



# Where Natura 2000 went wrong?

*Synthesis Paper*



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**CEEweb for Biodiversity is a network of non-governmental organizations in the Central and Eastern European region. Our mission is the conservation of biodiversity through the promotion of sustainable development.**

## Introduction

Natura 2000 is currently the widest modern European approach to biodiversity conservation. The network deriving from the Habitats Directives and Birds Directive has progressively covered an increasing part of the European Union and its Member States. It strives to tackle the issue of biodiversity loss to maintain healthy ecosystems. The Natura 2000 network is described as a “*coherent European ecological network of special areas of conservation*”<sup>1</sup> to maintain natural habitat types and species habitats or to restore them to favorable conservation status. In that regard, the Member States are at the heart of the implementation since they must ensure that the most suitable territories, proposed *Sites of Community Importance* (pSCIs), are designated and that sites are then rightly managed. The Member States must also adopt the necessary conservation measures and if needed, management plans<sup>2</sup>. The Natura 2000 network is thus made of *Special Areas of Conservation* (SACs) ensuring the conservation status of the habitats and *Special Protection Areas* (SPAs) for threatened species and migratory birds’ species. Its specialty lies in the fact that it is not only a nature reserve but it relies on people and nature, particularly focusing on their prospective interrelation in a conservation and sustainable way. Natura 2000 has contributed to developing sustainable development while maintaining for example local people's activities and tourism. As a consequence, new collaboration ways have appeared and still need to be further enhanced.

The Natura 2000 is the flagship of the EU environmental strategy regarding biodiversity with key instruments being the Birds- and Habitats Directive (BHD). However, such a recent large-scale project is not exempt from critique and there seems to be a need for improvement. In 2015, in the EU biodiversity strategy review, the European Commission considered that there were still fields for enhancement mainly about the marine field, Natura 2000 management and its funding. This paper thus seeks to better understand where Natura 2000 went wrong by identifying its main weaknesses and bad practices.

It will first explore the general political unwillingness to tackle the issue, then it will question the funding stake and its lack of adequacy. Monitoring and reporting systems are also facing the critique of “inadequacy” with the real objectives of Nature 2000. Thereafter, broader issues will be raised regarding a too narrow site-based approach and the lack of involvement of key stakeholders, before questioning the core stake of communication surrounding the Natura 2000 network.

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<sup>1</sup> European Commission, Commission note on the designation of special areas of conservation, Final Version of 14 May 2012, p.1-7.

<sup>2</sup> Habitats Directive, Article 6(1) : “*For special areas of conservation, Member States shall establish the necessary conservation measures involving, if need be, appropriate management plans specifically designed for the sites or integrated into other development plans, and appropriate statutory, administrative or contractual measures which correspond to the ecological requirements of the natural habitat types in Annex I and the species in Annex II present on the sites.*”

## A general political unwillingness to tackle the subject

An analysis of the European political framework observes that the former general lack of interest in the environment is currently changing. The rise of the green parties in the European Parliament would be a recent demonstration. However, the European Union stays heterogeneous and one could argue that Central Eastern European countries seem to be the least interested in this field regarding the green parties' results in the last European elections from May. It has caused European-wide critique that political parties would be reluctant to bet on the Natura 2000. It is indeed rarely mentioned in their program and, if it is, it is never a priority. In other words, politicians would not believe in the network's capacity. This political program criticism can be extended from a more comprehensive point of view. It seems that the Member States did not manage the Natura 2000 network enough. In other words, the authorities in charge of it would not put the required efforts for its implementation. The Member States have to implement the necessary conservation measures, to improve coordination between stakeholders, to precisely assess planned projects. They must effectively implement European directives.

First of all, a lack of coordination between authorities and stakeholders within the Member States could be observed. Managing Natura 2000 implies a wide range of sectors and actors. Thus, the successful implementation would require great coordination between these actors. For example Romania has illustrated lack of coordination in the European Court of Auditors report from 2017<sup>3</sup>. *“Cooperation and communication regional and local level between site managers, authorities and other stakeholders (e.g. landowners) need to be improved”*<sup>4</sup>. These smaller-scale levels need to be taken into account during the implementation which does not only consist of the national level. The European Court of Auditors sheds the light of some overlaps between the supervisory authorities or the absence of management bodies on some sites or efficient procedures.

France also illustrates overlaps between the authority in charge of the Natura 2000 and the one in charge of agricultural policy. The agricultural authority was responsible for *“providing the most significant share of the EU funding used to support Natura 2000 sites”*<sup>5</sup>. Nonetheless, it did not share the agricultural information with the environmental authority such as the number of farmers or areas concerned or the amount of money spent for Natura 2000.

Besides, land users and landowners must be involved both in the planning and in the implementation. Coordination should involve these key actors, which would allow them to better understand and support the Natura 2000 project. The Member States should organize capacity building activities for instance. Yet, most the Member States didn't establish regular consultations.

Moreover, this cooperation needs a more global approach and must imply a cross-border dynamic since species and habitats are not confined by national or regional borders. This lack of coordination between neighboring countries is observed for example in the lack of procedures.

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<sup>3</sup> European Courts of Auditors, Special Report, more efforts needed to implement the Natura 2000 Network to its full potential, 2017, p.1-68. (PDF document available on the Internet: [https://www.eca.europa.eu/Lists/ECADocuments/SR17\\_1/SR\\_NATURA\\_2000\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR17_1/SR_NATURA_2000_EN.pdf))

<sup>4</sup> Ibid. p.23.

<sup>5</sup> Ibid. p.23.

<sup>6</sup> Ibid. p.25.

“The “necessary conservation measures were too often delayed or inappropriately defined by the Member States”<sup>6</sup>. Normally, once the SCI adopted by the European Commission, Member States should designate SAC within 6 years and apply the necessary conservation measures which can have the form of a management plan. However, important delays were observed for the SACs: “The Commission reported that, out of the 22, 419 Sites of Community Importance (SCIs) existing in January 2010, one third had not been designated as Special Areas of Conservation (SACs) in January 2016, i.e. beyond the expiry of the 6-year deadline.”<sup>7</sup> Delays were also found for conservation measures which are likely to jeopardize the conservation status of the sites and achievement of the directives. Furthermore, few management plans were reviewed after being implemented, if implemented, because some of them are drawn up but not implemented.

The European Court of Auditors raised another concern about the Member States’ management. The projects impacting the Natura 2000 network would not have been assessed adequately or efficiently. According to Article 6(3) of the Habitats Directive, any project likely to have consequences on the Natura 2000 site must be appropriately assessed. If all countries established systems to assess the potential impacts, sometimes the assessments were not consistent enough and complete. For instance, some of them lacked documentation or qualified personnel. Most of the time, the assessments did not completely assess the impacts on all habitats or species. The cumulative effect is also insufficiently taken into account. In other words, the impacts of other projects and the lack of assessment are not being evaluated enough. Some Romanian assessments evaluated the impact of quarries. Local authorities did not always respect the number of quarries permitted in riverbed after a former decision taken by themselves. Instead of two quarries per 20 km, the ECA could find five projects planning to build quarries in a smaller area<sup>8</sup>.

## The conundrum of Natura 2000 sites’ funding

EU funds are used to finance Natura 2000, nevertheless, they only consider nature protection as one of many objectives. Member States prepare Prioritized Action Frameworks to identify the needs of the network. Then, they ensure that these PAFscan matches with EU funding. The programming document which is afterward proposed by the States must take these needs into account.

Nonetheless, the European Court of Auditors writes that “*The Prioritised Action Frameworks presented an unreliable picture of the costs of the Natura 2000 network*”<sup>9</sup>. The ECA then studied first the EU funds estimate for Natura 2000 during the 2007-2013 programming period and concludes that there was no "consolidated funding estimate" for the programming period. The few data released by the Member States were the main obstacle. Besides, Eu funding is supporting a whole range of environmental measures which do not all concern Natura 2000. Thus, it was difficult to distinguish the funding for Natura 2000 from one of the other environmental actions. Eventually, the lack of information about public expenditure is pointed out.

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<sup>7</sup> Ibid. p.25.

<sup>8</sup> Ibid. p.27.

<sup>9</sup> European Courts of Auditors, Special Report, More efforts needed to implement the Natura 2000 Network to its full potential, 2017, p.1-68. (PDF document available on the Internet: [https://www.eca.europa.eu/Lists/ECADocuments/SR17\\_1/SR\\_NATURA\\_2000\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR17_1/SR_NATURA_2000_EN.pdf))

<sup>10</sup> Ibid. p.32.

“*The assessment of funding needs for the 2014-2020 programming period was not accurate or complete*”<sup>10</sup>. The PAFs include estimates of future funding needs but some Member States did not provide their PAFs or any future funding estimation. In Poland for instance, the cost estimates covered only sites with management plan available and not those which did not have such plans. The costs presented in the PAF were largely underestimated. Some countries also consider that there is a gap between their real needs and the few funding available, however, they did not estimate it. This lack of appropriate estimate for funding was also felt at a local level where site management documents often forget to precisely describe the estimated costs and potential sources of funding that are not mentioned.

The ECA also focused on “*The 2014-2020 programming documents of the various EU funds*”<sup>11</sup>. These documents would not rigorously reflect the needs emphasized in the Prioritized Action Frameworks presented by the Member States. Natura 2000 is only one of many objectives in the PAFs and it is not often clear if the measures described applying to Natura 2000 sites. There was also a problem in member States where the PAF was developed at the national level whereas the more operational programs and rural development programs were managed at a regional level. For these countries, assessing whether the objective and the identified use of funds was truly consistent with the PAF description.

Eventually, the ECA noted that EU funding options “*were insufficiently tailored to the objectives of the Natura 2000 sites*”<sup>12</sup>. As mentioned above, Natura 2000 is not the only objective of EU funding schemes, thus funds could be insufficiently adapted to the sites’ needs. For instance, the most significant EAFRD measures for financing habitat management within Natura 2000 is the agri- environment measure. It represents more than 50 percent of the fund, still, “Natura 2000 payments” represented only 7% of it. In addition, the EAFRD funding scheme does not take into account specific characteristics of Natura 2000 sites and sometimes the compensation provided by the ERDF did not cover the financial losses explained by the Natura 2000 requirements’ compliance.

## Inadequate monitoring and reporting systems

The ECA writes that “*monitoring and reporting systems were not adequate to provide comprehensive information on the effectiveness of the Natura 2000 network*”<sup>13</sup>. Their purpose is to give information to the Commission and the Member States on the progress of the network and the possible management actions. Monitoring can provide information on a program, its priorities and its implementation, based on performance indicators for instance. Performance indicators should provide reliable and timely data about the expected outputs, results and impact at a site level. The monitoring of conservation measures helps to assess their effectiveness and results.

First, there was no specific performance indicator system for the Natura 2000 network. Indeed, indicators for the different various EU funds are set out to assess the objectives’ achievements. However, the numerous funds (EAFRD, ERDF, EFF, ESF, CF, LIFE) had no common indicators specific to Natura 2000. Their indicators rather general were specific to biodiversity.

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<sup>11</sup> Ibid. p.34.

<sup>12</sup> Ibid. p.36.

<sup>13</sup> Ibid. p.40.

<sup>14</sup> Ibid. p.40.

“One result indicator for the EAFRD relating to Natura 2000 payments and the agri-environment measure was the ‘Area under successful land management contributing to biodiversity, water quality, mitigating climate change, soil quality, avoidance of marginalization and land abandonment’.”<sup>14</sup> This indicator did not provide specific information for Natura 2000. Moreover, the rural development programs have Natura 2000 indicators, nonetheless, they are more focused on outputs and inputs than results. The ECA takes the example of the 2007-2013 EAFRD rural development program supporting Natura 2000 via the agri-environment measure Protection of endangered birds and natural habitats in Natura 2000 sites. Here the output indicators targeted a certain area and number of farms supported by the EU funds, with no result indicator. This is the same issue with the LIFE program.

The European Commission has not developed indicators to measure the results for the 2007-2013 programming period but there was some improvement for the 2014-2020 programming period with a more comprehensive indicator. The absence of a “*consolidated system to track Natura 2000-related output and results under shared management funding instruments during the 2007-2013 programming period*”<sup>15</sup> could thus be deplored. This problem is still relevant since no indicator relating to the Natura 2000 was included, except for two indicators of the European Maritime and Fisheries Fund.

Furthermore, the implementation of the monitoring plans of the Natura 2000 seemed inappropriate. There is a true lack of detailed plans at the national level to undertake to monitor the conservation status of some natural habitats and species. At the site level, there is a lack of relevant indicators and quantified targets which implements conservation measures more difficult and sometimes inefficient. Some monitoring measures lack details or time-boundaries. In a German site, an airport operator studied birds outside the airport in preparation for the potential construction of a new runway. The study found that of the 500 breeding lapwings on the site originally living on the site, only 200 were left. This deterioration had not been identified by the authority earlier.

Because of these various critiques, one can even argue that Natura 2000 is gifted with inadequate implementation mechanisms. “Best” protected areas have a financial assessment of the costs at all stages, appropriate financial mechanisms and resource allocation, revision of policies and programs that could impact the protected areas. First of all, the resources available in the EU for regional development, infrastructure, agriculture, fisheries cannot be compared with the small budgets available for Natura 2000. Besides, despite many attempts, most of these policies are not environmentally friendly enough. There is also no specific EU funding line for implementation. “*The funds available for implementing Natura 2000 are minuscule when compared with the assessments of resources undertaken a few years ago*”<sup>16</sup>. In this period, Roger Croft objected that “*this is a case of determining the project but failing to will the means of its achievement and therefore is bad practice in implementing a regional protected areas mechanism.*”<sup>17</sup>

#### A too narrow and outdated site-based approach

Natura 2000 is the largest conservation/protection system applied to any region in the world, gathering all 28 European countries, whereas most protected areas in the world depend on a national or local level. Despite being one of the flagships of the EU environmental policy, “*Natura 2000 is not the most modern approach to the protection of species and habitats*”<sup>18</sup>.

<sup>15</sup> Ibid. p.40.

<sup>16</sup> Crofts, Roger. (2014). The European NATURA 2000 protected area approach. PARKS. 20. p.86.

<sup>17</sup> Ibid. p.86.

<sup>18</sup> Ibid. p.84.

<sup>19</sup> Ibid. p.84.

“*Natura 2000 focuses on site-based protection, with little emphasis on buffering sites and only weak advice on developing linked networks.*”<sup>19</sup> Currently, the modern approach ensures that sites are protected from activities and their effects beyond their boundaries while bearing in mind the need of linking corridors to allow migration of species. Roger Crofts considers that wider countryside and ecosystem-scale do not receive the attention they should have. A whole landscape approach rather than a site base approach could have been relevant for Natura 2000. Furthermore, linkages and stepping stones are discretionary according to the directives. Yet, they could be mandatory in an increasingly fragmented habitats context within Europe.

Natura 2000 can also be described as a “*static approach to biodiversity conservation*”. One could have expected the recognition that species and habitats can undergo natural changes. Furthermore, human activity impacts on the sites should be taken into account in the management plan and more widely climate change. This static approach does not take into account the potential loss of biodiversity due to this combination of natural and human changes.

Consequently, there is a growing need for an update of the network, taking into account new or appropriate sites and better implementation of nature policies outside the sites. Indeed, there are concerns about the ability from Natura 2000 to guarantee biological diversity persistence in the future considering climate change and human impacts from diverse locations.

Eventually, this update of Natura 2000 could also affect its name. “2000” seems old-fashioned and maybe requires some update in order not to be considered anymore as obsolete. One example concerns the new countries joining the EU which implies new biogeographical regions. Yet, they were not updated, for instance, in Scotland, some arctic/alpine species are common in the Nordic countries but are still classified as part of the Atlantic region.

## The need for better involvement of key stakeholders

Another critique is the lack of stimulus to involve key stakeholders. Best protected areas systems combine top-down and bottom-up approaches. We could take the example of the REDD+ mechanism developed by the UN and implemented by NGOs such as the WWF or the Wildlife Conservation Society with the help of local populations in Costa Rica, Congo, Brazil, or Madagascar. These actors are involved at all stages: identification, designation, implementation. Nevertheless, the designation of Natura 2000 sites and their identification ignored most of these actors. “*Natura 2000 is a very dirigiste approach to nature conservation*”<sup>20</sup>. The Member States have to decide on their own how to establish means of consultation with key stakeholders. Because many actors fear that they would likely be affected not having a voice in the decision-making process or consider that they have an interest, it would have been better for the Commission to include “such a facility” in the Habitats Directive.

Also, the scale of Natura 2000 implies that it not only concerns land owned by the State but also private land which has already been part of some country’s protection tradition. This approach triggers protests, critics, and legal challenges. For instance, in Finland, nearly 14 000 cases were taken to the courts “*to protest at the application of Natura 2000 onto private land*”<sup>21</sup>. They were all resolved, however, the timescale was considerably prolonged.

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<sup>20</sup> Ibid. p. 84.

<sup>21</sup> Ibid. p.84.

<sup>22</sup> Ibid. p.84

The involvement of a private landowner and key stakeholders is from then on a current burning issue. Rural world is not involved enough and appears to be a spectator of a network whereas it is part of it and should contribute to its success and implementation. This is emphasized by one of the main weaknesses of the Natura 2000: the social input factor. “*The environmental and socioeconomic benefits of belonging to the Natura 2000 Network are not sufficiently shown.*”<sup>22</sup>

This is tightly related to the endless debate about conservation and development. The Natura 2000 would hinder it, however by including more rural populations the contrary could be shown. Here the lack of communication is crucial since it is precisely the Natura 2000 objective not to renounce such human activity that could benefit local populations. Once again, the lack of communication contributes to this weakness and

Natura 2000 does not appear as a truly efficient solution. Local people would generally have a negative attitude and poor knowledge of conservation. Therefore, public awareness must be raised and particularly the stakeholders’ one.

## A true lack of communication about Natura 2000

Communication is at the heart of some essential problems of Natura 2000: lack of readability, lack of stakeholders’ involvement, lack of knowledge of the network and its benefits. yet, it would be a great means to promote the success of Natura 2000 and make it a trendier European cross-border approach to biodiversity protection. However, no network brand of Natura 2000 has been created because of the lack of communication from the authorities in charge. As a consequence, Natura 2000 does only benefit from “scarce support”.

Natura 2000 is first suffering from poor readability. This is strengthened by the numerous different conservation and protection status within European countries: natural-, regional- and national parks, biosphere reserves, Ramsar wetlands, SPAs and SCIs. This lack of readability does not benefit the Natura 2000 project and creates some confusion among non-expert audiences. Natura 2000 is complex, SCIs, SPAs and SACs terms may lead to confusion. They do not always overlap with national statuses and public opinion tends to only bear in mind the clearer and most famous ones. Natura 2000 can also evoke some kind of bureaucracy which has become an obstacle for a broader acceptance of Natura 2000 with all the required assessments, statements, drafts of management plans. The absence of a dedicated specific financial instrument is also discouraging and contributes to this lack of readability during the phase of implementation. It can be interpreted by public opinion as a restriction and the proof that it is not necessary for development.

As a consequence, public opinion is too little aware of Natura 2000. This audience does only identify as protected areas those with “*iconic protection statuses like National park or Biosphere Reserve*”<sup>23</sup>. The Natura 2000 network is regarded as minor by this public opinion lacking information which is closely related to weak support. Besides, the fact that the Natura 2000 sites are invisible may contribute to their lack of visibility. They are not marked as National Parks or Natural Parks. Thus, “*one doesn’t know if one is within the Natura 2000 Network*”<sup>24</sup>. This lack of communication results in a lack of interest from the media. Key ideas that could attract the headlines are spotted with difficulty by the media. Yet the Natura 2000 network covers more than 30 percent of the EU. This large scale maybe explains the difficulty to turn it into the news.

## Conclusion

One must bear in mind that Natura 2000 appraisal is far from being negative and that this paper sought to shed the light on the bad practices and failures from the network implementation, voluntarily disregarding its success. Indeed, “*no other part of the world has achieved such a focussed and non-discretionary approach.*”<sup>25</sup> Most information tends to prove that there are improvements at a local level. Nonetheless, observing the results for the favorable conservation status will certainly require a long-term evaluation and maybe to implement sanctions since there are only a few incentives for the Member States to ensure that these goals are reached<sup>26</sup>.

This research has indeed pointed out that there is a significant need to have the Member States and politicians to be more involved in Natura 2000 implementation. Coordination between the authorities in charge and cross-border cooperation was not developed enough. The Member States are also responsible for insufficient assessments. Besides, removing the perverse subsidies of CAP to farmers, and creating appropriate funding specifically dedicated to the network could contribute to a faster and better implementation that should rely on better-designed assessments and reporting systems. There were weaknesses in the PAF development and the assessment of funding needs while the EU funds were not efficiently used. The lack of involvement and funding incoherence might delay the implementation of a new mechanism. The slow pace of implementation is thus partly deriving from these obstacles. If the lack of involvement of key stakeholders is a Member States’ responsibility, it is yet tightly linked with the lack of communication on Natura 2000 and depends on its enhancement. Last but not least, updating the network appears as a prerequisite, while at the same time taking into account the linkages between the protected areas and step over the current purely site-based approach.

Ways to improve Natura 2000 implementation must be found and communication needs to be improved since it has an impact on Member States' actions but also the attitude of various actors. From then on, the responsibility lies with the Member States but also with the Commission which is expected to deal with Natura 2000 implementation mechanisms in depth. Using marketing strategies to promote Natura 2000 could be relevant, for instance using graphic material or associate it to a brand/label. Creating a communication plan would make Natura 2000 more fashionable and help to target audience and develop optimal communication channels. Moreover, putting more emphasis on explaining the benefits to local populations is crucial and could inspire from the example of the *Millennial Ecosystem Assessment*. Besides, to enhance this communication, sectorial media should be involved and could help to foster synergies with other economic sectors and promote the relationship between NGOs and professional sectors. Eventually, organizing training events at universities and disseminate knowledge via sectorial media are potential ways to widen the audience of Natura 2000.

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<sup>23</sup> LIFE project, Natura 2000 Network Handbook for journalists, p.1-88.

<sup>24</sup> Ibid.p.58.

<sup>25</sup> Crofts, Roger. (2014). The European NATURA 2000 protected area approach. PARKS. 20. p.87.