packs, and in addition 8 shared cross-border packs with Russia).

Wolverine: Minimum population in 1995 was ca. 110, since then population has increased to 230-250 adult individuals (in 2013). In reindeer husbandry area, there are severe challenges to

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achieve ecological, economic and social sustainability in the population management of wolverine. In other parts of the country there are no significant conflicts related to wolverine. Recent population estimate shows significant increase. The wolverine population has been divided into two subpopulations: wolverines with habitats in the northern fells and those in the eastern and central parts of the country. Roughly half of the wolverine population is found in the reindeer husbandry area, where it poses a great deal of economic problems. Indeed, the wolverine is the leading cause of damage to reindeer stock. Wolverines have been subjected to illegal killing. After the Evaluation of the Finnish National Policy on Large Carnivores was carried out, the Management Plan for Wolverine has been adopted in June 2014.

S.1.2- Is this progress in line with initial expectations?

'Initial expectations' refer to the expectations, positive or negative, held by different stakeholders at the time the legislation transposing the Directives came into force in your country. For example, government reports and plans might provide evidence of intended timetables for the identification and designation of Natura 2000 sites. We are seeking to understand the extent to which progress made to date has met, exceeded, or fallen short of such expectations. If possible, in your answer please address separately each of the objectives referred to in question S1.1 for which you have provided evidence.

Answer:

The designation phase of the Natura 2000 network took much longer than was originally scheduled in the time-frames of the Directives. Since the start of the membership in EU in 1995 seven proposals for SCIs have been decided, and the latest complementary decisions of the Commission of lists of SCIs are from 2014.

Consequently also the implementation of the management and conservation measures is somewhat delayed. This has however been largely compensated by the fact that conservation actions have been going on all the time when the designation phase was still partly in process. The restoration activities started with the forested Habitat Types and have only lately moved on to more open Habitat Types. In SPAs, in spite of excellent results in some of the areas, is still seen some insufficient progress. The problems in those areas are often related to quick succession towards an undesirable direction due to many factors.

In the field of species protection regime of the Directives the regulations have been transposed to the legislation from the very beginning and all the necessary permission procedures are followed. Among the other aspect of the strict protection system, like improving the knowledge base, species action plans, development of guidance and recommendation and extension of information there are ongoing activities where still is room for improvements.

S.1.3 - When will the main objectives be fully attained?

On the basis of current expectations and trends, please provide evidence that indicates the likely year or range of years that the main objectives will be met. By 'main objectives' we mean the strategic objectives of the Birds Directive (as set out in its Article 2) and the Habitats Directives (in its Article 2), as well as the specific objectives set out in Annex I to this document.

Answer:

The main specific objectives of the Directives have been attained. Some finalisation and updating will be needed also in future, but in large scale “the machinery” defined by the Directives is in place. This includes the sufficient network of sites and appropriate systems and management bodies for the protection and management of these sites.

Whether or not and when the main strategic objectives will be met is a more complicated question and depends on many factors, like the available funding and resources, political support and on the benefits/synergies of other nature related objectives rising from other Directives, such as the recent
S.2 – What is the contribution of the Directives towards ensuring biodiversity? In particular to what extent are they contributing to achieving the EU Biodiversity Strategy* Objectives and Targets?

By 'contribution towards ensuring biodiversity', we are referring not only to the conservation of the species and habitats specifically addressed by the Directives, but also to biodiversity more broadly defined: i.e. other species and habitats not targeted by the Directives; ecosystems (terrestrial and marine); and genetic diversity, both within and beyond the Natura 2000 network – in line with the EU’s 2050 vision and 2020 headline target and the Targets of the EU’s Biodiversity Strategy to 2020.


Answer:

The protection regimes of Birds and Habitats Directives form the important basis for ensuring the most threatened parts of biodiversity in EU. They offer necessary tools for effective action to the national authorities. The scope of the EU Biodiversity Strategy is however wider than that of the Directives both in terms of variability of the biodiversity in concern and in terms of the range of actors and stakeholders. The Directives contribute effectively for that part of the Strategy which belongs to the field of this legislation. For the other parts of the Strategy the Directives can be supportive but much actions and efforts from different stakeholders are needed also beyond the scope of the legislation.

The two Directives make it possible for Member States to find a common ground and shared mindset. They also help us in focusing on Habitat Types and Species valuable at the EU level and the cooperation between MSs allow us to develop and agree on shared methods and indicators by which progress is measured.

The Directives provide access to EU funding, which is essential for the development of effective management measures of the sites and for species specific actions also beyond the network.

S.3 – Which main factors (e.g. implementation by Member States, action by stakeholders) have contributed to or stood in the way of achieving the Directive’s objectives?

Please summarise evidence of the main factors that have supported or constrained progress towards achieving the objectives of the Nature Directives. As in previous questions, by 'objectives' we mean not only the strategic objectives set out in Articles 2 of both Directives, but also specific and operational objectives, as set out in Annex I to this document. Relevant factors might include, for example, resource limitations, lack of cooperation of other actors, lack of scientific knowledge, or other external factors (e.g. those listed in the above intervention logic).

Answer:

The controversial designation phase was affected by many factors that prolonged the progress, for instance due to long appealing processes. On the other hand it was a necessary phase where the different stakeholders had the chance to influence to the process. The discussions and settled conflicts...
in those times formed the basis for proceeding to an effective management phase and that is the main task from now on. However, it has to admitted, that the wide criticism against the designation process—justified or not—have caused some long-lasting burden for the implementation, as well.

In the boreal region the Natura 2000—network largely consists of non-intervention habitats, which are basically safeguarded by the state ownership and taken care by Metsähallitus, the Parks and Wildlife in Finland, which simplifies and makes it easier to achieve the objectives.

One built-in problem is related to the case-law feature of the Directives. When the interpretations of some quite essential articles of the Directives have evolved during the times, it has not been so easy to follow all these changes in those MSs where the more stable and permanent legislative systems are traditionally used. This may cause delays for the implementation in practice.

Answer: In this answer we have solely the large carnivores in mind.

In the context of strict protection regime concerning Large Carnivores (wolf, brown bear, lynx, wolverine) in accordance with annex IV of the Habitats Directive, granting derogations for hunting under Article 16.e in accordance with national Management Plan, has contributed in achieving Directive’s objectives. Derogations to allow hunting under Article 16.e in accordance with national Management Plan, have served as an excellent tool for achieving economically and socially acceptable population management with lynx and brown bear population. This is one central conclusion in the Evaluation of the Finnish National Policy on Large Carnivores.

Lynx: Growth in the lynx population has given rise to the use of special hunting permits for population management, which have been allocated to achieve a more balanced distribution of regional lynx densities as well as strengthen the economic and social sustainability of population management. Indeed, high lynx densities are precisely what cause conflicts from an economic and social sustainability standpoint. A challenge in lynx population management is how to respond quickly to regional lynx problems. It is of utmost importance to take the sense of insecurity and fear felt about the lynx into consideration, thus avoiding the risk of the lynx falling into disrepute as vermin. Instead, the status of lynx as a valuable game animal should be promoted and preserved. The cornerstone of this approach is to allow derogations according to adaptive sustainable harvest model. In recent years, population management derogations have served as an excellent tool for achieving economically and socially acceptable population management.

Brown Bear: The ecological sustainability of bear population management has been achieved by allowing the size of the bear population to grow within the dispersal zone in central parts of Finland and in areas with a developing population in western parts of Finland. Conversely, derogations on a population management basis have been used to address population growth in the reindeer husbandry area and in the area with an established bear population in Eastern Finland. Finding a balance has been a challenge and, particularly in the dispersal zone, high density areas have been formed. Where bears are concerned, local people have a completely different concept of appreciation towards bears compared with other large carnivores.

Today, brown bear management is based on derogations on a population management basis, with derogations on a damage basis being granted in very few cases. Regional and local bear appreciation is evident in situations where there is adaptive bear management in place. Furthermore, suspected cases involving the illegal killing of bear are reported to the police with far greater frequency than the suspected illegal killing of other large carnivores. This might be an indication of the fact that the illegal killing of bear falls clearly outside the boundaries of what is considered the common good and there is no support for such activities. The challenge

facing bear population management is to keep ecological, economic and social acceptability in balance so that all these factors can be realized from a regional standpoint. However, there is positive development where bears are concerned, which is expected to continue into the future with the current range of actions in place.

S.4 - Have the Directives led to any other significant changes both positive and negative?

This question aims to assess whether the implementation of the Nature Directives has brought about any significant environmental, social or economic effects or changes that were not intended or foreseen by the Directive at the time of their approval, and whether these changes were positive, negative or neutral in terms of their contribution towards meeting the objectives of the Directives. Examples of such effects or changes might include the development of a culture of social participation in nature-related decisions as evidenced by Committees for the development of management plans or higher cooperation of departments of different ministries, etc.

Answer:

Especially marine and fresh-water Habitat Types are now better recognized in nature conservation targets than before. For example, the Natura 2000 network improved the cover of MPAs in the Baltic Sea significantly and now far more than 10% of the Baltic Sea, as the first regional sea in the world, is covered by protected areas, when the Natura 2000 network is taken into account.

The strict protection system of Art 12 improved the protection of the most threatened species. The impact assessment requirements in Art 6 of the HD have improved the planning of projects and have in a new way raised the questions of negative impacts from actions outside the protected areas as well as the combined effects to the assessments.

The Directives have also improved the responsibility of other than Nature Conservation sectors in reaching the Biodiversity objectives. Increased co-operation between MSs and globally in Biodiversity issues, sharing experience of best-practices and cross-border co-operation have also been important results. New Biogeographic Process is very welcomed. It has successfully enhanced cooperation between Boreal MSs.

The Directives together with the LIFE-funding instruments have boosted and promoted project-based management and other conservation efforts in a way, which would not have happened without the legislation.

Answer: In this answer we have solely the large carnivores in mind.

In the context of strict protection regime concerning Large Carnivores (wolf, brown bear, lynx, wolverine) in accordance with annex IV of the Habitats Directive, all populations have increased significantly since directive enter into force in Finland. However, severe challenges in social and economic sustainability have been identified by the Evaluation of the Finnish National Policy on Large Carnivores, carried out in 2014.4

This regulatory standard based on ecological sustainability sets the conditions for the Ministry of Agriculture and Forestry, within which the objectives of the Finnish national policy on large carnivores together with actions taken are applied. Consequently, large carnivore management has been imposed in a top-down manner and has inevitably been lacking in terms of place-based policy. Local and regional views concerning the objectives and actions of the national policy on large carnivores have not influenced decision-making as desired.

According to the evaluation, the multilateral conflict that arises around large carnivores is manifested in tensions between local communities, central government, rural and urban areas, laymen and researchers. The denial of national population management objectives and, on the other hand, increasing level of mistrust between the local people and the authorities and the local people and researchers have made severe problems for management and protection of wolf and similar problems could evolve with regards to the wolverine in the reindeer herding area.

A key observation made in the development of the large carnivore policy actions is to give equal consideration to ecological, economic and social factors in policy objectives and actions, as well as to state that these three perspectives are interdependent. A touchstone of the current large carnivore policy is to increase the social acceptance, particularly where the wolf is concerned. Lack of social acceptance compromises systematic population management built upon the ecological objectives. Enhancing the psychological ownership of large carnivores is considered a crucial aspect of ensuring success in future population management.
Efficiency

Efficiency is essentially a comparison between inputs used in a certain activity and produced outputs. The central question asked here is whether the costs involved in the implementation of the EU nature legislation are reasonable and in proportion to the results achieved (benefits). Both 'costs' and 'benefits' can be monetary and/or non-monetary. A typology of the costs and benefits resulting from the implementation of the Directives is given in Annex II to this questionnaire. In your answers, please describe the nature, value and overall significance of the costs and benefits arising from the implementation of the Directive, supported by evidence.

Y.1 - What are their costs and benefits (monetary and non-monetary)?

Based on the explanation given above, please indicate, supported by evidence, what types of costs and benefits have resulted from the implementation of the Nature Directives. Please provide evidence, quantitative where possible, of costs and benefits, describe their nature (monetary/non-monetary) and value, and who is affected and to what extent. Please distinguish between the costs and benefits arising from the Directives themselves and those arising as a result of other factors. To facilitate analysis of the answers it would be useful if costs and benefits could be addressed separately.

Answer:

These questions are in general dealt in the Prioritised Action Framework (PAF) compiled in 2013. The establishment of the Natura 2000 network caused quite remarkable costs in land acquisition and compensations, c. 580 m€. However, most of these costs would have realized in any case, because the sites are largely based on national protection programmes decided before the EU membership. The share of the additional Natura 2000 cost is a bit over 100 m€.

The necessary costs for the management, inventories and other on-going actions can be somewhat smaller in boreal region compared to other parts of Europe due to the main focus on natural habitats which require less management than man-made habitats. In the PAF 313 m€ have been estimated for the period of 2014-2020.

One specific example of costs and benefits is the inventories of the under-water habitats. VELMU marine Biodiversity inventories is a roof program with several related activities (serves many purposes, not only HD) and funding sources. The program has so far brought lot of new knowledge about the marine biodiversity and geodiversity and this can be used for nature conservation and MPSS but also for awareness rising and education about the marine biota. The program costs are roughly estimated almost 10 million euros over a period of 11 years. The VELMU program cover most of Finland’s territorial waters, some of its EEZ, but in particular the main marine and coastal Natura 2000 sites. The program has been/is a part of the government’s political agenda.


Local and regional economies have benefited from the Natura 2000 –network sites, especially the tourism sector. The total income and effect in employment of the 38 national parks is reported to reach 126 m€ in total in 2014 showing an increase of 9% compared to the previous year. However, it is difficult to separate the “Natura 2000 –network benefit” and “national network benefit”, because the sites are basically the same.


Answer: In this answer we have solely the large carnivores in mind.
Finnish Game and Fisheries Institute used funding a total of € 7,852,033 in large carnivore research and monitoring in 2007-2012. 

Large Carnivores cause damages to livestock and reindeer which are compensated for a total of 7,5 million € (in 2014) compensation payments annually. Most of the damages compensated are caused to reindeer, worth 7,1 million € in 2014. In addition, damages and damage prevention cause also other significant direct and indirect costs to farmers, reindeer herders and livestock owners in adapting to farming measures, which are not compensated. For example, to avoid damages, some reindeer herding areas cannot be used.

Each year, the Ministry of Agriculture and Forestry allocates €500,000 for the prevention of large carnivore damages. The aid in question may be applied for e.g. for purchasing fencing materials. The Finnish Wildlife Agency is responsible for the distribution of fencing materials (electric fencing systems) against large carnivores.

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Y.2 - Are availability and access to funding a constraint or support?

This question focuses on the proportion of identified funding needs that has been or is being met by EU and Member State funding, respectively, the extent to which the level of available funding affects the implementation of the Directives and enables the achievement of their objectives (as set out in Annex I to this questionnaire), and the extent to which initial funding allocations for nature under EU funding instruments were used as well as any factors which may have favoured or hindered access to and use of funds. In your answer please consider whether funding constraints affect costs or create administrative burdens (eg as a result of limitations on guidance or delays in decision making).
Answer:
In general availability is a support. Co-financing from LIFE-funding has brought a significant addition to the national resources for launching projects. Management and restoration of meadows, pastures and other Habitat Types and habitats of species depending on the traditional land use have also benefitted from EU CAP financing

On the other hand the agri-environmental means do not support the restoration needs for forested areas and peatlands, which form the majority of the Natura 2000 –network in northern parts of the Europe. Lack of a coherent approach to Community financing, subsidies (e.g. agri-environmental) and state aid has been an important factor in the way of achieving the Directive’s objectives.

Natura 2000 network has not been sufficiently earmarked at the EU and at the national level design of funding instruments. Therefore, biodiversity is not efficiently targeted in structural funds and agri-environmental measures. The same applies to rural development policy that could more efficiently be used for the benefit of biodiversity. Lack of funding is often the reason e.g. for the insufficient restoration of the SPAs, especially wetlands.

Regarding the LIFE-instrument there is also a feeling that running the projects brings often unnecessary heavy administrative burden. The strict rules of co-financing and the eligibility of the applicants have also often seen to be problematic.

Y.3 - If there are significant cost differences between Member States, what is causing them?
This question seeks to understand the factors that affect the costs of implementing the Directives, whether there is evidence of significant cost differences between Member States, and the causes of these cost differences. In your answer, please describe the cost differences and the reasons for them (e.g. whether they arise from specific needs, circumstances or economic factors), supported by quantitative evidence. Do these differences lead to differences in impact? Please note that Question Y.5, below, focuses on good practices in keeping costs low. For this Question Y.3 we are interested in evidence of overall differences in implementation cost (see typology of costs in Annex II to this questionnaire) along with the reasons for them.

Answer:
We have not analysed the differences between MSs in any details, but here are some general comments on this issue.

The costs are likely to be directly in proportion to the specific national costs for salaries and the costs for external services purchased, for fulfilling the Directive’s obligations. The costs for labour in general are rather high in Finland. Secondly, Finland is a sparsely populated country but also large in size. Therefore, the costs for carrying out inventories, monitoring or restorations are often high because of the long distances requiring more time and travelling. Finally, the costs are also high because our field season is shortened by winter, which puts pressure on the few months we have to e.g. catch insects, identify plants or monitor birds or habitats. However, how much higher these costs are compared to more southern Member States is difficult to estimate. Southern MS might have other costs to consider that Finland does not have, e.g. caused by a much higher population density and a higher pressures on protected areas.

Factors that might decrease the costs here in Finland could be for example that the majority of the sites host non-intervention habitats, where not so much resources are needed for their management. In addition, the majority of the sites are state-owned and under the control one single organisation, Metsähallitus, the Parks & Wildlife in Finland. Common data systems and other tools, experience and knowledge of the staff etc. can bring efficiency and decrease the cost.
Y.4 - Can any costs be identified (especially regarding compliance) that are out of proportion with the benefits achieved? In particular, are the costs of compliance proportionate to the benefits brought by the Directives?

Please provide any quantitative evidence you may have demonstrating that the costs of implementing the Directives exceed the benefits. Do the Directives require any measures which give rise to significant costs but which bring about little, or only moderate benefits? If so, please explain the extent to which any imbalances are caused by the Directives themselves, or by specific approaches to implementation.

Answer:

Reporting obligations in general demand quite a lot of resources, which often means that large part of the expert staff needs to be allocated to these exercises, which means less time for operational works. Combined to duties coming from other legislation and commitments, like WFD, MSFD, CBD this problem gets even worse.

In the field of species protection can also be seen some disproportionate situations, where rather common species, which might even be at the FCS require as much or even more work than the more threatened ones. Especially the derogation system is often seen too strict to be applied in a similar way for all of the Annex IV species. Similar problems are seen also with birds. The derogation system is basically always almost the same whether the species is secured (and sometimes even harmful) or critically endangered. More flexibility to the derogations system given by the Directives to the national level might solve the problem.

Monitoring system by the Directives has been mostly useful also from national point of view but as a disadvantage there might be a contradiction in allocation of scarce resources at the EU and the national level. Needs for monitoring of some nationally threatened species and habitats may be even more important for conservation than those required by the Directives. Prioritizing of the Species and Habitat Types of annexes is compulsory even it is not necessarily most cost effective. This dilemma might be unavoidable as long as the Annexes are in form of “one size fits for all”.

Y.5 - Can good practices, particularly in terms of cost-effective implementation, be identified?

Here we are looking for examples of where the objectives of the Directives are being met more cost-effectively in some Member States or regions than others, and the reasons for these differences. It is important to understand whether they are due to particular practices (rather than, for example, differences in needs, circumstances or economic factors) that have kept costs relatively low. We would welcome examples of differences in practices between Member States in implementing the requirements of the Directives, including initiatives designed to achieve cost-effective implementation, and evidence of whether these initiatives or practices have reduced costs in certain Member States or regions.

Answer:

Many of the LIFE-projects, especially the large ones give excellent examples of good practices of cost-effective implementation. They have already been mentioned in point S.1.1.

If the coordination costs of the projects would be minimized and the bureaucracy kept at a minimum the result would be even better.

Y.6 - What are likely to be the costs of non-implementation of legislation?

This question seeks to gather evidence on the impacts of non-implementation of the Birds and Habitats Directives, and its associated costs, whilst assuming that some measures would be taken to conserve nature. Taking into account current national measures that do not arise directly from obligations under the Directives, please describe and, if possible, quantify, with supporting evidence, the potential
impacts and associated costs of non-implementation of the Directives, for instance on: habitats and species of Community interest and wider biodiversity; ecosystem services (eg in relation to carbon sequestration, areas for recreation); and economic and social costs (eg jobs and health).

Answer:

Y.7 - Taking account of the objectives and benefits of the directives, is there evidence that they have caused unnecessary administrative burden?

This question seeks to gather evidence of any unnecessary burden arising from the administrative requirements of the Directives for different stakeholders (MS authorities, businesses, landowners, non-governmental organisations, citizens). Administrative burdens are the costs to businesses and citizens of complying with information obligations resulting from legislation, and relate to information which would not be collected in the absence of the legislation. Some administrative burdens are necessary if the objectives of the legislation are to be met effectively. Unnecessary burdens are those which can be reduced without affecting the objectives. Quantitative evidence may include typical requirements in terms of human resource inputs, financial costs (such as fees and wages), delays for development and other decision-making processes, and other measures of unnecessary or disproportionate burden the administrative costs in terms of effort and time, and other inputs required, financial costs, delays and other measures of unnecessary or disproportionate burden.

Answer: This point is related to the point Y.4, where we mentioned that in the field of species protection there are some problems. Administrative burden gets easily high when all the rules of the strict protection of species need to be followed although they can be targeted to only a small part of the population of the species is in question. This results to high cost bringing relatively small benefits.

Answer: In this answer we have considered only derogation processes under Habitats Directive Article 16 and derogations under Birds Directive Article 9 (annex II, huntable species) in mind. Administrative burden in Finnish Wildlife Agency related to granting derogation is up to 5000 hours of administrative work annually, which forms 50% of the whole hunting license administration within Finnish Wildlife Agency. In addition, significant human resources are needed for increasing number of complaints and reporting processes. Project to find ways to decrease administrative burden is considered to be of utmost importance.

Y.8 - Is the knowledge base sufficient and available to allow for efficient implementation?

This question seeks to establish the extent to which adequate, up-to-date and reliable information required to implement the Directives efficiently is available, such as information related to the identification, designation, management and protection of Natura 2000 sites, the choice of conservation measures, the management and restoration of habitats, the ecological requirements of species and the sustainable hunting/use of species, permitting procedures, etc. Please indicate key gaps in available knowledge relating to your country and, if relevant, at biogeographical and EU levels. If possible, please provide evidence that inadequacies in the knowledge base have contributed to the costs and burdens identified in previous questions.

Answer: The knowledge base has improved a lot and is still improving. In large northern areas there are still gaps as well as in water-related Habitats Types, especially in cases where the knowledge of the
processes in the surroundings of the sites is a prerequisite in reaching the good status of the sites, like in the whole catchment-areas of a water body. Integrated approaches in data-collection and planning would ease the situation.

Better cross-border coordination between the MSs on the management of species’ populations and Habitat Types shared between two MSs would allow for more efficient implementation of the Directives. Creating common understanding for assessment, objectives for spatial distribution and ensuring genetic drift between neighbouring populations would benefit from better knowledge base.

Regarding the Art 17 reporting the knowledge base of the structures and functions of different Habitat Types should urgently be improved. It is one important parameter of the Favourable Conservation Status and at the moment different interpretations make the assessment less comparable.

Species specific conservation action plans have been prepared in cases where it has been important to compile available information for wider use, to set objectives at different scales and to agree on required measures. Some examples are:

Saimaa ringed seal:
http://www.ymparisto.fi/download/noname/%7BCD1D818B-2D42-4A67-A4C4-9947DA9A6666%7D/57346

Najas tenuissima ja N. flexilis:
https://helda.helsinki.fi/handle/10138/37048

Triturus cristatus:
https://helda.helsinki.fi/bitstream/handle/10138/38033/SY34_2009.pdf?sequence=1
Relevance

Relevance concerns the extent to which the objectives of the nature Directives are consistent with the needs of species and habitats of EU conservation concern. The question of relevance relates to whether the objectives of the legislation are still necessary and appropriate; whether action at EU level is still necessary in light of the challenges identified and whether the objectives and requirements set out in the EU nature legislation are still valid.

R.1 - Are the key problems facing species and habitats addressed by the EU nature legislation?

By ‘key problem’, we mean the main pressures and threats that species and habitats face, which are significantly widespread in terms of their incidence (geographic extent) and/or magnitude/severity. Do the Nature Directives respond adequately to these problems? Are the specific and operational objectives of the Directives suitable in light of the key problems identified? Please justify your answers with evidence.

Answer:
In general they are addressed. However, in some cases factors affecting species, like in the case of some migratory birds, are outside Europe. Large trends and changes, like the Climate Change are also practically outside of the scope of the nature legislation. At the site level in some cases the site protection concept is not efficient because the status of site depends mostly of the status of the environment as a whole, like marine protected areas it depends on the water quality of the entire Baltic Sea.

The Habitats Directive focuses on Habitat Types and Species important at the EU level and neglects some of those that are important at the national level. This is in particular true for marine and freshwater species. When a large marine Natura 2000 site is designated for the protection of only some habitat types and/or species, these might occur relatively scattered within this site. This leaves the rest of the site’s habitats (not listed in the HD Annex I) or species (Not listed in the other HD Annexes) without protection and in some cases this is difficult to communicate to the public or to those causing pressures on these non-listed habitats and species.

R.2 - Have the Directives been adapted to technical and scientific progress?

With this question, we are seeking to examine the implications of technical and scientific progress regarding the habitats and species that the Directive focus on. Please summarise, and provide any evidence you may have that indicates that the annexes listing habitats and species in both Nature Directives are, or are not, sufficiently updated to respond to technical and scientific progress.

Answer:
There has not been any adaption, except the additions made to the Annexes due to the accession of new MSs.

The annexes of the Nature directives in general serve their purpose. There would be need for some updating of the Annexes based on most up-to-date natural scientific knowledge. National and regional red lists show considerable variation in species’ conservation status between different parts and different biogeographic areas in Europe which could be better reflected in the Annexes.

In addition, some of the species might need reconsideration whether there still is a need to keep them in a Europe-wide list. A biogeographic approach might be one solution to better focus the measures to right targets and avoid unnecessary costs in areas where the species are secured.

http://www.environment.fi/redlist

Answer: In this answer we have solely the large carnivores in mind.

Habitats directive came into force when EU consisted of 12 member states. The brown bear and the...
lynx populations were small and isolated. Only wolf populations in Greece and Spain were sustainable in certain parts of the countries. Hence all the populations of large carnivores present in the EU at that time were listed in the annex IV of the directive. Only exceptions concerning the large populations of wolves in certain areas in Greece and Spain were accepted. Even lynx was listed in the annex IV even though in the Bern convention it was listed in the annex 3.

After the enlargement of the EU the picture has changed. There are large autochthonous populations of brown bear in Scandinavia (3405), Karelia (1900), Carpathia (7000) and Dinaric-Pintos (3040) and large autochthonous populations of lynx in Baltic (1600), Karelia (2430-2610), Scandinavia (1800-2300) and Carpathia (2300-2400). These above mentioned populations are in annex IV except in Estonia, where the lynx is listed in annex V. (Key actions for Large Carnivore populations in Europe, January 2015)

The management needs and challenges of the large and connected populations differ greatly from the small and isolated populations in those countries which were members when the directive came into force. The strict protection regime of the articles 12 and 16 has created continuously and increasingly social and economic conflicts which affect the acceptance of the Habitats directive throughout EU.

Even though the Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC has given some room for flexibility, the annexes should be revised so that there is clear division between the countries with small and isolated populations and countries with large and connected populations.

As it is written in the Key action for Large Carnivore populations in Europe document, Europe is a very diverse continent in terms of geographical, environmental and socio-economic factors and there are no solutions that work in all contexts. It is therefore necessary to identify the range of potential solutions and then pick the combination of measures which work best in different local contexts. This should include the revision of the Annexes. The present state of lynx in Estonia gives a good example where the management plan regulates the management of large lynx population without the bureaucracy related to articles 12 and 16.

**R.3 How relevant are the Directives to achieving sustainable development?**

This question seeks to examine the extent to which the Directives support or hinder sustainable development, which is about ensuring that the needs of the present generation are met without compromising the ability of future generations to meet their own needs. It requires ensuring a balance between economic development, social development and environmental protection. In your answer, please provide evidence of the impacts that implementation of the Directives has had in relation to these three 'pillars' of sustainable development.

**Answer:**

**R.4 - How relevant is EU nature legislation to EU citizens and what is their level of support for it?**

The aim of this question is to understand the extent to which citizens value the objectives and intended impact of the EU nature legislation. To this end, we would like to obtain information and evidence on the extent to which nature protection is a priority for citizens (e.g. in your country), including in comparison with other priorities; for example whether citizens (e.g. in your country) support the establishment and/or expansion of protected areas, the extent to which they access/use them or; the extent to which citizens are involved in any aspect of the implementation of the Directives (e.g. participation in the development of management plans of protected areas or decisions concerning the permitting of projects which have an impact on protected areas).

Please note that the Birds and Habitats Directives may be relevant to citizens even if they do not actually know of their existence or the existence of the Natura 2000 network.
R.5 - What are citizens’ expectations for the role of the EU in nature protection?

The aim of this question is to obtain information and evidence on questions such as: whether citizens submit complaints or petitions to the EU requesting its involvement on cases regarding nature protection, whether citizens expect the EU to become more involved in promoting nature protection, or whether nature protection should be left to each individual Member State; whether citizens expect the EU to introduce laws on nature protection to be applied in all Member States equally or whether the EU should limit itself to coordinating Member States’ initiatives; whether the EU should focus on laying down rules, or whether the EU should more actively promote their monitoring and enforcement in Member States.

Answer:
Coherence

Evaluating the coherence of legislation, policies and strategies means assessing if they are logical and consistent, internally (i.e. within a single Directive), with each other (i.e. between both Directives), and with other policies and legislation. Here we are looking for evidence regarding how far and in what ways the Directives are complementary and whether there are significant contradictions or conflicts that stand in the way of their effective implementation or which prevent the achievement of their objectives.

C.1 – To what extent are the objectives set up by the Directives coherent with each other?

This question focuses on coherence between objectives within each Directive, and/or between objectives of the Birds and Habitats Directives. It covers not only the strategic objectives but also the specific and operational objectives set out in Annex I to this document. Based on experience in your country/region/sector, please provide evidence of any inconsistencies between the objectives that negatively impact on the implementation of the Directives.

Answer:
Due to historical reasons there are some differences on the wordings and accuracy of the obligations but in general there are no major inconsistencies. The essential interpretations, for example of the application of Art 6 in the HD are nowadays more a less the same.

C.2 – To what extent are the Directives satisfactorily integrated and coherent with other EU environmental law e.g. EIA, SEA?

This question is similar to the previous question, but focuses on the extent to which the EU Nature Directives are coherent with and integrated into other EU environment legislation, and the extent to which they are mutually supportive. EU environment legislation of particular relevance to nature conservation includes the following:

- Strategic environmental assessment of policy plans and programmes 2001/42/EC Directive (SEA)
- Environmental impact assessment of projects 85/337/EC Directive as codified by Directive 2011/92/EU (EIA)
- Water Framework Directive 2000/60/EC, (WFD)
- Floods Directive 2007/60/EC (FD)
- National Emission Ceilings Directive 2001/81/EC (NECD)

This question considers how the main provisions and measures set out in these instruments interact with the EU nature legislation, including whether there are potential gaps or inconsistencies between these instruments and the EU nature legislation, for example whether the current permitting procedures are working in a coherent way or whether they are acting as barriers to achieve the EU Nature Directive’s objectives; whether the assessments required under the different pieces of EU legislation, in particular under the EIA, are aligned or whether there are differences which result in additional administrative burden; whether any identified gaps and inconsistencies are due to the texts of the Directives or due to implementation in your/a Member State.
In some cases the integration of the Nature legislation to other instruments has caused some confusion. When slightly different wordings and definitions are used in different directives they can end in variable interpretations in the implementation. For example the national lake typology based on WFD typology is relatively coherent to HD lake types. However, sometimes we meet problems with natural eutrophic lakes (3150) and naturally nutrient rich lakes in national WFD typology. Latter lakes are usually situated middle of agricultural areas and ecological status of these lakes is usually lower than good. In such cases we must carefully evaluate the restoration measures to avoid decrease in favourable conservation status. However, national classification system of WFD is relatively capable to distinguish such lakes compared to systems in other Nordic countries (see Ecke et al. 2010).

Answer:

Answer:


Another example is the difference between the Habitat Directive and the Marine Strategy Framework Directive. The latter have a more holistic approach and its list of pressures is easier to use and understand (Annex III, Table 2). The HD focus on Habitat Types that only in some cases cover the entire sites, but rather identify solitary Habitat Types that are scattered over the site seemingly without any ecological connection, e.g. sandbanks, reefs and large shallow bays. Also the overlap issues of the HD are poorly solved whereas the MSFD will apply the EUNIS Classification when dealing with habitats, in addition to the HD.

Problems caused by these slightly different approaches and definition might be avoided by more coordinated and synchronized targets between the different sectorial directives in and between the MSs and at the EU level.

C.3 - Is the scope for policy integration with other policy objectives (e.g. water, floods, marine, and climate change) fully exploited?

This question is linked to the previous questions as it addresses the extent to which the objectives of the Nature Directives have been integrated into or supported by the objectives of other relevant EU environment policies. However, this question focuses more on policy implementation. The other EU legislation and policies targeted in this question are the same as those referred to under question C.2, as well as climate change policy. When answering this question, please note that the scope of integration refers to the integration from the EU Nature Directives to other policies as well as to the extent in which the objectives of these other policies are supported by the implementation of the Nature Directives.

Answer:

C.4 – To what extent do the Nature Directives complement or interact with other EU sectoral policies affecting land and water use at EU and Member State level (e.g. agriculture, regional and cohesion, energy, transport, research, etc.)?

In this question we are aiming at gathering evidence on whether the provisions of EU nature legislation are sufficiently taken into account and integrated in EU sectoral policies, particularly in agriculture, rural development and forestry, fisheries and aquaculture, cohesion or regional development, energy, raw materials, transport or research policies. It also addresses whether those policies support and act consistently alongside EU nature legislation objectives. Please provide specific examples which show how the Nature Directives are coherent with, or conflict with, relevant sectoral legislation or policies. Please be as precise as possible in your answers, e.g. pointing to specific articles of the legislation and how they support or contradict requirements or objectives of
other legislation or policies, stating what are main reasons or factors for the lack of consistency and whether there are national mechanisms in place to monitor coherence.

Answer:

Objectives of the Nature directives are well considered in other sectorial policies. However, they are poorly addressed in funding mechanisms related to those policies. Earmarking of funds and exclusive measures dedicated for biodiversity and Natura 2000 network are not sufficiently made. This leads to poor allocation of resources on national level to the above mentioned objectives.

C.5 - How do these policies affect positively or negatively the implementation of the EU nature legislation

In this question, we are keen to gather evidence on whether agriculture and rural development, fisheries and aquaculture, cohesion or regional development, energy, raw materials, transport and research policies have a positive or negative impact on the achievement of the objectives of nature legislation. Please provide specific examples/cases (including infringement cases or case law), which demonstrate clear conflicts or incoherencies between sectoral policies and EU nature legislation, and/or examples showing how specific policies influence the implementation of the Nature Directives in a positive or negative way, for example in relation to Article 6 of the Habitats Directive (see Annex I to this questionnaire). Where possible, please include evidence of the main factors influencing the positive and negative effects. Please consider in your answer what ex ante and ex post evaluation procedures are applied to ensure that this coherence is implemented or supervised.

Answer:

C.6- To what extent do they support the EU internal market and the creation of a level playing field for economic operators?

This question seeks to gather evidence of the implications of the EU Nature Directives for economic operators in terms of whether they help ensure a level playing field across the EU (e.g. by introducing common standards and requirements for activities carried out in or around Natura 2000 areas or otherwise depend on natural resources protected under the Directives), predictability and legal certainty (e.g. helping to avoid that developments are blocked due to 'Not In My Backyard' type challenges), or whether they negatively affect the internal market.

Answer:

C.7 – To what extent has the legal obligation of EU co-financing for Natura 2000 under Article 8 of the Habitats Directive been successfully integrated into the use of the main sectoral funds?

This question builds on question Y.2 on the availability and access to funding, but aims at examining whether Member States have sufficiently identified the funding needs and are availing of EU funding opportunities to meet the requirements of Article 8 of the Habitats Directive. EU co-funding for the Natura 2000 network has been made available by integrating biodiversity goals into various existing EU funds or instruments such as the European Agricultural Fund for Rural Development (EAFRD), European (Maritime and) Fisheries Fund (EFF / EMFF), Structural and Cohesion funds, LIFE and Horizon 2020. In your reply, please distinguish between different sources of funding.

Answer:
See the point Y.2.

In fear of overlapping and double funding and due to the regulations related to this, it has become almost impossible to link two or several project in a sensible way e.g. to link a FP7 funded project with a Life funded project, two Life funded projects or an Interreg and Life funded project. Too much effort/time/resources would go in to convince the EU Commission that there is no overlapping and, consequently it is far easier to not have any links at all between projects.

C.8 - Are there overlaps, gaps and/or inconsistencies that significantly hamper the achievements of the objectives?

This question refers to overlaps, gaps and/or inconsistencies in the different EU law/policy instruments regarding nature protection. It therefore depends largely on the results of other questions related to the coherence of the Nature Directives with other EU law and policies. When answering this question you may want to consider whether the identified overlaps, gaps and inconsistencies hamper the achievement of the Directive’s objectives (e.g. see Annex I to this questionnaire).

C.9 - How do the directives complement the other actions and targets of the biodiversity strategy to reach the EU biodiversity objectives?

With this question we seek to collect evidence on ways in which the implementation of measures under the Birds and Habitats Directives that are not explicitly mentioned in the EU Biodiversity Strategy, help to achieve actions and targets of the EU Biodiversity Strategy. For example, restoration of Natura 2000 sites can significantly contribute to helping achieve the goal under Target 2 of the EU Biodiversity Strategy to restore at least 15% of degraded ecosystems.

Answer:

The focus of the HD is on the Habitat Types and Annex II species in Natura 2000 sites. Therefore, they aren’t properly considered as a whole, in an ecological context. International and global commitments focus on biodiversity as a whole. In spite of this the HD/BD actions form the essential basis for the achievement of the broader Biodiversity objectives.

Our understanding is that the 15% target of restorations is focusing in degraded ecosystems outside the network, which mainly consists of natural habitats.

C.10: How coherent are the directives with international and global commitments on nature and biodiversity?

This question seeks to assess whether and how the EU nature legislation ensures the implementation of obligations arising from international commitments on nature and biodiversity which the EU and/or Member States have subscribed to\(^6\), and whether there are gaps or inconsistencies between the objectives and requirements of the EU nature legislation and those of relevant international commitments, including the way they are applied. For example, the Directives’ coherence with international agreements which establish targets relating to nature protection and/or require the establishment of networks of protected areas.

\(^6\) e.g. Bern Convention; Convention on Biological Diversity; Convention for the Protection of the World Cultural and Natural Heritage; Ramsar Convention; European landscape Convention; CITES Convention; CMS (Bonn) Convention; International Convention for the protection of Birds; Agreement on the Conservation of African-Eurasian Migratory Waterbirds; Regional Sea Conventions (Baltic, North East Atlantic, Mediterranean and Black Sea).
Answer:
The EU nature legislation is in a very good sync with e.g. the CBD Aichi targets and the Programme of Work on Protected Areas.
**EU Added Value**

Evaluating the EU added value means assessing the benefits/changes resulting from implementation of the EU nature legislation, which are additional to those that would have resulted from action taken at regional and/or national level. We therefore wish to establish if EU action (that would have been unlikely to take place otherwise) made a difference and if so in what way? Evidence could be presented both in terms of total changes since the Directives became applicable in a particular Member State, in changes per year, or in terms of trends.

**AV.1 - What has been the EU added value of the EU nature legislation?**

When responding to this question, you may wish to consider the following issues: What was the state of play or the state of biodiversity in your country at the moment of the adoption of the Directives and/or your country’s entry into the EU? To what extent is the current situation due to the EU nature legislation? In answering this question, please consider different objectives/measures set out in the Directives (eg regarding protected areas, species protection, research and knowledge, regulation of hunting, etc, including their transboundary aspects).

**Answer:**

There is long history of nature conservation in Finland and most of the sites and species would have been under some kind of national protection without EU legislation.

However, it has been an asset for the nature conservation to follow common rules, like the assessment of impacts of project and plan in the whole EU.

Being designated as Natura 2000 area has given added value in terms of conservation tools and funding. For some species the special responsibility inside the EU have highlighted the importance of national efforts.

**AV.2 - What would be the likely situation in case of there having been no EU nature legislation?**

This question builds on question AV.1. In answering it, please consider the different objectives/measures set out in the Directives (eg, whether there would be a protected network such as that achieved by Natura 2000; whether the criteria used to identify the protected areas would be different, whether funding levels would be similar to current levels in the absence of the Nature Directives; the likelihood that international and regional commitments relating to nature conservation would have been met; the extent to which nature conservation would have been integrated into other policies and legislation, etc).

**Answer:**

There would in any case be a network of national conservation areas. Most of the Natura 2000 network is mainly based on these national networks. However, EU legislation has given more strength and background and brought more funding possibilities to the protection and management of these sites.

It has been important that there are also clear and common rules that nature values need to be taken into account in all economic development supported by the EU.
AV. 3 - Do the issues addressed by the Directives continue to require action at EU level?

When answering this question the main consideration is to demonstrate with evidence whether or not EU action is still required to tackle the problems addressed by the Directives. Do the identified needs or key problems faced by habitats and species in Europe require action at EU level?

Answer:
Yes they do. Ensuring the Biodiversity and the Ecosystem Services is a long term exercise. It has been a big effort to build up the mechanisms for it. The threats and pressures are still existing and even increasing and the biodiversity is not yet secured and in many cases not even restored.
## Annex 1: Objectives of the Directives

<table>
<thead>
<tr>
<th>Overall objective</th>
<th>To contribute to ensuring biodiversity through conservation of Europe’s most valuable and threatened habitats and species, especially within Natura 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Birds Directive</strong></td>
<td><strong>Habitats Directive</strong></td>
</tr>
<tr>
<td><strong>Strategic Objectives</strong></td>
<td>Art. 2: Maintain the population of all species of naturally occurring wild birds in the EU at a level which corresponds in particular to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements, or to adapt the population of these species to that level.</td>
</tr>
<tr>
<td><strong>Specific Objectives</strong></td>
<td>Art. 3: Preserve, maintain or re-establish a sufficient diversity and area of habitats for birds, primarily by creating protected areas, managing habitats both inside and outside protected areas, re-establishing destroyed biotopes and creating new ones.</td>
</tr>
<tr>
<td><strong>Measures/Operations objectives</strong></td>
<td>Art. 5: Establish a general system of protection for all birds.</td>
</tr>
<tr>
<td><strong>Site Protection system</strong></td>
<td>Art. 7: Ensure hunting does not jeopardize conservation efforts and complies with the principles of wise use and ecologically balanced control of the species concerned.</td>
</tr>
<tr>
<td><strong>Species protection system</strong></td>
<td>Art. 8: Prohibit certain actions relating to the taking, killing and deliberate significant disturbance of wild birds, particularly during the breeding and rearing periods.</td>
</tr>
<tr>
<td><strong>Plans or projects</strong></td>
<td>Art. 9: Prohibit the sale of wild birds except of species listed in Annex III/A and, subject to consultation with the Commission, those listed in Annex III/B.</td>
</tr>
<tr>
<td><strong>Financing</strong></td>
<td>Art. 11: Consider the desirability of reintroducing species listed in Annex IV that are native to their territory.</td>
</tr>
</tbody>
</table>
Art. 7: Regulate hunting of species listed in Annex II and prohibit hunting in the breeding and rearing seasons and, in the case of migratory birds, on their return to breeding grounds.

Art. 8: Prohibit the use of all means of large-scale or non-selective capture or killing of birds, or methods capable of causing the local disappearance of species, especially those listed in Annex IV.

Art 9: Provide for a system of derogation from protection of species provisions under specified conditions

Research
Art. 10: Encourage research into relevant subjects, especially those listed in Annex V.

Non-native species
Art 11: Ensure introductions of non-native species do not prejudice local flora and fauna.

Reporting
Art 12: report each 3 years on implementation

priority habitats and species, for the Commission to review and adopt a framework of aid measures.

Landscape features
Art 10: Where necessary, encourage the management of landscape features to improve the ecological coherence of the Natura 2000 network.

Surveillance
Art. 11: Undertake surveillance of the conservation status of habitats and species of Community interest.

Species protection system

Art. 14: Take measures to ensure that taking/ exploitation Annex V species is compatible with their maintenance at FCS

Art. 15: Prohibit indiscriminate means of capture/killing as listed in Annex VI.

Art. 16: Provide for a system of derogation from protection of species provisions under specified conditions

Reporting
Art 17: report on implementation each 6 years, including on conservation measures for sites and results of surveillance.

Research
Art. 18: undertake research to support the objectives of the Directive.

Non-native species
Art. 22: ensure that introductions of non-native species do not prejudice native habitats and species.
Annex 2: Typology of cost and benefits

This annex sets out a typology of costs and benefits resulting from implementation of the Nature Directives in the EU, which need to be considered in the evaluation.

Typology of Costs

The evaluation will consider costs which result directly and indirectly from the Directives, including both monetary costs (i.e. involving direct investments and expenditures) and non-monetary costs (involving additional time inputs, permitting delays, uncertainty and missed opportunities).

It will include both the compliance costs of the legislation, and any opportunity costs resulting from missed or delayed opportunities for development or other activities. Compliance costs can be further divided into administrative costs and costs of habitat and species management. Examples of each of these types of costs are set out in Table 1.

Administrative costs refer to the costs of providing information, in its broadest sense (i.e. including costs of permitting, reporting, consultation and assessment). When considering administrative costs, an important distinction must be made between information that would be collected by businesses and citizens even in the absence of the legislation and information that would not be collected without the legal provisions. The costs induced by the latter are called administrative burdens.

Evidence of these costs will include:

- Monetary estimates of investments required and recurrent expenditures on equipment, materials, wages, fees and other goods and services; and
- Non-monetary estimates of administrative time inputs, delays, missed opportunities and other factors affecting costs.

Typology of benefits

The evaluation will collect evidence on the direct and indirect benefits derived from EU nature legislation, which include benefits for biodiversity and for the delivery of ecosystem services, and the resultant effects on human well-being and the economy.

The ecosystem services framework provides a structured framework for categorising, assessing, quantifying and valuing the benefits of natural environmental policies for people. However, it is also widely recognised that biodiversity has intrinsic value and that the Directives aim to protect habitats and species not just for their benefits to people, but because we have a moral duty to do so. In addition, consideration of benefits needs to take account of the economic impacts of implementation of the legislation, including effects on jobs and output resulting from management activities as well as the effects associated with ecosystem services (such as tourism).

A typology of benefits is given in Table 2. Assessment of the benefits of the Directives for biodiversity is a major element in the evaluation of their effectiveness. Effects on ecosystem services will be assessed in both:

- Biophysical terms – e.g. effects on flood risk, number of households provided with clean water, number of visitors to Natura 2000 sites etc.; and
- Monetary terms – e.g. reduced cost of water treatment and flood defences, value of recreational visits, willingness to pay for conservation benefits.

Evidence of economic impacts will include estimates of expenditures by visitors to Natura 2000 sites, employment in the creation and management of the Natura 2000 network, and resultant effects on gross value added in local and national economies.
## Typology of costs resulting from the Nature Directives

<table>
<thead>
<tr>
<th>Type of costs</th>
<th>Examples</th>
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</table>
| **Administrative costs**      | • Site designation, including scientific studies, administration, consultation etc.  
                               | • Establishing and running of management bodies  
                               | • Preparation and review of management plans  
                               | • Public communication and consultation  
                               | • Spatial planning  
                               | • Development casework, including time and fees involved in applications, permitting and development casework affecting habitats and species, including conducting appropriate assessments  
                               | • Time and fees involved in compliance with species protection measures, including derogations  
                               | • Research  
                               | • Investigations and enforcement  |
| **Habitat and species**        | **Investment costs:**  
                               | • Land purchase  
                               | • Compensation for development rights  
                               | • Infrastructure for the improvement/restoration of habitat and species  
                               | • Other infrastructure, e.g., for public access, interpretation works, observatories etc.  |
| **management costs**           | **Recurrent costs - habitat and species management and monitoring:**  
                               | • Conservation management measures– maintenance and improvement of favourable conservation status for habitats and species  
                               | • Implementation of management schemes and agreements with owners and managers of land or water  
                               | • Annual compensation payments  
                               | • Monitoring and surveillance  
                               | • Maintenance of infrastructure for public access, interpretation etc.  
                               | • Risk management (fire prevention and control, flooding etc.)  |
| **Opportunity costs**          | • Foregone development opportunities resulting from site and species protection, including any potential effects on output and employment  
                               | • Delays in development resulting from site and species protection, and any potential effects on output and employment  
                               | • Restrictions on other activities (e.g., recreation, hunting) resulting from species and site protection measures |
## Typology of Benefits

<table>
<thead>
<tr>
<th>Type of benefit</th>
<th>Examples</th>
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</thead>
<tbody>
<tr>
<td>Benefits for species and habitats</td>
<td>Extent and conservation status of habitats</td>
</tr>
<tr>
<td></td>
<td>Population, range and conservation status of species</td>
</tr>
<tr>
<td>Ecosystem services</td>
<td>Effects of Directives on extent and value (using a range of physical and monetary indicators) of:</td>
</tr>
<tr>
<td></td>
<td>• <strong>Provisioning services</strong> – food, fibre, energy, genetic resources, fresh water, medicines, and ornamental resources.</td>
</tr>
<tr>
<td></td>
<td>• <strong>Regulating services</strong> – regulation of water quality and flows, climate, air quality, waste, erosion, natural hazards, pests and diseases, pollination.</td>
</tr>
<tr>
<td></td>
<td>• <strong>Cultural services</strong> – recreation, tourism, education/ science, aesthetic, spiritual and existence values, cultural heritage and sense of place.</td>
</tr>
<tr>
<td></td>
<td>• <strong>Supporting services</strong> – soil formation, nutrient cycling, and primary production.</td>
</tr>
<tr>
<td>Economic impacts</td>
<td>Effects of management and ecosystem service delivery on local and national economies, measured as far as possible in terms of:</td>
</tr>
<tr>
<td></td>
<td>• <strong>Employment</strong> – including in one-off and recurring conservation management actions, as well as jobs provided by tourism and other ecosystem services (measured in full time equivalents);</td>
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<tr>
<td></td>
<td>• <strong>Expenditure</strong> – including expenditures by visitors as well as money spent on conservation actions;</td>
</tr>
<tr>
<td></td>
<td>• <strong>Business revenues</strong> – including effects on a range of land management, natural resource, local product and tourism businesses;</td>
</tr>
<tr>
<td></td>
<td>• <strong>Local and regional development</strong> – including any effects on investment, regeneration and economic development; and</td>
</tr>
<tr>
<td></td>
<td>• <strong>Gross Value Added</strong> – the additional wages, profits and rents resulting from the above.</td>
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