



# Procedure file

Basic information		
INI - Own-initiative procedure	<a href="#">2009/2108(INI)</a>	Procedure completed
Report on the implementation of EU legislation aiming at the conservation of biodiversity		
Subject		
3.70 Environmental policy		
3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity		
8.50.01 Implementation of EU law		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>ENVI</b> Environment, Public Health and Food Safety		16/10/2009
		PPE <a href="#">DE LANGE Esther</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>PECH</b> Fisheries		30/09/2009
		Verts/ALE <a href="#">LÖVIN Isabella</a>	
	<b>PETI</b> Petitions		03/11/2009
		S&D <a href="#">BOȘTINARU Victor</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Environment</a>	<a href="#">2988</a>	22/12/2009
European Commission	Commission DG	Commissioner	
	<a href="#">Environment</a>	POTOČNIK Janez	

Key events			
19/10/2009	Committee referral announced in Parliament		
22/12/2009	Resolution/conclusions adopted by Council		Summary
14/07/2010	Vote in committee		Summary
26/08/2010	Committee report tabled for plenary	<a href="#">A7-0241/2010</a>	
20/09/2010	Debate in Parliament		
21/09/2010	Results of vote in Parliament		
21/09/2010	Decision by Parliament	<a href="#">T7-0325/2010</a>	Summary
21/09/2010	End of procedure in Parliament		

Technical information	
Procedure reference	2009/2108(INI)
Procedure type	INI - Own-initiative procedure

Procedure subtype	Implementation
Legal basis	Rules of Procedure EP 142-p2
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/7/00822

### Documentation gateway

Committee opinion	<b>PECH</b>	<a href="#">PE438.457</a>	08/04/2010	EP	
Committee draft report		<a href="#">PE441.267</a>	14/05/2010	EP	
Committee opinion	<b>PETI</b>	<a href="#">PE438.222</a>	01/06/2010	EP	
Amendments tabled in committee		<a href="#">PE442.978</a>	10/06/2010	EP	
Committee report tabled for plenary, single reading		<a href="#">A7-0241/2010</a>	26/08/2010	EP	
Text adopted by Parliament, single reading		<a href="#">T7-0325/2010</a>	21/09/2010	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2010)8656/2</a>	10/02/2011	EC	

## Report on the implementation of EU legislation aiming at the conservation of biodiversity

The Council adopted conclusions on international biodiversity beyond 2010.

Alarmed by the increasing rate of biodiversity loss and the deterioration of ecosystem functions and services due to anthropogenic pressure, and the threat this poses to economic prosperity, social welfare and human well-being, the Council underlines the importance of maintaining biodiversity and avoiding irreversible damage to ecosystems and their functions, both for ethical reasons, respecting the recognition of the intrinsic value of biodiversity, and to secure social and economic stability, mitigate and adapt to climate change, and reach the Millennium Development Goals.

For the EU to actively participate in the deliberations at global level on a vision and on targets for biodiversity beyond 2010, the Council stresses the need to establish a vision and targets beyond 2010 for the conservation and sustainable use of biodiversity within the EU.

The Council highlights the importance of re-energising the political momentum to strengthen efforts to protect biodiversity and implement the Convention on Biological Diversity (CBD) through, inter alia, the adoption of a revised and ambitious Strategic Plan for the Convention at COP 10. The Council underlines the need for the EU to agree on ambitious negotiating positions in preparing for the tenth meeting of the Conference of the Parties to the CBD in Nagoya, Japan, October 2010.

The Council emphasises that a long-term global vision for the conservation and sustainable use of biodiversity should take account of the links between biodiversity, ecosystem functions and services, climate change, desertification, economic prosperity, food security, health, long-term human well-being and the eradication of poverty. It recognises the key importance of targeted research to enhance our understanding of and generate the necessary scientific knowledge base for how biodiversity should be managed to provide goods and services sustainably.

The Member States and the Commission are invited to:

- assess the value of ecological assets and seize the opportunity to invest in the natural capital;
- promote research and capacity development for the sustainable use of agro-biodiversity;
- implement and further strengthen the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA);
- enhance innovative financing, and engage in a global discussion on the need and possible modalities for innovative systems for payments of ecosystem services (financing of ecosystem services).

The Council also acknowledges the need:

- for targeted and strengthened actions to effectively reverse the loss of forest cover and the loss of forest biodiversity;
- to actively promote the establishment in 2010 of an efficient and independent mechanism, building on and complementing existing bodies and processes, to improve and strengthen the science-policy interface on biodiversity and ecosystem services;
- to reverse the loss of freshwater, marine and coastal biodiversity, and accelerate the implementation of the 2012 target on the establishment of a global and coherent representative network of marine protected areas.

Consequently, the Council agrees to pursue the following key strategic principles in the deliberations on the CBD Strategic Plan and the development of a vision and targets beyond 2010:

The Strategic Plan should:

- provide an effective framework for implementing the CBD and contribute to a coherent and coordinated approach to the implementation of biodiversity-related frameworks and agreements and at the international, regional and national levels;
- include a long-term (e.g. 2050) global vision complemented by a short-/medium-term (e.g. 2020) mission, including strategic, measurable, achievable, realistic and time-bound targets based on best-available scientific evidence, building on existing CBD and other relevant biodiversity-related targets;
- facilitate the adoption of appropriate targets for sectors, ecosystems and pressures, complemented by actions designed to achieve substantial, measurable and cost-effective progress at all levels;
- be accompanied by clear and operational indicators to monitor progress in implementation, building on the existing framework and recognising the urgent need to improve the monitoring and evaluation systems for biodiversity and to provide a more complete set of indicators;
- facilitate adaptation to local conditions, participatory approaches and effective communication strategies, enable institutional learning evolving from sound management and scientific studies, and allow for future revisions of targets and indicators based on best available scientific knowledge and evidence.

The long-term global vision and the short-/medium-term mission for biodiversity should:

- be fully endorsed at the highest political level, in order to be recognised as a common vision for all biodiversity-related processes;
- communicate the urgency and scale of the problem and necessary responses in a way that is understandable to a wide audience, encourages commitments of civil society at large and fosters collective action;
- identify and address indirect and direct drivers of biodiversity loss, reflect the full range of values of biodiversity and ecosystem functions, goods and services, and encourage sustainable use of ecosystem goods and services as well as better integration of the true economic value of biodiversity and ecosystem services into policy frameworks, economic planning and national accounting;
- provide a comprehensive framework for relevant sectoral and cross-sectoral policies, programmes and strategies as well as in planning processes, and wherever feasible, address drivers, pressures and responses to the loss of biodiversity and ecosystem services as well as incentives for sustainable use.

## Report on the implementation of EU legislation aiming at the conservation of biodiversity

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The Committee on the Environment, Public Health and Food Safety adopted the own-initiative report drawn up by Esther de LANGE (EPP, NL) on the implementation of EU legislation aiming at the conservation of biodiversity. It is deeply concerned about the very fast pace of human-induced biodiversity loss which, if it continues as in the last decades, will leave us with an irreversibly damaged nature by 2050, and underlines that functioning ecosystems are a prerequisite for our subsistence. Members cite the fact that the health check of species and habitat types protected under the Habitats Directive shows that a majority of species have an unfavourable conservation status, that the extinction rate is disturbingly high ? according to certain estimates the biodiversity rate has fallen by 30% in the last 40 years ? and that the drivers of excessive biodiversity loss show no evidence of declining. The committee is also deeply concerned about the absence of any sense of urgency in halting the loss of biodiversity in the international political agenda. .Members call for improved biodiversity governance in internal as well as in external relations.

The EU and biodiversity: Members deeply regret that the EU?s objective, as agreed to at the Gothenburg Summit in 2001, to halt biodiversity loss by 2010 has not been met and shares the concern expressed by many petitioners to the European Parliament. They also welcome the conclusions on biodiversity of the Environment Council of 15 March 2010, including the new headline target of halting the loss of biodiversity in the EU by 2020. Given the global character of biodiversity and ecosystem services and their crucial role for sustainable development, reducing poverty and improving health, the committee is convinced that the future EU strategy must also step up EU international efforts to avert biodiversity loss, as studies such as The Economics of Ecosystems and Biodiversity (TEEB) have delivered sufficient evidence that doing this is cost effective and feasible, and thereby contribute more effectively to achieving the Millennium Development Goals by 2015. Members also stress the need for a common EU policy to tackle the problem of invasive alien species.

Natura 2000: the committee remains concerned, despite the positive results achieved by some Member States in the conservation status of several species, about the full implementation of Natura 2000 legislation. It urges Member States to give higher priority to the implementation of Natura 2000. It is dismayed at the failure of Member States to respect the deadlines laid down in the Directives. Members also express concern about the lack of progress in the establishment of the Natura 2000 network in the marine environment and ask for an acceleration of the necessary procedures, calling on the Commission to adopt a model network of marine protected areas (MPAs) making it possible to reconcile preserving the environment and practising sustainable fishing.

The report takes note of a certain unavoidable degree of subsidiarity in EU environmental legislation, but is concerned that this degree of flexibility can lead to abuses by Member States when implementing it. It regrets the striking differences between Member States regarding, for example, the ?external effect? of Natura 2000 sites, block exemptions for certain ?existing activities? or the application of the precautionary principle. It calls for inquiries into whether the Member States in question are not applying the rules in such a way as to hamper the effective achievement of the intended biodiversity goals. Members also express concern about the lack of cross-border cooperation, which can lead to identical areas being approached differently.

Integration into other policy areas: the committee is convinced that the Natura 2000 land and marine network is not the only EU instrument for biodiversity conservation, but that a more integral approach is needed for the EU biodiversity policy to be successful. It calls on the Commission to ensure a further mainstreaming of biodiversity into other EU policy areas ? such as agriculture, forestry, fisheries, regional policy and cohesion, energy, industry, transport tourism, development cooperation, research and innovation ? in a mutually reinforcing way and to make the EU?s sectoral and budgetary policies more consistent. Members stress the great opportunities that exist, particularly in the common agricultural policy, regional policy and the common fisheries policy, to give biodiversity a higher priority, and discuss the role that the CAP and fisheries policy could play in achieving the EU?s biodiversity objective.

Economic value of biodiversity: Members recognise the considerable job potential that is linked to activities connected to tackling the loss of biodiversity and to the development of a sustainable economy and green infrastructure, which by their nature would imply local jobs (which cannot be relocated to third countries), thus contributing considerably to the EU's 2020 Strategy. They draw particular attention to the development of eco- and agri-tourism, whereby recreation and conservation are mutually reinforcing. The committee recognises that rising levels of materials production, trade, and consumption are an important driving force behind biodiversity loss, and therefore calls for measures to develop resource efficiency and sustainable consumption and production policies.

Financing: whilst taking note of the Commission's estimates in 2004 for the annual cost of managing the Natura 2000 network at EUR 6.1 billion, Members point out that according to the TEEB report, the return on biodiversity conservation investment is up to a hundred times more. They deplore the fact that no additional sources of funding for the implementation of the NATURA 2000 directives have been made available by the Commission, and that a clear breakdown of the actual amounts being spent per annum on biodiversity conservation in the EU is lacking. Member States and the Commission must cooperate to provide a clearer picture. The committee believes that the Community should take greater responsibility for safeguarding natural values in the Natura 2000 network, particularly in the context of funding. It welcomes the increase in spending for LIFE+ (+ 8% in the 2011 draft budget), but underlines that this instrument continues to represent only a very small part of the EU budget (0.2%). The report notes, moreover, that EU-funded conservation measures are not always continued once Community financing stops. It expects that budgetary constraints will make it more necessary than ever to achieve high added value and increased effectiveness of European spending, including biodiversity spending. Members therefore underline the need to gain greater insight into the effectiveness of biodiversity spending and call on the Commission to provide examples of good practice in terms of effectiveness and added value. They add that public spending alone will not suffice to reach the EU headline target and underline the importance of corporate responsibility to also take into account biodiversity. They call on the Commission to look into means of implementing policies that encourage positive investments and discourage investment which impacts on biodiversity, in both the public and private sectors.

International aspects: the report expresses concern about the failure to realise or even approach the global target to reduce the rate of biodiversity loss by 2010 and the implications of the continuous biodiversity loss for the MDGs. It calls on the Commission and Member States to support the mainstreaming of biodiversity into global processes such as the MDGs. Members urge the Commission to support the creation of an intergovernmental platform for policies in the field of biodiversity and ecosystem services science, under the auspices of the United Nations Environment Programme, and to help create that platform. They want to see the mainstreaming of environmental sustainability in relations with third countries alongside respect for social rights and guarantees regarding the protection and participation of local communities in decision-making processes, with particular regard to soil use and forest protection and to continue the 'Green Diplomacy'. Lastly, the committee insists that, in international trade agreements, sustainability of the products being traded is a key element, and underlines the need to incorporate 'non-trade concerns', including production methods and respect for biodiversity, in any future WTO agreement.

## Report on the implementation of EU legislation aiming at the conservation of biodiversity

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The European Parliament adopted a resolution on the implementation of EU legislation aiming at the conservation of biodiversity. It is deeply concerned about the very fast pace of human-induced biodiversity loss which, if it continues as in the last decades, will leave us with an irreversibly damaged nature by 2050, and underlines that functioning ecosystems are a prerequisite for our subsistence. Members cite the fact that the health check of species and habitat types protected under the Habitats Directive shows that a majority of species have an unfavourable conservation status, that the extinction rate is disturbingly high according to certain estimates the biodiversity rate has fallen by 30% in the last 40 years and that the drivers of excessive biodiversity loss show no evidence of declining. They underline that ongoing studies, such as the Economics of Ecosystems and Biodiversity (TEEB) study, estimate that the welfare loss from biodiversity loss is currently around EUR 50 billion per year (just under 1% of GDP), rising to EUR 14 trillion or 7% of estimated GDP per year in 2050. Parliament is also deeply concerned about the absence of any sense of urgency in halting the loss of biodiversity in the international political agenda. Members call for improved biodiversity governance in internal as well as in external relations.

The EU and biodiversity: Members deeply regret that the EU's objective, as agreed to at the Gothenburg Summit in 2001, to halt biodiversity loss by 2010 has not been met and shares the concern expressed by many petitioners to the European Parliament. They welcome the conclusions on biodiversity of the Environment Council of 15 March 2010, including the new headline target of halting the loss of biodiversity in the EU by 2020. Given the global character of biodiversity and ecosystem services and their crucial role for sustainable development, reducing poverty and improving health, the Parliament is convinced that the future EU strategy must also step up EU international efforts to avert biodiversity loss, as studies such as have delivered sufficient evidence that doing this is cost effective and feasible, and thereby contribute more effectively to achieving the Millennium Development Goals by 2015. Members also stress the need for a common EU policy to tackle the problem of invasive alien species.

Natura 2000: despite the positive results achieved by some Member States in the conservation status of several species, Parliament remains concerned about the full implementation of Natura 2000 legislation. It urges Member States to give higher priority to the implementation of Natura 2000. It is dismayed at the failure of Member States to respect the deadlines laid down in the Directives. Members also express concern about the lack of progress in the establishment of the Natura 2000 network in the marine environment and ask for an acceleration of the necessary procedures, calling on the Commission to adopt a model network of marine protected areas (MPAs) making it possible to reconcile preserving the environment and practising sustainable fishing.

The resolution takes note of a certain unavoidable degree of subsidiarity in EU environmental legislation, but is concerned that this degree of flexibility can lead to abuses by Member States when implementing it. It regrets the striking differences between Member States regarding, for example, the 'external effect' of Natura 2000 sites, block exemptions for certain 'existing activities' or the application of the precautionary principle. It calls for inquiries into whether the Member States in question are not applying the rules in such a way as to hamper the effective achievement of the intended biodiversity goals. Members also express concern about the lack of cross-border cooperation, which can lead to identical areas being approached differently.

Integration into other policy areas: Parliament is convinced that the Natura 2000 land and marine network is not the only EU instrument for biodiversity conservation, but that a more integral approach is needed for the EU biodiversity policy to be successful. It calls on the Commission to ensure a further mainstreaming of biodiversity into other EU policy areas such as agriculture, forestry, fisheries, regional policy and cohesion, energy, industry, transport tourism, development cooperation, research and innovation in a mutually reinforcing way

and to make the EU's sectoral and budgetary policies more consistent. Members stress the great opportunities that exist, particularly in the common agricultural policy, regional policy and the common fisheries policy, to give biodiversity a higher priority, and discuss the role that the CAP and fisheries policy could play in achieving the EU's biodiversity objective.

**Economic value of biodiversity:** Members recognise the considerable job potential that is linked to activities connected to tackling the loss of biodiversity and to the development of a sustainable economy and green infrastructure, which by their nature would imply local jobs (which cannot be relocated to third countries), thus contributing considerably to the EU's 2020 Strategy. They draw particular attention to the development of eco- and agri-tourism, whereby recreation and conservation are mutually reinforcing. Parliament recognises that rising levels of materials production, trade, and consumption are an important driving force behind biodiversity loss, and therefore calls for measures to develop resource efficiency and sustainable consumption and production policies.

**Financing:** whilst taking note of the Commission's estimates in 2004 for the annual cost of managing the Natura 2000 network at EUR 6.1 billion, Members point out that according to the TEEB report, the return on biodiversity conservation investment is up to a hundred times more. They deplore the fact that no additional sources of funding for the implementation of the NATURA 2000 directives have been made available by the Commission, and that a clear breakdown of the actual amounts being spent per annum on biodiversity conservation in the EU is lacking. Member States and the Commission must cooperate to provide a clearer picture. Parliament believes that the Community should take greater responsibility for safeguarding natural values in the Natura 2000 network, particularly in the context of funding. It welcomes the increase in spending for LIFE+ (+ 8% in the 2011 draft budget), but underlines that this instrument continues to represent only a very small part of the EU budget (0.2%). It notes, moreover, that EU-funded conservation measures are not always continued once Community financing stops. It expects that budgetary constraints will make it more necessary than ever to achieve high added value and increased effectiveness of European spending, including biodiversity spending. Members therefore underline the need to gain greater insight into the effectiveness of biodiversity spending and call on the Commission to provide examples of good practice in terms of effectiveness and added value. They add that public spending alone will not suffice to reach the EU headline target and underline the importance of corporate responsibility to also take into account biodiversity. They call on the Commission to look into means of implementing policies that encourage positive investments and discourage investment which impacts on biodiversity, in both the public and private sectors.

**International aspects:** Parliament expresses concern about the failure to realise or even approach the global target to reduce the rate of biodiversity loss by 2010 and the implications of the continuous biodiversity loss for the MDGs. It calls on the Commission and Member States to support the mainstreaming of biodiversity into global processes such as the MDGs. Members urge the Commission to support the creation of an intergovernmental platform for policies in the field of biodiversity and ecosystem services science, under the auspices of the United Nations Environment Programme, and to help create that platform. They want to see the mainstreaming of environmental sustainability in relations with third countries ? alongside respect for social rights and guarantees regarding the protection and participation of local communities in decision-making processes, with particular regard to soil use and forest protection and to continue the ?Green Diplomacy?. Parliament insists that, in international trade agreements, sustainability of the products being traded is a key element, and underlines the need to incorporate ?non-trade concerns?, including production methods and respect for biodiversity, in any future WTO agreement.

Lastly, Members strongly regret the disappointing outcome of the CITES conference, where the main elements of the EU mandate were not realised, such as the protection of marine species of high commercial interest.