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From: General Secretariat of the Council

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To: Delegations

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Subject: EU Action Plan for nature, people and the economy
- Council conclusions (19 June 2017)

Delegations will find in the Annex Council conclusions on the EU Action Plan for nature, people and the economy, adopted by the Council at its 3550th meeting held on 19 June 2017.

EU Action Plan for nature, people and the economy
- Council conclusions -

THE COUNCIL OF THE EUROPEAN UNION:

RECALLING the new global 2030 Agenda for Sustainable Development adopted by the United Nations General Assembly at its 70th session on 25 September 2015 and STRESSING the key objectives of the General European Union Environment Action Programme to 2020 ‘Living well, within the limits of our planet’ (the seventh Environment Action Programme - 7th EAP) ¹;

RECALLING its conclusions of 16 December 2015 on the Mid-Term Review of the EU Biodiversity Strategy to 2020 ²;

RECALLING its conclusions on the European Court of Auditors' Special Report No. 01/2017 entitled 'More efforts needed to implement the Natura 2000 network to its full potential' ³;

NOTING that, while hosting some of the most densely populated areas in the world, Europe also has a very rich and diverse natural heritage, which is an inherent and vital component of Europe’s natural, social, cultural and economic capital, and must therefore be protected, cared for and conserved for the benefit of nature, people and the economy;

¹ Decision No 1386/2013/EU of 20 November 2013.

² 15389/15.

³ 9645/17.

UNDERLINING that the Nature Directives ⁴ are essential components of European nature protection and that they have so far played a vital role in the attainment of this objective; and RECONFIRMING their important role in achieving the targets of the CBD Strategic Plan for Biodiversity 2011-2020, including the Aichi Biodiversity targets, the 2030 Agenda for Sustainable Development and the Paris Agreement on climate change;

RECOGNISING that the conservation status of a number of species and habitats protected under the Nature Directives, despite many efforts, continues to be under serious pressure from unsustainable practices in economic sectors such as agriculture, forestry, fisheries and infrastructure as well as the impact of climate change and of alien invasive species;

STRESSING that the comprehensive evaluation of the Nature Directives known as the 'Fitness Check' undertaken by the Commission under its commitment to Better Regulation, in consultation with the Member States and a diverse range of stakeholders, including citizens, has found that, as a cornerstone of broader EU biodiversity policy, the Nature Directives are fit for purpose but that achieving their objectives and realising their full potential can only be accomplished by substantially improving their implementation ⁵;

OBSERVING that the Fitness Check has identified important gaps in the effectiveness and efficiency of the implementation of the Nature Directives and has identified the need for further action, including working in partnership with different stakeholder communities in the Member States and across the EU to deliver practical results on the ground, enhancing the integration of nature objectives into other policy areas, improving knowledge and access to data, strengthening enforcement and allocating additional resources;

⁴ Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) — OJ L 206, 22.7.1992, p. 7 and Directive 2009/147/EC on the conservation of wild birds (Birds Directive) — OJ L 20, 26.1.2010, p. 7.

⁵ 15671/16 - SWD(2016) 472 final (Commission Staff Working Document: Fitness Check of the EU Nature Legislation (Birds and Habitats Directives)).

RECOGNISING that the Fitness Check has shown that where targeted action takes place on a sufficient scale, the status of species and habitats improves, sometimes leading to remarkable recoveries;

UNDERLINING that Europe's natural heritage is inextricably linked to the quality of life of its citizens and to various sectors of Europe's economy and that investing in nature conservation and its sustainable use offers opportunities and value for nature, people and the economy;

WELCOMING the establishment of a 'European Natura 2000 Day' to be celebrated on 21 May each year through awareness-raising events and networking activities to be organised all over the EU;

1. WELCOMES the Commission's Communication on an Action Plan ⁶ to help improve and boost the implementation of the Nature Directives and the delivery of their objectives, as well as to strengthen their coherence with socio-economic objectives and to mobilise engagement with national, regional and local authorities, stakeholders and citizens;
2. HIGHLIGHTS the importance of further stakeholder engagement at national, regional and local level, given the strong territorial dimension of the Nature Directives;
3. WELCOMES the role that the EU institutions can play in supporting the delivery of the Action Plan, and in particular the Committee of the Regions as regards outreach and building ownership at regional and local level;
4. While taking into account economic, social, cultural and regional requirements, in line with the Habitats Directive, ACKNOWLEDGES the potential of the Action Plan to contribute to improving the practical implementation of the Nature Directives and moving closer towards the EU 2020 goal of halting and reversing the loss of biodiversity and ecosystem services ⁷, thus benefitting Europe's nature, people and economy;

⁶ 8643/17 - COM(2017) 198 final + ADD 1 - SWD (2017) 139 final.

⁷ 9658/11 - COM(2011) 244 final.

5. RECOGNISES that the four priority areas of the Action Plan respond to the findings of the Fitness Check, and thereby:

Under Priority A: Improving guidance and knowledge and ensuring better coherence with broader socioeconomic objectives

6. Without jeopardising the conservation objectives and requirements set within the Nature Directives, RECOGNISES that the flexibility of implementation approaches that take into account specific national circumstances contributes to the reduction and progressive elimination of unnecessary conflicts and problems between nature protection and socioeconomic activities, as well as to addressing the practical challenges resulting from the application of the annexes to the Directives;
7. In this context, WELCOMES the fact that the Commission, in close cooperation with the Member States, will update, develop and actively promote clear guidance and knowledge in all official languages of the EU to support the implementation of the Nature Directives, including updating by 2018 the guidance document on species protection rules and species action plans, whilst ensuring greater coherence between Europe's broader socioeconomic objectives and nature policy and engaging with stakeholders, land and marine users to explore smarter participative approaches;
8. WELCOMES the Commission's initiative to develop guidance on the integration of ecosystem services into decision-making, allowing for potential positive impacts on human wellbeing as well as sustainable economic growth and social development;
9. WELCOMES the support mechanism that the Commission will establish to help Member State authorities address key challenges in applying the Nature Directives' requirements related to permitting procedures, without jeopardising the application of the principle of subsidiarity, and ENCOURAGES national, regional and local authorities to make full use of these opportunities;

10. AGREES that traditional, practical and scientific knowledge and access to data and information is key for the effectiveness and efficiency of conservation measures and, ultimately, the Nature Directives, and that continued efforts at all levels are needed to deliver improvements in these areas, including through effective and efficient monitoring and appropriate reporting by the competent authorities, and through public online access to knowledge and information necessary for the implementation of the Nature Directives;

Under Priority B: Building political ownership and strengthening compliance

11. While taking into account the dynamic nature of ecosystems, RECOGNISES that the completion and effective management of the Natura 2000 network and the establishment and implementation of the necessary conservation measures for all sites are key actions towards achieving the Directives' objectives, and are primarily a responsibility of Member States, therefore CALLS UPON national, regional and local authorities to increase efforts in these areas;
12. ACKNOWLEDGES the Commission's commitment to increase support to Member States in achieving this objective and the crucial role of stakeholder awareness and cooperation; in this regard, RECOGNISES the beneficial role of stakeholder platforms in promoting good practices and practical solutions under the Nature Directives;
13. UNDERSCORES the need to build and maintain political ownership for the implementation of the Nature Directives and to strengthen compliance, and WELCOMES the Commission's support to improve synergies between relevant EU Directives, Regulations, programmes and other policies;
14. WELCOMES the voluntary, dedicated bilateral dialogues between the Commission and Member States within the framework of the new Environmental Implementation Review process, aimed at addressing structural problems, responding to the needs of Member States and reflecting data submitted by them; CONSIDERS that the Environmental Implementation Review process complements and is without prejudice to compliance;

15. UNDERLINES the importance of focussed discussions at the biogeographical level to share experience, expertise and solutions regarding structural and cross-border challenges, as well as thematic discussions across those biogeographical regions and the importance of investing in capacity-building with a view to enhancing implementation and gaining experience on transboundary management of species; and WELCOMES the development of roadmaps as a possible tool for cooperative action in the context of the Natura 2000 Biogeographical Process;
16. UNDERLINES that improving the conservation status of protected species and habitats requires concerted action by Member States, especially in certain cases such as when considering migratory species, and RECOGNISES that Species and Habitats Action Plans may, among other tools, be appropriate to reach this goal and SUPPORTS their further development and implementation in collaboration with relevant international Conventions and Agreements;

Under Priority C: Strengthening investment in Natura 2000 and improving synergies with EU funding instruments

17. RECOGNISES that funding shortages are a key obstacle preventing the Natura 2000 network from delivering its benefits in full and are a major factor undermining the effective implementation of the Nature Directives, and, therefore, UNDERLINES the need to ensure predictable, adequate, regular and targeted EU financing; in this regard, ENCOURAGES the Commission to reflect on ways to better integrate nature protection into EU funding;
18. RECOGNISES the need to further improve multiannual financial planning for investment in nature, and, having regard to Article 8 of the Habitats Directive, AGREES that there is a need to update and improve the Prioritised Action Frameworks (PAFs), notably through a simplified template, in view of the next programming period, taking into account the experience of the current PAFs;

19. CALLS on the Commission and the Member States to more effectively integrate Natura 2000 and wider biodiversity with the common agricultural policy, cohesion policy, common fisheries policy, integrated maritime policy and research and innovation policy, and RECOGNISES the potential of these policies to positively contribute to the attainment of the objectives of the Nature Directives;
20. RECOGNISES the strategically important role of the LIFE programme and WELCOMES the Commission proposal for an increase in dedicated funding for nature and biodiversity within the current LIFE envelope, increasing opportunities for investment in Natura 2000 and other green infrastructure;
21. HIGHLIGHTS the particularly important role of the European Agricultural Rural Development Fund under the Common Agricultural Policy (CAP) and WELCOMES Commission plans to evaluate the impact of the CAP on biodiversity until 2019 that take into account proportionate control and verification requirements and also ensure compliance with the delivery of environmental outcomes, in order to further develop schemes that are adapted to the needs of Natura 2000 as well as of other high-value nature areas, including through results- and value-based payment approaches and training for farmers through Farming Advisory Services;
22. HIGHLIGHTS the importance of an updated needs assessment for the implementation of the Nature Directives, and of assessing the actual use of financial allocations for biodiversity protection, including Natura 2000, with a view to ensure their effective use during the current multiannual financial framework, and REITERATES its call for the Commission to analyse the effectiveness of the integrated approach for biodiversity financing ⁸;

⁸ 15389/15 - Council conclusions on the Mid-Term Review of the EU Biodiversity Strategy to 2020, paragraph 13.

23. RECALLS its conclusions on the European Court of Auditors' Special Report, acknowledging the need for funding schemes to be tailored more effectively to the specific objectives of Natura 2000 and agreeing with the recommendation that the Commission establishes cross-cutting Natura 2000 indicators for all relevant EU funds for the next programming period and HIGHLIGHTS the need for Member States to include indicators and targets for the relevant funds specific to Natura 2000 and to allow for more precise and accurate tracking of the results generated by Natura 2000 funding;
24. UNDERLINES the importance of stimulating private sector investment in nature, and NOTES the support for biodiversity-related projects under the Natural Capital Financing Facility (NCFF), as well as the development of pilot projects to promote private land stewardship and better involvement of the finance sector;
25. WELCOMES the development of guidance to support strategic deployment of green infrastructure that contributes to the goals of the Nature Directives, particularly through better connectivity of Natura 2000 in a cross-border context; and in this regard REITERATES its call on the Commission to put forward a proposal for a trans-European network for green infrastructure (TEN-G) ⁹;
26. *Under Priority D: Better communication and outreach, engaging citizens, stakeholders and communities*
27. UNDERSTANDS that the success of the Action Plan ultimately depends on the awareness and engagement of Europe's citizens and all other stakeholders, including land-owners, and on the strengthening of links between natural and cultural heritage, and hence SUPPORTS the Action Plan's objective of strengthening and promoting such engagement at all levels, particularly at the local level and through the involvement of young people with the European Solidarity Corps;

⁹ 15389/15 - Council conclusions on the Mid-Term Review of the EU Biodiversity Strategy to 2020, paragraph 30.

28. NOTES that Member States are responsible for the implementation of the Nature Directives and ENCOURAGES the Commission, alongside national, regional and local authorities, to promote and implement the Action Plan in order to help them attain the objectives of the Nature Directives;
29. RECOGNISES that the timeframe for delivery of the Action Plan is short and therefore URGES the Commission to monitor its delivery across the 15 actions identified therein, in close collaboration with the Member States and the EU institutions, in particular the Committee of the Regions, the European Environment Agency, and all other relevant stakeholders.
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