DRAFT OPERATIONAL SUMMARY RECORD

21ST MEETING OF THE CO-ORDINATION GROUP FOR BIODIVERSITY AND NATURE (CGBN)

Thursday 22 September 09:30-17:30

Place: European Commission, Berlaymont, room Robert Schuman

200, rue de la Loi - B-1049 Brussels

Co-Chairs: Jana Durkošová, Slovak Republic
Stefan Leiner, European Commission, Head of Unit ENV.D.2 Biodiversity
(replaced by Laure Ledoux, Deputy Head of Unit ENV.D.2)
Nicola Notaro, European Commission, Head of Unit ENV.B.3 (Nature)

Documents: See CIRCABC internet site

1. RECORD OF PREVIOUS MEETINGS

1.1. The summary record of the 20th CGBN meeting of 17/03/2016 was approved.

1.2. The agenda of the 21st CGBN meeting was approved.

Upon opening the session, the chair Laure Ledoux noted the new AGM online application for meetings (contact: Joanna.Kosicka@ec.europa.eu). She further informed the participants of recent reorganisation: the LIFE Unit is now part of the Natural Capital Directorate.

1https://circabc.europa.eu/faces/jsp/extension/wai/navigation/container.jsp?FormPrincipal: _idcl=FormPrincipal: _id1&FormPrincipal_SUBMIT=1&Submit=1&formId=55095f84-3a5f-4645-922a-7f47f86f0f1b&formData=28f88a1c-373d-4b5a-a840-9012706dbf70&javax.faces.ViewState=efb962f8-967f-4266-9510-78a51e86263f


Field Code Changed
2. **UPCOMING NATURE DIRECTORS' MEETINGS (NDM)**

2.1. **Information on the next NDM on 10-12 October 2016 in Tále, Slovakia, under the Slovak Presidency**

On behalf of the Slovak Presidency, Jana Durkošová presented the plans for the upcoming Directors’ meeting including plenary sessions on 10-11 October, a closed session on 11 October and a field trip on 12 October. The key topics on the agenda are:

- biodiversity mainstreaming and preparations for CBD COP 13
- EU Biodiversity Strategy – next implementation steps (CGBN Roadmap)
- Natura 2000 and the implementation of EU nature legislation
- Large carnivores’ protection and management.

The NGO Conference on Financing for Biodiversity on 10 October in Bratislava was also announced. CGBN Members were encouraged to register as soon as possible.

2.2. **Plans for the next NDM in Malta, 29-30 May 2017**

Marie-Therese Gambin briefly informed the CGBN of the planned meeting venue and field visits to Il-Dahar and Mdina.

3. **FITNESS CHECK OF THE NATURE DIRECTIVES – STATE OF PLAY**

The Commission explained that the Fitness Check conclusions are planned for publication in the last quarter of 2016. The background study from the consultant is already in the public domain, following an NGO request for access to information. An EEB Conference on "Actions for Nature" on 14 September in Brussels gathered civil society’s ideas for follow-up action. The Commission and a number of Member States’ representatives took part (invitations had been sent to the CGBN list). All outputs are on the EEB website. A performance audit on Natura 2000 is also underway by the Court of Auditors, looking into the effectiveness and efficiency of EU funding for Natura 2000 as well as the integration with funding in other policy areas. Missions have been carried out to 5 Member States (Germany, Spain, France, Poland and Romania). The audit report is planned for publication in early 2017.

In the discussion that followed, Member States emphasised the importance of having the opportunity to comment on the Fitness Check follow-up proposals. The Commission noted that a discussion can be held as soon as the political direction gets endorsed.

4. **Q&A SESSION ON THE IMPLEMENTATION OF THE BIODIVERSITY STRATEGY TO 2020**

A written overview of progress since the last CGBN Meeting had been posted on CIRCABC in advance of the meeting. The following points were made in the Q&A session:

- The 2nd phase of MAES is focusing on ecosystem condition assessment. A methodology proposal will be discussed in 2017. Biophysical work has benefited from ESMERALDA. The Urban Pilot report is complete and a soil pilot is underway. There will also be support to willing MS to develop ecosystem accounts, including workshops and practical guidance.
- An updated guidance on Natura2000 and hydropower is under internal review.
- The hydropower Master Plan for the Balkans should comply also with the Nature Directives' and Water Framework Directive's requirements. A planned workshop in Brussels will involve investors (EIB, EBRD) to raise awareness. Some CGBN members have received invitations.
- Poland informed of a letter from the Polish Environment Minister to MEPs regarding the Bielowieza case, outlining the next steps: environmental inventory and conservation measures.
- A NNL impact assessment support study is published on the Commission’s webpage (link in the information note). The Commission is still considering the best options of going ahead, which will be linked to the political decision on the Nature Fitness Check.
- Member States were invited make the biogeographical process as participatory as possible and ensure civil society representatives in their delegations to the biogeographical seminars. There will be a 2nd Alpine and 2nd Mediterranean biogeographical seminar in 2017. Member States have also been asked to consider and volunteer for hosting the seminars.
- DG RTD listed several calls for projects on Nature Based Solutions, as well as a knowledge hub launched this week to store and exchange information on ecosystems and their services (OPPLA-EU). (Links were sent to the CGBN after the meeting).

5. **DRAFT CGBN ROADMAP AND NEXT STEPS IN THE ENHANCED IMPLEMENTATION OF THE EU BIODIVERSITY STRATEGY TO 2020 CGBN (DISCUSSION)**

A draft Roadmap had been made available on CIRCA BC in advance of the meeting. The session chair Jana Durkošová reminded of the process of its development, the main revisions after the last round of written comments from the CGBN, and the steps for its finalisation. The main points made in the general discussion were:

- The importance of clarifying how the roadmap relates to the Fitness Check conclusions and the need to review it in the context of the Fitness Check proposals: it should be a living document.
- The revised Roadmap was generally welcomed as better structured, concise and informative. The annexes provide an overview of links with other policies.
- It was noted that the actions were not at the same level of detail. MS pointed to the need to better prioritise the actions, and to discuss how to implement them, responsibilities and the CGBN role. It would also be important to communicate the roadmap to colleagues in other areas. Distinction is needed between political issues and technical topics, as well as between actions on which DG ENV has direct control and such which depend on other organisations or DG’s.
- Big issues like the CAP reform would have to be addressed thoroughly. A meeting is being organised by DG AGRI and DG ENV in the beginning of 2017 on how to deal with the challenges of WFD implementation. A similar discussion could be organised for biodiversity.
- A reflection is needed on how the latest developments and the Roadmap would be incorporated within the Common Implementation Framework and in other policy areas. The role of the Nature Directors was discussed and possible sensitivity issues were flagged. The suggested CGBN role to draft reflections on how to improve policy coordination is especially important, and possibly it could be turned into an action.
- NGOs have issued two papers on the roadmap and on the outcomes of the Fitness Check, identifying ten priority actions for biodiversity. One publication contains a catalogue of measures for the present and for the future CAP.
- A reference to the role of ecosystems in resilience and mitigation is needed, possibly linked to restoration, in the framework of the Paris climate agreement.

A target by target discussion followed with the following main points:

- Target 1: financing needs for monitoring should be referred to, in particular regarding migratory birds (currently voluntary effort).
- Target 2: there was an exchange on whether a timeline was needed for actions such as TEN-G and biodiversity proofing. Some of the actions should have higher priority (it was clarified that the current order of listing does not indicate priority). Regarding pollination, an initiative to establish a coalition of the willing at the CBD was mentioned. Other WG are feeding CGBN with conclusions to be forwarded to the Nature Directors and this should be made evident. A lot of work is being done in the area of ecosystem services and NNL etc, and national experience could be shared (e.g. from Sweden). The development of a TEN-G initiative would be very important.
- Target 3: The Standing Forestry Committee remains a relevant forum even if the relations need to be clarified. NGOs expressed their wish to participate in the SFC. There may be possibility for NGO input in the framework of the N2000 and Forest WG.
- Target 4: additions were requested on fisheries management in marine protected areas, on data and information, on the role of the regional seas as well as on aquaculture. Cooperation and coherence between environmental and fisheries policy needs improvement also at the EU level. The guidance on Aquaculture and N2000 has been developed together by DG ENV and DG MARE. This does not mean that conflicts are always resolved in practice.
- Target 5: the need to explore the CGBN role and synergies with the work under the Regulation, and to develop guidance to assist MS in implementing the IAS regulation was raised. The CGBN has less input because there are a lot of committees and a scientific forum. This is reflected in the way the CGBN role is being described. Concrete actions can be considered.
- Target 6: a reflection is needed on enhancing global governance, the role of the Member States in implementing the Aichi targets; and biodiversity impacts of EU consumption, with reference to the EU plan on deforestation. Links should be made to the SDG mapping communication.
- Financing: the CGBN role in defining the multiannual programme for LIFE was raised, as well as input into the review of the MFF which has just started. Most public financing comes from the CAP and the CFP and they should be put this focus of this chapter, despite having dedicated parts under Targets 3 and 4. The Greening of the Semester, even if results were described as modest, was also considered a process to include. The NCFF is still in development and there may be a different perspective next year.

The chair summarised the main comments and reminded that an added value of the CGBN and the NDM is also to agree on actions to push together within national governments. The deadline for submitting written comments is 26 January in order to enable the Commission to send a revised text to the Nature Directives. The outcomes of the Nature Directors meeting should include conclusions endorsing the roadmap as a flexible, living document.
6. REVIEW OF THE GREENING

The Commission reminded of the Agriculture Commissioner’s commitment to evaluate the greening one year after its adoption, in response to MEP concerns about the potential impacts of EFAs on productivity. Another mandate is President Juncker’s simplification agenda, and REFIT. It was noted that one year is very short for such a complex system. The SWD concludes that it would be too early to see environmental achievements of the greening; however it makes conclusions on the Member States’ choices and the extent to which the greening has been picked up. The conclusion is that there is more surface covered by greening measures than before, but MS often choose less ambitious or business-as-usual options. EFA have therefore meant a change of practice for no more than 1% of farmland. The review was intended as a starting point to improve the greening /EFAs. The SWD launched a discussion in the MS and internal discussions within the Commission on improving environmental performance, e.g. by limiting the flexibility on certain issues such as a ban on pesticides in the EFAs or privileging the most biodiversity-beneficial EFAs. This discussion is also taking place in the expert groups with national agricultural counterparts. The impression is however that more coordination is needed in these reflections, and there may be a merit for CGBN members to engage at national level. There are opportunities along the way to improve the current system before 2020. The CGBN Members were invited to read the SWD with the Annexes.

The Commission informed the CGBN of MFF review discussions in College the previous week. An upcoming Omnibus Regulation will change all the regulations dealing with the ESIF, and may introduce lighter conditions for financial instruments’ use as leverage for private funds. The recent Cork 2.0 meeting was also mentioned, which issued a declaration on the vitality of rural areas including social, environmental and economic aspects. There is a shared feeling that a change is needed, and it is important to start developing views on what the new CAP should bring.

The discussion that followed linked with the morning’s debate on the CGBN role, and on ensuring that members of national administrations are up to speed in order to provide input into the nature positions. Further points raised concerned:

- NGO members expressed doubts about the greening potential and the greening evaluation conclusions. They are keen on a serious evaluation of the CAP rather than small changes in the greening. There is an ongoing debate on whether the greening ambition is improvement, or non-deterioration. Many countries have chosen productive options for EFA. It would be important to provide more detailed information on the choices made by the Member States.
- Considering opposition on important aspects such as pesticide ban in EFA, it is necessary to think constructively and creatively, e.g. to see if a coalition of the willing could be built with farmers’ organisations. The policy window is small but could be used. It is not sufficient to show what does not work; an alternative proposal is needed with all aspects considered.
- The Commission has an obligation to evaluate the CAP laid down in the CAP Regulation. The REFIT of the CAP is a complementary process with a completely different procedure and philosophy etc. The CGBN could use the next months to get the facts and figures and try to engage in the discussions.
- There are several WG on agriculture and water, agriculture and environment and agriculture and biodiversity. They have an added value in bringing national stakeholders together and they provide many deliverables, but they have little impact on policies. In this context, the pro’s and
con’s of reactivating the Agriculture and Biodiversity WG were discussed, as well as its potential mandate and how to make sure that it can impact policy processes. This has to do with bringing in ideas and compromises from the national level. The value of the WG for holding the dialogue between agriculture and biodiversity stakeholders was emphasized, and in this regard, the importance of making participation in the group attractive for the agriculture representatives. In terms of the composition, the Biodiversity and Agriculture WG was seen as very balanced and brought together officials who hardly communicated at the national level. Chatham house rules helped to have very rich discussions. The work of the group could be restarted with positive cases (a best practice forum) and the common interests between nature conservation and the farmers’ community, but this would require a lot of MS involvement.

7. **CBD COP 13 PREPARATIONS**

At the invitation of the session chair Nicola Notaro, the Presidency updated the CGBN on the preparations for CBD COP 13 in Cancun under the main theme of biodiversity mainstreaming. This is also very relevant for the EU. The ministerial segment will take place at the beginning of the conference. A draft Cancun declaration on “Mainstreaming the Conservation and Sustainable Use of Biodiversity for Wellbeing” has been prepared by the Mexican government with broad consultation. It focuses on agriculture, forestry, fisheries and tourism. There will be a number of satellite meetings, including a B@B global forum.

EU level preparations including position papers were outlined. The EU has a strong and united voice towards decisions that address what we need in the EU and globally. A synthesis about the ministerial considerations in the four sectors is being prepared in advance to the Working Party on International Environmental Issues in October. The CGBN was also informed of a planned Synbio conference in October in Brussels.

In the exchange that followed, the Netherlands’ initiative to launch at the CBD a Coalition of the willing on pollination was highlighted. Several EU Member States have already announced their participation, and further countries are considering joining. The IPBES report on pollination is one of the first reports on actual ecosystem services, so it is important to follow up with this open initiative.

8. **AOB**

Several ongoing processes were mentioned:

- **Ongoing REFIT of the Zoo Directive**: a number of MS have been contacted in the past months with questionnaires, but there have been few responses.
- The CGBN was given a ‘sneak preview’ of the 1st European Red List of Habitats (PPT available on CIRCABC), to be put online in a few weeks. 490 habitats were assessed in a collaborative effort by a network of national experts. This work was welcomed by the CGBN as very policy relevant to support decisions on habitat types needing more effort, filling in knowledge gaps (such as marine sites); and further discussions on TEN-G and restoration. The use of the list at the national level was also discussed, whereas it was noted that
information on particular habitats is of different quality for different MS. EEA is working on integrating the information into EUNIS. The red list will also help condition assessment under MAES. IUCN is willing to promote the development of national red lists of ecosystems.

- **Environmental Implementation Review**: Member States have received the country reports for comments. It was noted that BISE was used by the Commission as a basis for drafting but it is not up-to-date. Member States were invited to initiate an update process. The added value of the report is in providing a global overview and addressing issues to help prevent infringements. Planned follow-up country dialogues, with stakeholder participation, will be looking into the root causes, systemic issues, and best practices. The report is also interesting in that it highlights generic implementation problems which occur in other areas as well. Therefore it is important to look not just at the Nature chapter but also at others.

- **Germany informed of national TEEB studies** on climate and rural areas, which have been translated into English and provide some very interesting figures (links were provided to the CGBN members in a follow-up message after the meeting).

Planned date for the next CGBN meeting: 15 March.