

A summary of the key findings from the Birds and Habitats Directives REFIT

Effectiveness (extent to which objectives have been met, contributing factors to success or inhibiting progress)

- Where fully and properly implemented the Directives have effectively reduced pressures on biodiversity, slowed declines and, with time, led to some recoveries of habitats and species.
- Directives have been less successful in contributing to the management of features of the landscape outside of the Natura 2000 that are important for fauna and flora.
- Progress in the development of the Natura 2000 network has been more rapid in terrestrial than marine environments.
- The impacts of the measures taken so far are not yet sufficient to meet the overall aims of the Directives. The Directives alone cannot deliver the EU 2020 goal of halting biodiversity loss without complementary action being taken in key policy sectors such as agriculture.
- Funding is the strongest influence on implementation of the Directives (through LIFE and CAP agri-measures) but shortages are now limiting progress. Other important influences include political support at the national level, enforcement, stakeholder awareness and involvement, unintended effects of certain incentives and other policies, capacity of competent authorities.

Efficiency (a comparison of the inputs used in a certain activity and produced outputs)

- Studies indicate that the benefits of the site and species protection ensured by the Directives greatly exceed the costs of implementation at the EU, national and local levels.
- Costs/inputs: The direct cost of designating, protecting and managing Natura 2000 sites estimated at €5.8 billion annually; opportunity costs where protection restricts development, and use change and land management; administrative burdens of compliance with Directives' site and species protection rules.
- Benefits/outputs: Protecting habitats and species; safeguarding the delivery of ecosystem services estimated at €200-300 billion annually for the Natura 2000 network alone; implementation benefits local communities through job creation and tourism estimated at €50-85 billion for Natura 2000 sites.

Relevance (Is legislation still valid, necessary and appropriate?)

- Most frequent pressures on biodiversity are linked to agriculture, fisheries, pollution, hunting, fishing, building and climate change. If fully implemented Directives provide a framework to protect species from above threats but to really tackle these threats Directives need to be integrated with policies in other sectors.
- Annexes: Do they need to be updated? National authorities argue that these should be updated to reflect taxonomic changes, new scientific information and changes in status. Nature conservation NGOs, some national authorities and businesses argue that it is more important to properly implement directives as they are now rather than risk legal uncertainty through further updates.

- The Directives make positive contributions to sustainable development having been designed to allow economic development when compatible with the Directives biodiversity objectives. There is no evidence that they constrain sustainable development.
- An unprecedented participation in consultation for evidence (over 520,000 citizen responses) providing strong consensus that there is a need for nature protection (80%); that environmental decisions should be taken jointly between national governments and the EU (60%); that EU Directives are significant for the protection nature (77%). Most Europeans think that their governments (70%) and the EU (56%) are not doing enough for nature; that protected areas should be expanded (89%) and that existing conservation rules should be strengthened.

Coherence (are Directives logical and coherent within a single Directive, between Directives and with other legislation)

- The Birds and Habitat Directive is largely coherent despite differences in scope and operational measures and the Nature Directives are coherent with the objectives of EIA, SEA and Environmental Liability Directives. Inconsistences have been largely addressed (for example Article 7). European legislation is generally consistent with international and global commitments to nature and biodiversity.
- There are many funding instruments that provide support to biodiversity and Natura 2000 but only LIFE provides dedicated support whereas other streams target rural, regional, infrastructural, social and scientific development. Evidence is mixed on the extent to which nature and biodiversity are successfully integrated into these funding programmes.
- CAP and Nature Directives can be complementary but much depends on Member State implementation choices. Pillar 2 funded measures are the primary means of supporting management practices that are beneficial to biodiversity. Without these the conservation status of agricultural habitat and species would be worse than it currently is. However the CAP could contribute more to the goals if Member States tailored and targeted their measures more towards biodiversity priorities.
- Transport policy and Directives: potential threats are being integrated in plans but conflict still exists.
- Limited evidence on impact of Directives on internal market. A common approach is vital to avoid a race to the bottom in environmental standards and gives business legal certainty. However, different implementation approaches across states have disadvantaged some economic operators.

EU Added Value (the benefits/changes resulting from implementation of the EU Nature Directives additional to those that would have resulted from action taken at national ad/or regional levels)

- The transnational character of nature justifies EU level action as a more effective way to achieve the conservation objectives of the Directives.
- The Natura 2000 network has led to an increase in the extent and coherence of land and marine protected areas
- The species protection standards have led to the control of illegal hunting practices and to the reversing of declines across a range of Annex I bird species. This would have been almost impossible to achieve by Member States acting separately.

- EU action for the preservation and restoration of Europe's biodiversity remains urgent given the continued decline of biodiversity in the EU. Without EU enforcement and pressure the implementation of the Nature Directives would have been weaker and more action is still needed.