



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate B - Nature
ENV.B.2- Biodiversity
ENV.B.3 - Natura 2000

CGBN

Co-ordination Group
for Biodiversity and Nature

7th meeting – 02/03/10



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**OPERATIONAL SUMMARY RECORD OF THE 7TH MEETING
OF THE CO-ORDINATION GROUP FOR BIODIVERSITY AND NATURE (CGBN)
HELD ON 2ND MARCH 2010 (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/home - site with registered access). All presentations made during the meeting can also be found on the CIRCA site.

Chair: Stefan Leiner (ENV.B.3 "Natura 2000") for the morning session and François Wakenhut (ENV.B.2 "Biodiversity") for the afternoon session

Introduction

From now on CGBN meetings will be systematically co-chaired by Units B.2 and B.3 (normally a half-day session each).

1) Summary Record of the Previous Meeting (16th October 2009)

The summary record of the previous meeting was approved.

2) 2010 Rolling Work Plan (see DOC.2-1)

CGBN participants were invited to express their comments / questions on the Rolling Work Plan for 2010 and on the activities which would not be part of a separate agenda point later in the meeting.

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Views were exchanged by participants on the following issues, which the Commission clarified:

✓ **Invasive species:** The expert group has not met for some time but it should be revived as soon as a new colleague to deal with the file is recruited (currently ongoing).

✓ **Cormorants:** The Commission is following up on the EP request to address the issue of conflicts with the aquaculture sector. A guidance document on the use of derogations under Article 9 of the Birds Directive is being developed, which will hopefully be presented to CGBN soon and finalised by the end of the year.

3) Implementation of Legislation

The following issues had been identified for discussion prior to the meeting. An exchange of views followed presentations by the Commission, with the following outcome:

A) Issues Related to the Implementation of Both the Habitats Directive and the Birds Directive

✓ **Financing Natura 2000** (see DOC.3.A-1 and Powerpoint presentation): The Commission presented first ideas on the content and process for a planned Commission Communication updating the 2004 Communication on Financing Natura 2000 (possible adoption first half of 2011), as well as on the issues to be discussed at a stakeholder conference now scheduled for 15th-16th July 2010. Participants generally welcomed the Commission's ideas as outlined in Doc.3.A-1. The Communication should not be limited to the current cost figures but should also focus on the benefits of Natura 2000. Relevant TEEB (The Economics of Ecosystems and Biodiversity) study results will be integrated into the preparations and the Commission is planning to contract a study on using the TEEB method for calculating the value of ecosystem services generated by Natura 2000, which will however not be finalised by mid 2011.

Close links with the development of the EU-2020 biodiversity policy, which will also address financing priorities for biodiversity, will also be ensured.

The Commission also presented the latest estimations of the costs. So far 23 Member States replied to the questionnaire. Those Member States which have not yet sent their information are invited to do so as soon as possible.

The July conference should also discuss the findings of the cost estimates, including how the results should be used and presented (e.g. with caveats concerning discrepancies between the methodology used by the Member States, the question whether these costs estimated only the current financing needs or whether they also included the future need for restoration, etc...).

CGBN members are encouraged to send their further views on the issues raised in DOC 3.A-1 to the Commission as soon as possible, not later than the end of April.

✓ **Management of Natura 2000 Sites** (see DOC.3.A-2): The primary focus of this new working group is to gather input from Member State experts with a view to developing good practice on the management of Natura 2000 sites and guidelines on specific issues.

The 2nd meeting of the group was held on 22nd February. The 6-year deadline for Member States to designate Sites of Community Importance (SCIs) as Special Conservation Areas (SACs) is now coming to an end in many Member States and is a priority issue to discuss the legal requirements and best practice related to the SAC designation, including the setting of conservation measures and objectives. The Commission will communicate to all Member States the exact dates when the 6-year deadline will expire. Some Member States are clearly more advanced than others in the designation process - those Member States are encouraged to share their experience within the working group. The Commission fully acknowledges that there is an

important subsidiarity element in the SAC designation, but the legal requirements of the Habitats Directive will have to be fulfilled. The emphasis of the working group is to clarify matters, share best practice and develop a common understanding on what needs to be done (or having regard to discretion of the Member States on how it is done), also with a view to avoid as much as possible future complaints on this matter.

The terms of reference for the group have been finalised and will be - together with the minutes of the meeting - be posted on the working group circa site (http://circa.europa.eu/Public/irc/env/natura_2000/home - N.B. these documents are now available on the site). National Co-ordinators are invited to inform the Commission if they have major problems with the terms of reference. Two more meetings of the working group are planned for 2010.

ENV.B.3 will be cautious not to duplicate, within this new group, the work and discussions already taking place in other working groups. E.g. issues specifically related to marine Natura 2000 sites will be dealt with under the dedicated marine working group. The green infrastructure dimension is integrated in the working group discussions but the issue in itself is not part of the mandate of this new group.

Discussions on the management of Natura 2000 sites should also take into account the results of the Article 17 report. The Commission will present at one of the next CGBN and Nature Directors' meetings ideas on how to manage the discussions related to the further implementation of the Habitats Directive with a view to improve the conservation status of species and habitats. The biogeographical dimension could be revived with a view to identify key priorities at biogeographical level rather than EU level.

CGBN members are encouraged to send their further views on the issues raised in Doc.3.A-2 as soon as possible to the Commission, no later than the end of April.

✓ **Development of Guidance Documents (Non-energy extractive industries, ports and estuaries, wind energy)** (see DOC.3.A-3 and the 3 PPT presentations): The three final draft documents will be posted on the CGBN circa site in the coming days (under the section with all documents for this CGBN meeting). CGBN members should have a final check and submit comments related to major problems/errors to the Commission by 31st March. As these last versions are the final products of the respective expert working groups and were already discussed at large with participants to the groups' meetings, comments from CGBN members should now only focus on major problems / mistakes, if any. The idea is not to reopen discussions.

The final drafts will then be published by the Commission after a restricted inter-service consultation, hopefully before the summer. Some further slight adjustments are thus not excluded. It is intended to publicise the guidance documents with the adequate public awareness measures.

It is foreseen to have translations in all EU languages so that these guidance documents can be used in a practical way by all Natura 2000 stakeholders to help solving potential conflicts.

As a general rule, all final draft versions of guidance documents prepared by working groups under the CGBN will systematically be submitted to CGBN members for final check and last opportunity to provide final comments.

B) Issues Related to the Implementation of the Habitats Directive

✓ **Sustainable Wildlife Initiative** (see DOC.3.B-1): The results of the contract as well as the Conference on the promotion of Natura 2000 in the community of wildlife users, which took place on 17th-18th November 2009 in Brussels, were presented. CGBN members were encouraged to implement the recommendations arising out of the Conference. In particular

Member States are encouraged - if they are not doing so already - to promote initiatives such as e.g. the sustainable Hunting Initiative at national level with representatives from the various sectors involved.

CGBN members welcomed the results of the conference. They are invited to submit further written comments in response to the issues raised in Doc.3.B-1, in particular suggestions and views as to how the Commission should now follow up on this issue.

C) Issues Relating to the Implementation of the Birds Directive

✓ **"New" Birds Directive:** The Birds Directive has been subject to a codification exercise and has consequently been given a new reference: it is now Directive 2009/147/EU of 30th November 2009. There are no substantial changes in the Directive which would affect its enforcement - the "new" Directive is only a consolidation of previous amendments to Directive 79/409/EEC.

The most notable changes/precisions in the new Directive are:

- New recitals 1, 2, 5, 16, 17, 18;
- Removal of references to Greenland in the recitals and Article 1 (since Greenland is no longer a part of the EU);
- Introduction of new Articles 16-18 concerning comitology, repealing of Directive 79/409/EEC and entry into force;
- Annex VI (listing the amendments to the Directive 79/409/EEC and the transposition deadlines);
- Annex VII (correlation table)

The wording in some other Articles has been slightly modified in order to increase accuracy and make the text easier to read.

✓ **Illegal killing, trapping and trade of birds** (see Doc.3.C-1): The issue is still a major problem in many Member States, especially for migratory birds. The prime responsibility for solving the problem lies with Member States but the Commission is willing to help. NGOs are also willing to contribute finding a solution.

CGBN members are invited to transmit their written comments on the issue to the Commission by 30th April 2010.

4) Biodiversity Policy and Action Plan

The following issues had been identified for discussion prior to the meeting. An exchange of views followed presentations to the CGBN, with the following outcome:

A) Development of Post-2010 Biodiversity Policy

✓ **Commission Communication "Options for an EU vision and target for biodiversity beyond 2010"** (see link to the Communication text on circa site): The Commission Communication adopted on 19th January 2010 proposed a vision for 2050 and 4 options for a 2020 target and key deliverables, which was presented for the first time to stakeholders in Madrid. The Spanish Presidency is aiming at Council conclusions to be adopted on 15th March 2010 (the conclusions were indeed adopted on 15th March 2010). These conclusions comprise three pillars: biodiversity in the EU, global biodiversity and access and benefit sharing of genetic resources (ABS). The vision and the target endorsed by the Council are very close to the most ambitious option presented in the Commission's Communication (see Council conclusions). The

Presidency also aims at achieving an endorsement of the vision and the target at the Spring European Council on 25th March. The high-level meeting that took place in Madrid at the end of January was a first opportunity to have stakeholders discussing in a very open way the post-2010 policy. The conclusions were captured in the Cibeles declaration.

CGBN participants were invited to express their comments / questions not only on the current Communication but also on the steps ahead towards the post-2010 biodiversity strategy.

Views were exchanged by participants on the following issues, which the Commission clarified:

- Timing of EU and global processes: EU will agree on a vision and target before Nagoya.
- Need to establish baseline for the target: It is very important to establish the evidence-based for the target as soon as possible and before Nagoya. It is for EC to present what could be done productively this year.
- Ecosystem services: New and key concept linked to Green Infrastructure (GI), which is far broader than High Nature Value farmland. In terms of gaps, there is a crucial need for better integration into other policies, for instance, this could be addressed in the context of the reform of the future CAP.

Discussions emphasised the need to make use of the CGBN and Nature Directors' meetings to advance discussions on these matters.

The post-2010 work will indeed be on the agenda of the next Nature Directors' meeting. The means and types of actions to be considered will be discussed at the Nature Directors' meeting and hopefully this will be replicated at the Nature Directors' meeting under Belgian Presidency, i.e. close to adoption. The input of CGBN is crucial because it is instrumental in getting the views at Member State and stakeholder level. An issues paper will be provided on the post-2010 package at the next CGBN meeting. DG ENV is only starting to discuss these with the new cabinet before a discussion paper can be shared with the group, partly based on Council conclusions. A last event to be used in the context of the post-2010 work is the 2010 Green Week, which will be entirely devoted to nature and biodiversity this year. The different dimensions will be discussed in more detail on this occasion and Member States are requested to invest in good representation at Green Week.

The question of cost implications of a new biodiversity policy was also raised, together with the relevance of the pan-European dimension; the overall question of coherence between the new strategy and relevant cross-cutting priorities at EU level (e.g. Lisbon/EU2020, Sustainable Development Strategy); or the possibility to introduce new tools for enforcement such as training to judges). The importance of integration (in particular CAP, regional policy and CFP) was also underscored.

In view of the new Treaty, it was highlighted that the role of the European Parliament in the discussions would be strengthened and its involvement therefore important (EP ongoing involvement through the Petitions and Fisheries Committees, while the own initiative report of the lead Environment Committee to be drafted by Mrs Lange is still under preparation).

The new strategy will indeed be accompanied by an Impact Assessment and improving the implementation of all the acquis was highlighted as a priority by the new Commissioner.

It was also underlined that major opportunities for improving integration are coming up in the pipeline with an upcoming Communication on the reform of CAP and the 5th report on the reform cohesion policy to be adopted by the end of the year.

Member States were encouraged to actively engage in the post-2010 strategy discussion to take place at forthcoming meetings (Nature Directors, Green Week, CGBN) and to be pro-active.

There will be a Biodiversity conference under the Belgian Presidency on "Biodiversity post-2010 - Biodiversity in a changing world" on 8th - 9th September in Ghent, which will cover important EU issues such as land use conflicts, urbanisation, ecosystem services, ways and means for implementation, etc. There will also be practical cases presented, which could be brought in the strategy.

B) Knowledge Base for the post-2010 strategy

✓ **Presentation of ongoing developments on EU biodiversity baseline by EEA / DG ENV** (see DOC.4.B-1 and Powerpoint presentation): EEA presented the latest stage of the work being implemented for EC. The baseline will present facts and figures on the current state of biodiversity and ecosystem components. It will provide arguments on why it matters based on existing information.

The baseline will support the development of the post-2010 strategy and sub-targets discussion. It will also provide the framework for monitoring progress. The target audience is clearly the policy-maker, and layman language will be used with clear lay-out. It will be a compilation and re-arrangement of existing data (except for the data such as SEBI 2010 update or Corine Land Cover that will be updated in a few weeks. The scale will be at EU and/or biogeographical level but not Member States. Only peer-reviewed data (e.g. from reporting obligations) will be used, which are being updated regularly. The link with human well-being will be highlighted. The outcome will be presented in the form of a short text (executive summary of 'what and why?') and of a scoreboard presenting the facts and figures in a concise way. The selected attributes will be the species and genetic diversity, the ecosystems - and ecosystem services wherever possible/relevant, and the pressures (land use changes, invasive species, pollution and climate change). Response indicators will not be included in the Baseline. The deadline for delivery of the executive summary and scoreboard is the first of June at Green Week. The whole technical report will be compiled as EEA web-based technical report. In parallel, major data gaps will be highlighted based on Article 17 and SEBI 2010 experience as filling these gaps will be an important component of policy development.

During the discussions, the question of the use of non Member State data (e.g. bird data) was raised, together with that of the choice of ecosystems identified (i.e. why exclude mountain ecosystems - they were in the first list but since there is no EU agreed ecosystem classification to work with, data was grouped according to habitats and species.) or the possibility to make use of ad hoc contribution from Member States (e.g. UK national ecosystem assessment published last week <http://uknea.unep-wcmc.org/LinkClick.aspx?fileticket=LDV3vMdXFeY%3d&tabid=105>). National inputs were indeed interesting but the priority was to look at EU data sets given the tight timeframe.

The choice was made not to use one-off data (e.g. research data) unless there is no alternative (e.g. DAISIE).

It was stressed that since the baseline is a storyline, the facts and figures need to be accompanied by 'and so what'. In this context, national case studies would be useful.

Recent data collected will be used to the largest possible extent (e.g. IUCN's next EU red list data - ready since 10th March, EPBRS work)

✓ **Presentation of EU Biodiversity Information System (BISE) by EEA / DG ENV** (see DOC.4.B-2 and Powerpoint presentation): The launch of BISE is planned for 1st June 2010 at Green Week and will consist in 3 main components: 1) a concept paper explaining what is behind the portal, 2) a prototype built on CHM portal and 3) a governance structure.

BISE will be the single entry point to biodiversity policy, data, projects, topics, research and countries through CHM.

The question of the links with LIFEWATCH and GBIF was raised. As the Commission's Research Department is involved in BISE, these questions are indeed being discussed in the context of the development of BISE. The need to use the latest outcome from efforts in gathering and harmonising species names (Fauna Europea and freshwater) was also underlined.

✓ **Update on the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES) and Green Diplomacy Network (GDN) by DG ENV** (see Doc.4.B-3): The recent discussion in Bali at UNEP Governing Council went very well and agreed that a third and conclusive meeting on IPBES would be organised in June. The United States has taken a positive position but there is still a long way to go (e.g. Brazil and China are still hostile).

✓ **Update on mapping of ecosystem services of EU importance by JRC / DG ENV** (see Powerpoint presentation): Recent developments were highlighted. It was agreed that more time should be devoted to this agenda item at a next meeting in order to learn more about and to critically reflect the used methodology.

Consequently this agenda item will be presented more exhaustively by JRC at a next CGBN meeting.

C) EU Biodiversity Action Plan (BAP) coming reports (see Powerpoint presentation): The deadline for Member States to fill in the data in the questionnaire was 26th February. DG ENV announced one week of extension (until 5th March) for Member States missing the original deadline. The Commission (szilvia.bosze@ec.europa.eu) should be contacted in case of questions/problems.

Next steps with the Country Profiles: the contractor assisting the EC on the BAP reporting will add additional data gathered between 18th January and now. EC will verify the Country Profiles by 19th April. The 27 country profiles will be compiled together and merged with the updated BAP table on all EC actions and SEBI update into a consolidated profile by 14th June 2010.

DG ENV encouraged Member States to send comments on possible difficulties encountered in the process until the end of April via env-biodiversity@ec.europa.eu. These will feed into the final report of EC's consultant and help the Commission to draw lessons and improve the reporting system for the post-2010 strategy.

During the discussion of the agenda point Member States highlighted the main difficulties and problems they faced with the 2010 BAP reporting.

D) Green Infrastructure

✓ **Towards the development of an EU strategy on Green Infrastructure** (see Doc.4.D-1):

The Commission referred to latest newsletter and document provided. Due to time constraints, the point will be discussed at the next CGBN meeting.

E) Integration of biodiversity outside protected areas and Natura 2000 (see Powerpoint presentation)

The consultant presented the results of this study which identified and analysed best practices in achieving biodiversity protection in synergy with Natura 2000, but outside Natura 2000 sites, and financed by means not primarily focused on biodiversity protection.

F) Reports from Other DGs on the Integration of Biodiversity Issues into other Policy Areas (see Powerpoint presentation)

DG REGIO presented the role of nature protection & biodiversity in current and future cohesion policy. The current policy foresees 105 billion for environment, mainly for environmental

services (54 billion, including water, waste management, biodiversity & nature protection). As far as the state of current policy is concerned, direct support to biodiversity and nature protection amounts to 3.9 billion for natural asset and 19 billion for indirect support (waste water treatment, natural risk prevention, rehabilitation of contaminated land) and ecosystem services. Investments are leveraged by national funding. Concerning the future, DG REGIO is at early stage of reflection, however REGIO acknowledge the necessity to protect biodiversity and ecosystems and to reduce disparities between regions. DG REGIO recognises ecosystem services as a major tool to enhance the integration of nature and biodiversity into regional policy. The TEEB study was highlighted as an excellent starting point, focusing on values of ecosystem services. DG REGIO is engaged with DG ENV to develop tools and instruments to make biodiversity objectives operational for local authorities. Member States welcomed DG REGIO's approach.

5) Recent and Upcoming Meetings (see DOC.5.-1)

The document will be regularly updated on the CGBN circa site.

6) Any Other Business

- ✓ **Communication issues** (see DOC.6-1): Due to time constraints the point was not discussed.
- ✓ **Biodiversity Communication Campaign and Greenweek 2010** (see Powerpoint presentation): ENV.F.3 (Communication Unit) presented the key elements and timing for the EU Public awareness raising Campaign on Biodiversity (launch of web and facebook application 15 March 2010), as well as general information on Green Week 2010: Biodiversity-our lifeline (1st-4th June 2010). There was no time for discussion.
- ✓ **"Fête de la Nature" (Nature Day)**: France is organising a Festival for Nature ("Fête de la nature"), similar to the Music Day ("Fête de la musique") launched in 1981 which is becoming a European event. This information will be posted on the CGBN circa site (under the section with other documents for this CGBN meeting).
- ✓ **State of play on the preparation or follow-up of international meetings (CBD, etc. ...) and update on CMS**: Due to time constraints this point was not raised at the meeting.
- ✓ **Nature Directors meeting**: The next Nature Directors meeting will take place in Spain on 8th April 2010. Invitations were sent out on 26th February and the agenda will be finalised very soon.
- ✓ **Future CGBN meetings**: Tuesday 22nd June - Thursday 18th November 2010.

Enclosure: List of participants

**7TH MEETING OF THE CO-ORDINATION GROUP FOR BIODIVERSITY AND NATURE
HELD ON 2ND MARCH 2010 IN BRUSSELS**

Participants' list

Member States:

- Austria: Edda-Maria BERTEL
- Belgium: Els MARTENS, Geert RAEYMAEKERS
- Bulgaria: Asya DONEVA
- Cyprus: Marina XENOPHONTOS
- Czech Republic: Michael HOSEK, Alena VACATKOVA
- Denmark: Lars RUDFELD, Eva JUUL JENSEN
- Estonia: Hanno ZINGEL
- Finland: Jussi SORAMÄKI, Heikki KORPELAINEN, Janne PITKÄNEN
- France: Fanny LENDI-RAMIREZ, Lydia MEYER
- Germany: Kilian DELBRUECK, Christa RATTE, Detlef SZYMANSKI , Inka GNITTKE
- Hungary: Rozalia ERINE SZEKERES, Andras SCHMIDT
- Ireland: Ciaran O'KEEFFE
- Italy: Eugenio DUPRE
- Latvia: Ilona MENDZINA
- Luxemburg: Frank WOLFF
- Malta: Marie-Therese GAMBIN
- The Netherlands: Martin LOK
- Poland: Anna LIRO
- Portugal: Mario SILVA
- Romania: Iurie MAXIM, John SMARANDA
- Slovenia: Peter SKOBERNE
- Spain: Barbara SOTO-LARGO, Juan JIMENEZ, Tania LOPEZ PINEIRO
- Sweden: Michael LÖFROTH, Eva STIGHÄLL
- United Kingdom: Martin BRASHER, Steve LEE-BAPTY, Steven DORA

Not represented: Greece, Lithuania, Slovak Republic

NGOs and other stakeholders:

- BirdLife: Ariel BRUNNER
- COE (Council of Europe): Eladio FERNANDEZ-GALIANO
- COPA-COGECA (Committee of Professional Agriculture Organizations - General Committee for Agricultural Cooperation in the EU): Tania RUNGE
- ECNC (European Centre for Nature Conservation): Vineta GOBA
- EEB (European Environment Bureau): Pieter DE POUS
- EHF (European Habitats Forum): Ana NIETO
- ELO (European Landowners' Organization): Delphine DUPEUX
- EPBRS (European Platform for Biodiversity Research Strategy): Estelle BALIAN
- FACE (Federation of Associations for Hunting and Conservation of the EU): Yves LECOCQ, Gabor VON BETHLENFALVY
- FOE (Friends of the Earth): Friedrich WULF
- IUCN (International Union for Conservation of Nature): Andras KROLOPP

- UNEP (United Nations Environment Programme): Thierry LUCAS
- WWF (World Wide Fund for Nature): Erik GERRITSEN

Not represented: BusinessEurope, CEPF (Confédération européenne des propriétaires forestiers), EBRD (European Bank for Reconstruction and Development), EIB (European Investment Bank)

European Environment Agency / European Topic Centre: Ivone PEREIRA MARTINS, Carlos ROMAO / Dominique RICHARD, Marita ARVELA

European Commission:

Attended all or part of the meeting:

Szilvia BÖSZE, Marco FRITZ, Claudia OLAZABAL, Anne TELLER, François WAKENHUT
 Susanne WEGEFELT, Karin ZAUNBERGER (ENV.B.2)
 Sylvia BAROVA, Marco CIPRIANI, Annick DE LOMBAERDE, Frederica DOTTI, François
 KREMER, Stefan LEINER Micheal O'BRIAN, Przemyslaw OGINSKI, Nelly PAPAZOVA,
 Fotis PAPOULIAS, Joseph VAN DER STEGEN (ENV.B.3)

Natasza HOFFMANN, Robert KONRAD (ENV.F.3); Alexandra VAKROU (ENV.F.1)

Mathieu FICHTER (REGIO); Astrid KAEMENA (DG RTD)