

Public consultation on the 'fitness check' for EU nature legislation (Birds Directive, Habitats Directive):

Preliminary overview of participants

1. Introduction

The European Commission's public consultation on the fitness check for EU Nature legislation closed on the 26th of July. The questionnaire was made available online¹ in 23 EU languages for 12 weeks, starting 30 April 2015.

The consultation was designed to gather views and opinions on the EU Birds and Habitats Directives and their implementation to date, as part of the 'fitness check' of the Birds and Habitats Directives.

The fitness check is an ex-post assessment of whether the current regulatory framework is proportionate and fit for purpose, and delivering as expected. Specifically, it sets out to assess the effectiveness, efficiency, relevance, coherence and EU added value of the legislation. The results of the Fitness Check are expected in early 2016.

The consultation was originally scheduled to close on 24 July. However, due to some technical problems encountered during the consultation period, and in particular the unavailability of the questionnaire for a significant period of time on 11-12 July, and in order to ensure a minimum consultation period of 12 weeks, the public consultation period was extended by two days.

2. The Questionnaire

The public consultation questionnaire, which contained 31 questions in total, was divided into two parts.

The first part was designed for the general public and did not require extensive knowledge or experience of the Directives. The second part covered similar issues, but in more depth. This part required some understanding of the Directives and their implementation. Both parts focused on the five evaluation criteria mentioned above.

Amongst the questions asked, were the following; how important to nature conservation are the Birds and Habitats Directives?, are the Directives' strategic objectives appropriate for protecting nature in the EU?, have the Directives been effective in protecting nature? How do the costs of implementing the Birds and

¹ http://ec.europa.eu/environment/consultations/nature_fitness_check_en.htm

Habitats Directives compare with the benefits from their implementation? To what extent have they added value to the economy (e.g. job creation, business opportunities linked to Natura 2000) or brought additional social benefits (e.g. health, culture, recreation, education)?

All questions in the questionnaire were multiple-choice. However, in an open question at the end, participants were also offered an opportunity to provide remarks on any issues they wanted to expand upon.

The findings of the public consultation will provide an important source of information for the Fitness check. A full and detailed analysis of public consultation results will be published in late September 2015 and will be made available on the Commission's fitness check website.

3. Preliminary statistics on participation

The present summary provides a first statistical overview of the respondents to the public consultation.

The consultation generated an unprecedented level of interest from a range of voices and organisations from across the EU and beyond. In total, around **552,470** replies were received. This is the largest response rate the Commission has ever received to one of its on-line consultations.

Of all respondents to the public consultation, 97% answered only Part I of the questionnaire (around 535,700 replies), compared to 3% who also answered Part II (around 16,800 replies).

More than half of the respondents (65%) agreed that their name or that of their organisation could be published.

3.1 Distribution by country

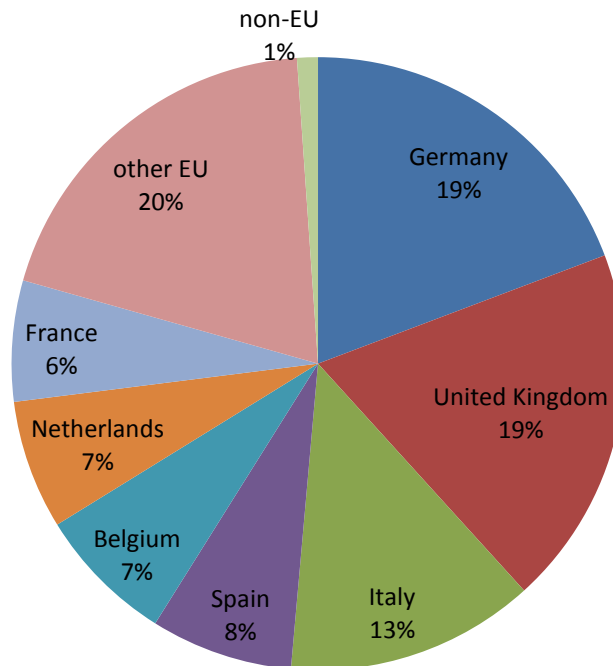
The distribution of the **replies by country** is as follows:

Table 1, Replies by country, EU-28 Member States and non-EU countries (in absolute numbers and % of total, by country)

<i>What is your main country of residence or activity?</i>		
Country	Number of replies	% of total
Germany	106,357	19.3%
United Kingdom	105,033	19.0%
Italy	72,633	13.1%
Spain	41,439	7.5%
Belgium	40,262	7.3%
Netherlands	37,613	6.8%
France	35,235	6.4%
Poland	10,569	1.9%
Sweden	10,197	1.8%
Bulgaria	9,265	1.7%
Czech Republic	8,895	1.6%
Hungary	8,795	1.6%
Ireland	7,782	1.4%
Austria	7,429	1.3%
Romania	7,102	1.3%
Slovakia	6,765	1.2%
Greece	6,387	1.2%
Denmark	5,350	1.0%
Portugal	5,294	1.0%
Finland	3,755	0.7%
Croatia	2,502	0.5%
Estonia	1,677	0.3%
Cyprus	1,571	0.3%
Slovenia	1,373	0.2%
Luxembourg	984	0.2%
Malta	809	0.1%
Lithuania	693	0.1%
Latvia	647	0.1%
total EU-28	546,413	98.9%
non-EU country	6,059	1.1%
Total	552,472	100.0%

Responses were received from all Member States. The highest number of replies came from Germany and the UK (each around 100,000 replies), followed by Italy (around 70,000); Spain, Belgium, the Netherlands and France (each around 40,000 replies); Poland and Sweden (each around 10,000 replies). Less than 10,000 replies were received from each of the remaining countries. Additionally, around 6,000 replies (1%) were received from non-EU countries.

Figure 1, Replies by main country of residence or activity*, as % of total



*EU Member States in which replies were 2% or more of total are presented separately

3.2 Distribution by type of respondent

The vast majority of replies (547,500 or 99%) were submitted by **individuals**.

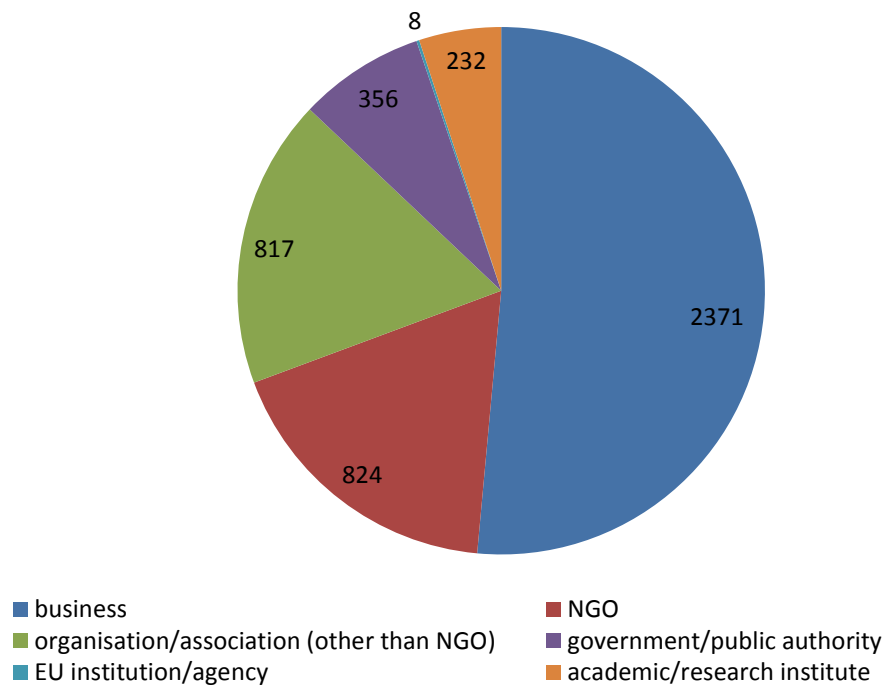
Around 5,000 replies were received from **organisations**. Around half of these were from businesses (2,370 replies – of which more than half came from micro-entreprises with less than ten staff), 17% were NGOs (824 replies), 16% were other organisations/ associations (817 replies), 7% were governments/ public authorities (around 360 replies), 5% were academic or research institutes (around 230 replies) and around 350 were other organisations.

Respondents replying on behalf of an organisation were more likely to also answer part II than individuals. Individuals made up around 99.8% of the replies to Part I, compared to 80% for Part II. The participation rate of organisations compared to individuals was much higher in Part II of the questionnaire than in Part I. Of all replies to Part II, businesses made up around 11%, NGOs around 4%, organisations and associations other than NGOs around 3% and public authorities around 2%.

Table 2, Replies by main type of respondent (in total and % of total)

<i>I am replying to this questionnaire as...</i>			
Type of respondent	N° of replies total (% of total)	N° of replies Part I only	N° of replies also Part II
An individual	547,516 (99%)	534,318	13,198
A business	2,371 (0.4%)	586	1,785
A non-governmental organisation (NGO)	824 (0.2%)	164	660
An organisation or association (other than NGO)	817 (0.2%)	326	491
A government or public authority	356 (0.1%)	79	277
A European institution or agency	8 (<0.1%)	6	2
An academic/research institute	232 (<0.1%)	77	155
Other	348 (0.1%)	101	247
TOTAL	552,472	535,657	16,815

Figure 2, Replies from organisations, by type of organisation



A significant number of replies were stimulated by targeted campaigns that had been prepared by different interest groups. The Nature Alert campaign generated

more than 520.000 participants. The following were amongst those launched for this public consultation (in alphabetical order):

- **Aktionsbündnis Forum Natur AFN** – alliance of land owners and users (Germany) <http://natura2000.forum-natur.de/>
- **Boerenbond** - Farmer's association (Flanders, Belgium) <https://www.boerenbond.be/vooraf-ingevulde-vragen>
- **Deutscher Bauernverband DBV** – German Farmers' Association (Germany) www.bauernverband.de/fitness-check-natura-2000 .
- **Elinkeinoelämän keskusliitto EK** – the Confederation of Finnish Industries (Finland)
- **Maa- ja metsätaloustuottajain Keskusliitto MTK** - The Central Union of Agricultural Producers and Forest Owners (Finland)
- **Nature alert (EU)** <https://www.naturealert.eu/>: A campaign co-organised by Birdlife Europe, the European Environmental Bureau, Friends of the Earth Europe, and WWF involving some 120 NGOs from all EU Member States.
- **Oficina Nacional de la Caza ONC** – National Office for Hunting (Spain) <http://sialacaza.com/>
- **The Woodland Trust** (UK) <http://www.woodlandtrust.org.uk/get-involved/campaign-with-us/our-campaigns/woods-need-eu/#survey>
- **The Humane Society International** (Europe) http://action.hsi.org/ea-campaign/action.retrievestaticpage.do?ea_static_page_id=4249&utm_source=hsieunews&utm_medium=em070615&utm_campaign=Wildlife15
- **Waldbesitzerverband e. V** - The Union of forest owners (Germany): http://www.fbg-nf-sl.de/pdf/waldbesitzerverband_sh_13.pdf
- **Waldbauernverband e.V** – the association of forest farmers (Germany): http://www.waldbauernverband.de/2010/cms/upload/pdf-dateien/16_FFH_Eignungscheck_150505.pdf
- **Wirtschaftskammer Österreich** - the Austrian Chamber of commerce (Austria) <https://www.wko.at/Content.Node/Interessenvertretung/Umwelt-und-Energie/-Positionen-/Fragebogen-Teil-1-N2000-Konsultation.PDF>

3.3. Main fields of activity or interest of respondents

The large majority of respondents replied that their main field of activity or interest was “nature” (93% or around 511,350), followed by those active or interested in hunting (4% or around 24,000). Individuals or organisations active or interested in environment, forestry or agriculture made up around 3,500 to

4,000 replies, respectively. 1,500 replies came from respondents active or interested in science.

As regards respondents who only answered Part I of the questionnaire: 94.9% replied they were mainly interested or active in 'nature', while 3.8% were interested of active in 'hunting'. Respondents interested in other fields made up less than 0.5% each.

Among the 16,815 respondents who replied also to Part II of the questionnaire, 21% indicated 'hunting', 19% 'nature', 17% 'forestry', 15% 'agriculture' and 5% 'science' as their main interest. Other fields of activity/interest each made up 2% or less of the total.

Table 3, Replies by main field of activity/interest of respondent

<i>Which of the following best describes your main field of activity or interest?</i>						
Field of activity/interest	N° of total replies	% of total	N° replies to part I only	% of part I only	N° replies to Part II	% of part II
Agriculture	3,571	1%	1,051	<1%	2,520	15%
Angling	275	<1%	105	<1%	170	1%
Construction & development	638	<1%	262	<1%	376	2%
Culture	355	<1%	250	<1%	105	1%
Education	881	<1%	617	<1%	264	2%
Energy	250	<1%	138	<1%	112	1%
Environment	3,982	1%	2,075	<1%	1,907	11%
Extractive industry	239	<1%	45	<1%	194	1%
Fish farming & associated activities	137	<1%	26	<1%	111	1%
Fishing (other than angling)	73	<1%	22	<1%	51	<1%
Forestry	3,906	1%	1,018	<1%	2,888	17%
Hunting	23,928	4%	20,414	4%	3,514	21%
Nature	511,353	93%	508,138	95%	3,215	19%
Recreation	773	<1%	446	<1%	327	2%
Science	1,531	<1%	771	<1%	760	5%
Tourism	281	<1%	133	<1%	148	1%
Transport	159	<1%	76	<1%	83	<1%
Water management	140	<1%	70	<1%	70	<1%
Grand Total	552,472	100%	535,657	100%	16,815	100%

3.4 Respondents who provided further comments

Around 10,200 respondents provided comments in the open text box at the end of the questionnaire. The comments will be analysed as part of the final report on the consultation.

4. Next steps

The Commission is now analysing the replies received. Given the very high response rate this will take several weeks.

The detailed public consultation report will be published in late September, together with the responses.

The following link provides further details of the overall fitness check timetable and process.

http://ec.europa.eu/environment/nature/legislation/fitness_check/index_en.htm