



EUROPEAN COMMISSION
DIRECTORATE-GENERAL ENVIRONMENT
Directorate B - Nature, Biodiversity & Land Use
ENV.B.2 - Biodiversity
ENV.B.3 - Nature

CGBN

**Co-ordination Group
for Biodiversity and Nature**

11th meeting – 15/11/11



OPERATIONAL SUMMARY RECORD OF THE 11TH MEETING

OF THE CO-ORDINATION GROUP FOR BIODIVERSITY AND NATURE (CGBN)

HELD ON 15TH NOVEMBER 2011 (BORSCHETTE CENTRE, BRUSSELS – 10.30 UNTIL 17.30)

Participants (see attached list)

This operational summary record is to be seen in parallel with the supporting documents prepared by the Commission and posted on the CGBN CIRCA site prior to the meeting http://circa.europa.eu/Members/irc/env/biodiversity_nature/library - site with registered access). All presentations made during the meeting can also be found on the CIRCA site.

Chairs: François Wakenhut (Head of Unit ENV.B.2 "Biodiversity") and Stefan Leiner (Head of Unit ENV.B.3 "Nature")

1) **Summary Record of the Previous Meeting (8th April 2011)**

The summary record of the previous meeting was approved.

2) **Multi-annual Financial Framework & biodiversity integration – opportunities arising from recent Commission proposals**

- **Multiannual financial framework (MFF) and biodiversity financing**

Laure Ledoux presented the MFF in relation to the financing issues of the EU biodiversity strategy to 2020. Two financing issues were mentioned in target 1 and 6 but cross-sectoral; biodiversity financing was also highlighted in 'A budget for Europe 2020'. This includes the need for mainstreaming, synergies with climate finance, N2000 financing, and resource mobilisation. The 2014-2020 MFF constitutes the common strategic framework for all funds in shared management (ERDF, ESF, CF, EAFRD, EMFF).

- **Common Agricultural Policy towards 2020:**

Martin Scheele presented the new CAP proposal CAP and in particular the 2 main issues: 1) market and income policy with top-down mechanisms to be kept in place in crisis time (safety net for agricultural markets), and income payment (more balanced distribution needed, greening of direct payments, cross-compliance to have regulatory requirements on Habitats and Birds

Directives, standard for good practice targeted on soil and water to be respected; and 2) rural development policy, which is co-financed, bottom-up, programming based on Common Strategic Framework, needs assessment, programme-specific targets and horizontal rules (simplification and risk-based controls).

Discussion: During the discussion, participants acknowledged that the new CAP proposal contains some very useful measures for biodiversity. However, there are some important weaknesses (e.g. reverse modulation). Some MS recognised the need to ensure better communication and integration of biodiversity issues within agricultural policy at national level. There are common issues, such as the assessment of ecological status area of farmland species and habitats covered by the nature directives, which will need to be discussed jointly. DG AGRI concluded by emphasising that the ball is now in the camp of the Council and EP and that some 'arbitrage' will (to secure farmers incomes and biodiversity); wide range of possibilities for MS in second pillar but for MS to give high priorities; biodiversity measures have direct biodiversity links but not exclusive links; reversed modulation risk since there is a conflict between old-MS and new-MS on redistribution; much more money in second pillar in new MS but wants to reshuffle so modulation is compromise; permanent grasslands (mandatory safeguard measures needed at site level); 25% is very legal question; further definition will be needed afterwards; advice from other sectors sought through stakeholder consultation but for negotiation scenario is different: EC proposal discussed in Council and EP;

- Common Fisheries Policy developments:

Franz Lamplmair from DG MARE presented the latest developments on the CFP substantial reform needed to address the huge challenges ahead. This broad reform encompasses fisheries, marine and maritime policies; as well as Jo'burg and UN Convention on the Law of the Seas (UNCLOS) commitment to achieve maximum sustainable yield (MSY) by 2015, the application of the ecosystem approach, elimination of discards; etc. The reform is also proposing smarter financing through a single financial instrument for CFP of 6.7 billion €.

Discussion: Participants asked for clarification of concepts such as MSY, safe biological limits, marine no-take and the need to align targets as much as possible (e.g. Aichi target 6 on safe ecological limits by 2020!).

- Cohesion policy proposal

Agnes Kelemen from DG REGIO presented the latest stay of play regarding the reform of the cohesion policy. She informed on the next steps: in December 2011, there will be a Commission Communication on a Common Strategic Framework with public consultation in January 2012, adoption by Council and European Parliament and entry into force of programmes in 2014.

Discussion: Participants complained about the lack of reference to biodiversity and N2K), how can EC help process? She mentioned that during the consultation with Member States, there has not been any proposal on biodiversity.

- New LIFE regulation proposal

Angelo Salsi presented the new LIFE Framework programme, which has been prepared since 2009 and contains three main themes: LIFE environment & Resource Efficiency; Biodiversity; Environmental Governance and Information. As far as nature and biodiversity policy is concerned, LIFE will focus on N2K and in particular the integrated projects for PAFs; the implementation of the EU Biodiversity Strategy to 2020; exchange of best practices and

demonstration for nature and biodiversity. Adoption by the Commission is foreseen in December 2011.

- External aid funding

Jérôme Petit from DEVCO presented the proposal for development cooperation in relation to biodiversity.

3) Biodiversity Policy

A) Common Implementation Framework (CIF)

Natalie Pauwels made a short presentation on the proposed governance structure for the common implementation framework (CIF) and highlighted the proposed structure, which will constitute of:

- *Nature Directors meeting* (2 times a year);
- *Strategic Coordination Group for Implementation* (2 times a year before NDM)
- *Working Groups*: a stocktaking process on existing groups is still ongoing; there is no one fits all option; some have very formal mandate that we cannot change; the idea is to have real working groups with limited participation of experts; some will be temporary, some permanent.

Two different charts were presented to illustrate the proposed structure; the simplified one may give the wrong impression that there is a sort of hierarchy between the CGBN and Comitology Committees, which is not the case. With already only 8 years ahead of us to implementation the Strategy, the need to endorse and operationalise the implementation framework as soon as possible was underlined. Based on further iterations with MS in the coming weeks, the objective is to agree on a final structure in January 2012. The objective of today's discussion is to have a first exchange of views.

Discussion: Participants overall welcomed the new structure and appreciated to be involved in the discussion at an early stage. It was agreed that the NDM should move towards a more decision-making processes yet respecting the informal nature of NDM discussions; the stakeholders appreciated the need for MS to have a platform to freely discuss strategic issues but also emphasised the importance for stakeholder to provide constructive inputs in the political debate; a right balance between closed and open sessions needs to be found; the new CGBN mandate is good but more time will be needed to prepare for NDM. Proposals were made to have small group that would generate energy and be innovative, Target 2 groups should cover both restoration and Green Infrastructure aspects. The use of existing sectoral groups was welcomed if under both sectoral and environment authority; wording needs to be clarified (e.g. clear difference needed between steering, coordination, expert, working groups, etc.). The challenge is to reconcile the desire of streamlining with the one of not having too many groups. In terms of alignment between the EU Biodiversity Strategy and the CBD Strategic Plan for Biodiversity, all Aichi targets but 2 (17 and 19) are covered by the EU targets and actions. A balance needs to be found between the number of groups needed and how they link to the reporting framework.

Concerning comitology groups, directive-related issues need to be distinguished from the Biodiversity Strategy issues, which should be shared. These fora should also be requested to informally discuss the implementation mechanism for NDM recommendations. There is also a need to ensure better links between environmental groups from sectors and sectoral groups from environment (e.g. clarity is needed on how they relate, what is their mandate for recommendation);

also it is important to ensure that the link between the different targets is not only made through CGBN and NDM but that political back-up is ensured (e.g. through council meetings conclusions to support the work). The need to take the Nagoya decisions into consideration was welcomed since MS also need to articulate national commitments with EU and CBD's and avoid duplication of effort.

When wrapping up, the Commission agreed that the duration of CGBN meetings may need to be further reflected upon especially if more stakeholders need to be involved depending on the agenda; there is a balance to be found between the establishment of new groups while keeping the total number limited; decisions on integration-related actions need to be taken under co-chairing system to ensure balanced debates and decisions; streamlining is a key concern but in some cases existing working groups need to be looking at different questions from different angles; who will provide recommendations to whom is another key question; better use of ICT should be made to involve more experts without necessarily having to set up physical working groups or meetings; but we cannot avoid having to establish some groups to fill gaps. The CIF is a supporting mechanism for an operational process more than a decision-making process.

Conclusion and next steps: This was the first exchange on the matter with MS & stakeholders. On the basis of these initial comments, the paper will be revised and circulated within the next 2 weeks. The Commission will welcome comments from all. There will be an informal meeting to further discuss the subject with MS only in January 2012. In the meantime, the work under the Strategy needs to be continued so the Commission may kick-off some activities (e.g. no net loss under Target 2), which require a lot of underpinnings.

B) Integrated Framework for Monitoring, Assessment and Reporting

Anne Teller presented the latest developments undertaken with regards to biodiversity indicator development at EU and international level. She also shared some preliminary ideas on how to develop an integrated framework for monitoring, assessment and reporting on implementation of both the EU Biodiversity Strategy and the CBD Strategic Plan for Biodiversity 2011-2020. The SEBI 2010 experience provides lessons to be learned both in terms of process and outcomes to shape the post-2010 governance associated to knowledge-base issues.

Participants appreciated the oral presentation, which provided more explanation on purpose and options than the meeting paper. More information should be provided in the revised draft on the number of groups, their participation and number of meetings in relation to monitoring. The associated governance should focus not only on monitoring work but also on communication of assessments and recommendations, especially for targets related to other sectors. The contribution to the reporting exercise should be shared with others, therefore not only the working groups should be mapped but also the processes. There is a need for the process to be overseen but this could be done by the EEA and does not necessarily require setting up a group. Good work has been done in aligning EU biodiversity indicators with CBD's through SEBI and needs to be continued with a new mandate is needed. More explanation is needed on the articulation between technical groups chaired by EEA (SEBI, EIONET) and the Commission; also on the reason why the ecosystem assessment group is within the monitoring framework.

Conclusion and next steps: Much of what has been said is in line with the overall approach of streamlining; integration is still a contradictory issue where we agree that we both need to mainstream and keep a certain authority; we need to ensure good cooperation with many reporting activities which will be carried out by others (e.g. Targets 3 and 4) to ensure they fulfil the Strategy requirements. The monitoring paper will be amended based on comments received within the next 2 weeks and a revised version will be available by 3 December.

4) **Natura 2000 – Communication priorities and planned activities**

Susanne Wegefelt presented the plans for celebrating the 20 Years' anniversary of the Habitats Directive and LIFE next year and some elements of the outcome of the contract on Natura 2000 promotion. The celebrations will include a series of Natura 2000 live events, one of which is organised in Denmark together with the Danish Presidency. They will also include a high-level Conference, brochures, use of media and social networks to involve stakeholders - especially those who convey success stories on Natura 2000 and LIFE.

Discussion: Some participants expressed interest in cooperating on the Natura 2000 events. Most interventions favoured using social media and addressing young people, when communicating on Natura 2000, which is the line taken already by DG ENV in the Biodiversity Campaign. Regarding the refreshed Natura 2000 logo, most interventions were in favour of dropping the '2000' after Natura.

Next steps: Participants were invited to have a look at the document and slides and send their reactions within two weeks. The Commission offered to set up a meeting with communication experts, should there be interest. Participants were also encouraged to inform about their plans for the 20 Years' anniversary.

5) **Implementation of the Habitats and Birds Directives**

Stefan Leiner provided an update on the latest developments regarding the actions under target 1 of the EU 2020 Biodiversity Strategy.

- **Completion of the Network:** The Commission adopted six decisions updating lists of Sites of Community Importance (SCIs) for six out of nine bio-geographical regions – Alpine, Atlantic, Boreal, Continental, Mediterranean and Pannonian in November 2011. The additions and changes concern sixteen Member States; the number of SCIs has increased by 166, expanding the Natura 2000 network by nearly 18 800 km². This updating round adds a significant area of the EU's marine habitats to the Natura 2000 network, primarily in the Atlantic biogeographic region (the UK, France and Belgium), but also in the Mediterranean (Greece and Cyprus).
- **Management of N2K sites:** Good progress is being done in preparing the 2 Natura seminars which will be organised in 2012 (Boreal in Finland in January 2012, Atlantic in NL end 2012), as well as in the Management Group (next meeting on 23/11);
- **Financing of Natura 2000:** A Staff Working Paper is in interservice consultation; outlining inter alia how the recent and upcoming Commission proposals of the various MFF instruments will further promote the integration approach and the important role of the Prioritised Action Frameworks (PAFs) in that respect.
- **Stakeholder awareness & involvement and enforcement:** the guidance documents on inland water transport and aquaculture are close to be finalised and will be submitted to CGBN and Habitats Committee members early 2012. The guide on article 6 is being updated according to latest ECJ judgements; the 1st meeting on Natura & agriculture has taken place; preparation is ongoing on the first meeting of the working group on forestry & Natura 2000; the Bird Species Action Plans and Management Plans are being revised; a Cormorants stakeholder platform has been set up; work will start in 2012 on energy; on enforcement issues, the Commission is following up recommendations from the important Conference in Cyprus on the illegal killing of birds;

- Improving and streamlining monitoring & reporting: the Habitats Committee adopted the new Art 17 HD format and Member States t the Ornis Committee agreed to use the new Art 12 BD reporting format, the reporting process has been launched; a Commission decision with the new standard data form has been adopted;

Discussion: Participants acknowledged the good work done on biodiversity and nature, with Natura being 'the most innovative approach in the world for the millennium'. There were concerns raised on whether infrastructure development for drinking water provision would qualify as overriding public interest in N2K site. The Commission stressed that the concept of overriding public interest has to be judged case by case and comes at the latest stage after having looked at alternatives.

6) EU Business & Biodiversity Platform – Future options

Due to time constraint, this item was not discussed at the meeting but the document presenting the options for the future role and financing of the EU Business@Biodiversity Platform (B@B) will be provided to participants.

7) Any other business

- The Rolling Plan has been updated and is available on circa.
- New legislation has been adopted on 11 February 2011 on IAS by Spain.

8) Next meeting

The next meeting will take place on **29th March 2012**.