



# natura

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Retezat National Park, Carpathian mountains, Romania. Photo: Paul Goriup/Pisces Nature Photos.

## LOOKING TOWARDS THE EAST

**Because the Habitats and Birds Directives only apply to the Member States there is a part of Europe today that is not implicated in the Natura 2000 network. But is this reason enough to be ignoring the natural values of Central and Eastern Europe?**

At first sight, nature conservation does not appear to be an environmental priority in those candidate countries that wish to join the European Union. Air pollution, soil and water contamination as well as the risk of nuclear accidents are much more immediate and important concerns here, especially as these problems ignore frontiers. By acting positively in the candidate countries, one can reduce global pollution in Europe much more rapidly and often at little extra cost.

Yet, there are two good reasons for showing an interest already now in sites that could be included in an extended Natura 2000 network, covering Central and Eastern Europe. Firstly, because it is always cheaper to prevent than to cure. In other words, it is best to avoid the disappearance of areas of high natural value inherited from the old political system before the economic turn around takes its toll. Secondly, because the Union has to be coherent. How can it co-finance in 2001 or 2002 an infrastructure that would destroy a natural area destined to be included, in 2003 or 2004, in a Community network?

So, it is indeed today that one should be preparing to extend Natura 2000 towards the East ... and that is just what is happening (see pages 2-3).

*PS: The success of this newsletter has incited us to translate it in Spanish and Italian as well, and more surprises are in store for the next issue.*

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*The NATURA 2000 Newsletter is produced by the Nature Conservation Unit of the Environment Directorate General (DG XI.D.2) of the European Commission.*

# Extending Natura 2000 eastwards



Danube Delta, Romania. Photo: Paul Goriup/Pisces Nature Photos

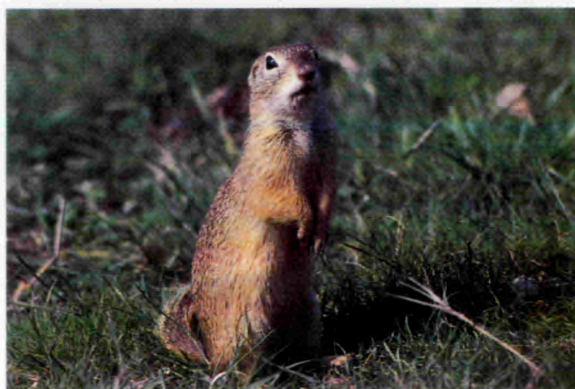
For some time now, the Community has been in dialogue with several European countries with a view to membership of the European Union. Formal discussions in the Environmental sector began in January 1999, with a screening exercise to find out just how far the Candidate Countries (CCs) have got with the adoption and implementation of EU law, and to identify any potential problems.

Conservation status is already quite high in most candidate countries. Each has a network of protected areas which means there is, in effect, a system that achieves at least some of the objectives of the Birds and Habitats Directives. This is further assisted by recent efforts on the part of most CCs to set up the Emerald network, under the auspices of the Council of Europe's Bern Convention.

### LIST OF CANDIDATE COUNTRIES (with ISO Codes)

Bulgaria (BG)	Cyprus (CY)
Czech Republic (CZ)	Estonia (EE)
Hungary (HU)	Latvia (LV)
Lithuania (LT)	Poland (PL)
Romania (RO)	Slovakia (SK)
Slovenia (SI)	

Souslik, *Spermophilus citellus*. Photo: Dr Zsolt Kalotás



Nevertheless, enlarging the EU may still mean having to adapt the existing Community conservation legislation to take into account new habitat types, new species, and possibly even three new biogeographical regions – the Pannonic, Steppic and Black Sea (map). The question is how will these issues be specifically addressed in the context of the Habitats and Birds Directives. Let us look at some of the key questions.

### “Can habitats and species be added to the existing Annexes of the Directives?”

The simple answer is “yes” provided certain conditions are met – one of the most important being that a proposed new habitat or species should be of **Community Interest** according to the criteria laid down in the Habitats Directive. There may, for example, be a species or habitat threatened in a CC. However, if it has a favourable status outside the Community, and it does not depend on the Community e.g. during migration, then the EU has no special responsibility for its preservation. Such a habitat or species is not of Community interest, and would not be a suitable candidate for inclusion in Annex I or II of the Habitats Directive or Annex I of the Birds Directive.

Useful starting points are the Bern Convention lists for species and the EUNIS classification system for habitats<sup>1</sup>. Priority will be given to habitats and species not already present in the EU. Species and habitat types already in the EU will have been evaluated in previous negotiations and are unlikely to be added now.

There is also a need to be pragmatic in this approach as the addition of hundreds or even tens of habitats and species would greatly increase the workload and could potentially compromise the effective establishment of the Natura 2000 network. Only species and habitats that will clearly benefit from EU protection should therefore be included.

### **“A species is protected in the EU but not threatened in a Candidate Country. Will the CC also have to protect it?”**

Members of the EU are obliged to offer protection to all naturally occurring wild bird species and to habitats and species listed in Annexes I and II of the Habitats Directive. Some species may however be exempted from this general rule. This may be on a geographical basis: annex II/2 of the Birds Directive, for example, lists birds which may be hunted on a country by country basis. Annex V of the Habitats Directive lists other species, such as brown bears and wolves, which may also be hunted, but only in certain parts of the Community. These are the so-called **geographical restrictions**. Alternatively, a Member State has the right, under certain circumstances, to grant a specific waiver from the protection of a species or habitat under Article 9 of the Birds Directive and Article 16 of the Habitats Directive. This is a **derogation**.

When an exemption is justifiable on conservation grounds, which option – geographical restriction or derogation – should a potential new Member State then choose? There are arguments both ways.

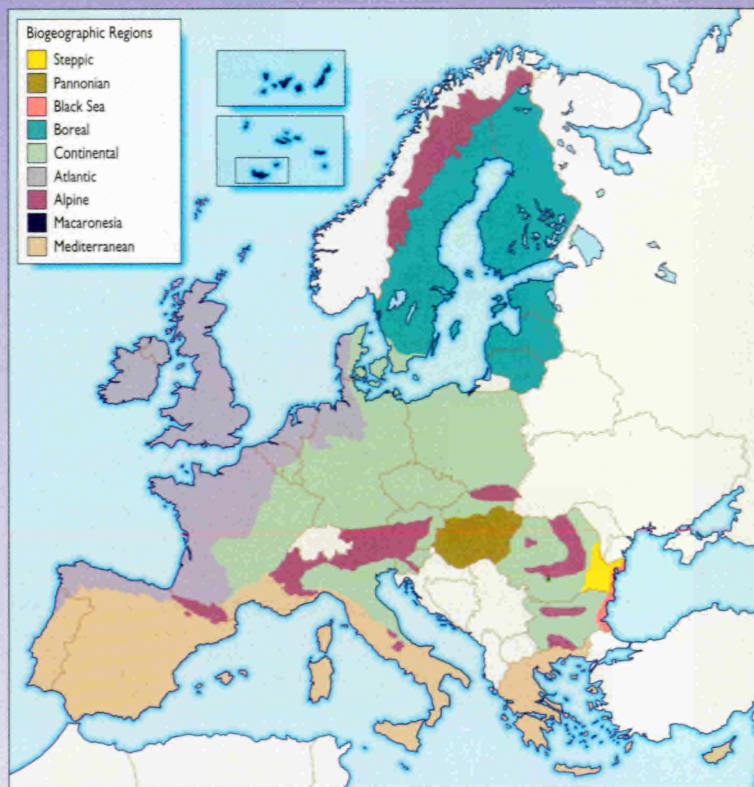
A restriction requires the agreement of all Member States, as it would necessitate amendments to the Directive, and could have legal implications for them. A derogation, on the other hand, has no effect on the other Member States, and can be given without reference to them by the Member State concerned. However, the derogation must be justifiable on the basis of a number of strict criteria. These include, for example, protection of (other) flora and fauna, livestock and public health and safety. Furthermore, the granting of a derogation requires two-yearly reporting to the Commission, and the latter is required then to give its opinion on the derogation.

Whichever route is chosen, proposals must be supported by full scientific justification. The existence of a hunting tradition will not in itself be convincing; solid evidence that the species can sustain itself despite hunting must be provided. For large predators, clear evidence that they present a danger to people or livestock is also essential.

### **“Will new Member States have a transitional period for setting up their contribution to Natura 2000?”**

The key step under the Birds Directive is the classification of Special Protection Areas, which is the direct responsibility of the Member States. In principle, the list of classified sites should be available no later than the date of accession.

Under the Habitats Directive, the Member States were required, as a first step, to submit a national list of proposed Sites of Community Interest (pSCIs). A timetable was laid down in 1992 (at



*The Habitats Directive's biogeographical regions are under review as part of the enlargement process.*

the time of the adoption of the Directive) for the various steps leading up to the establishment of the Community list of SCIs, but the deadlines will have passed. The national list for CCs should therefore be ready by the date of accession. However, the subsequent steps can only take place after accession. This means that it will be necessary to have special biogeographical seminars for the new Member States, followed by revision of the Community list.

The CCs will be invited as observers to attend the appropriate biogeographical seminars during the pre-accession period, so that they may begin to understand the system, and contribute towards development of the reference lists. However, the integration of their proposed SCIs will have to wait until after accession.

### **Conclusions**

These are just some of the questions under debate. Discussions will continue, both in formal negotiations and in informal seminars, study groups etc., in order to overcome these problems before the date of accession. Assistance will also be given to the CCs to enable them to build their species and habitats inventories and to draw up their site lists on time. In the meantime, the CCs can decide to join LIFE-Nature to help finance urgent practical conservation measures for habitats and species already listed in EU legislation or covered by the Emerald network.

1. European habitats classification system under development at the European Topic Centre for Nature Conservation, Paris.

## ON SITE

# The Azores' seabirds: knowing more of them to do more for them



Ponta do Marco, Ilha do Corvo. Photo: Luis Monteiro ImagDOP

### Born from the ocean floor: the Azores' unique heritage

Fifty million years ago a plume of magma from the Earth's mantle punched a hole in the crust at the exact spot where the European, North American and African plates meet. It has gone on erupting lava since, forcing these plates apart and creating a new ocean floor. Lava has even piled up high enough to rise above the sea as the nine islands and 26 islets making up the Azores, Europe's westernmost outpost, almost 2,000 km from Portugal in mid-Atlantic.

The Azores have a forbidding topography marked by rocky coastlines with boulder shores and cliffs up to 500 m tall. However, their subtropical and oceanic climate and the considerable enrichment of the usually low-productive Atlantic waters as a result of upwelling here, turn this archipelago into a rich ecosystem with 26 habitat types listed in Annex I of the Habitats Directive, 7 of which are priority, and an array of Annex II plant species. More than anything

else though, visitors to the islands are struck by their seabird communities, which represent an ornithological transition between the tropics and temperate zones and include internationally significant populations of six species listed under Annex I of the Birds Directive. Two of these are globally threatened: the roseate tern (*Sterna dougalli*) and Fea's petrel (*Pterodroma feae*).

### More science for more management

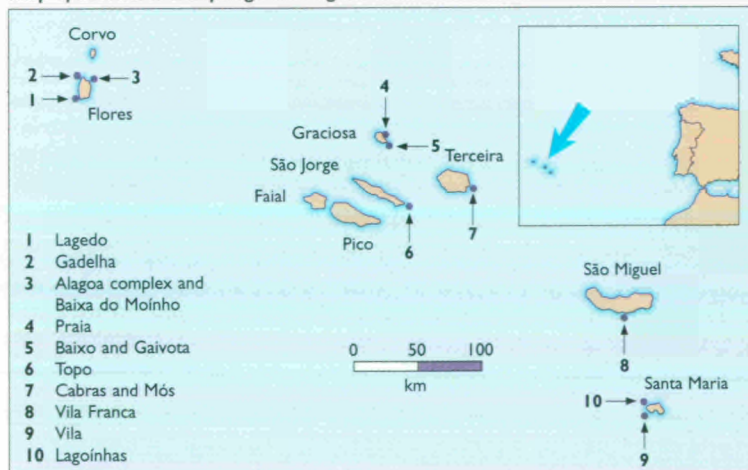
Because almost nothing was known about these populations, an international project on roseate and common terns, co-financed by ACE-Biotopes (the forerunner to LIFE), looked at the main threats and problems. Its studies were used to prepare the first Azorean SPA designations, in 1990: fifteen SPAs, including thirteen designed mainly for marine birds.

In order to manage these SPAs effectively, further work was required and in 1994 the Department of Oceanography and Fisheries of the University of Azores, the regional nature authority and an NGO successfully applied for a LIFE-Nature project. Running from 1995 to 1998, this project, which received technical help from RSPB and Glasgow University in the UK, had a two-pronged strategy. First of all, the scientific information from which management prescriptions could be distilled to maintain and improve marine bird populations, needed to be broadened. Then, once formulated, these measures had to be implemented, and to ensure their lasting success, a favourable social and political environment had to be created.

The first stage of the LIFE project brought a lot of new information to light:

- Habitat selection studies showed that the principal seabird colonies were composed of several different species, among whom competition for nesting sites was fierce. This lowered their breeding success. A curious interaction between birds and rabbits was also discovered. Many of the rare seabirds nest in rock crevices or burrows. When rabbits (an introduced species!) occur, they graze the vegetation, causing severe soil erosion which makes it difficult for the birds to excavate burrows, and by removing the plant cover, making the available nesting sites more conspicuous and therefore more vulnerable to predation.
- Alternative nesting areas were inadequate due to the presence of predators, exotic vegetation with dense roots and human disturbance.
- A new technique was developed which permitted a thorough and accurate census of the Cory's shearwater population in the Azores.
- New, previously unknown breeding sites were found for the little shearwater (more than 50 new sites!), Manx shearwater and Madeiran

Map of the Azores archipelago showing the main seabird islets.



storm petrel (6 new sites). Fortunately, these lay in areas of very difficult accessibility, free from human disturbance and rabbits.

- Studies of two of the newly-discovered Madeiran storm petrel colonies indicated that these populations should best be treated as two distinct species. The scientific community is currently debating their status.

### Field work for roseate terns

The regional authorities reacted positively to this work, stepping up their collaboration from 1996 onwards in vital areas like habitat recovery measures and surveillance. Restoration of the roseate tern breeding habitat was a priority, as all the known colonies were declining rapidly, due both to human disturbance during the breeding season as to the reduction of the vegetation cover by rabbit grazing. LIFE translated the newly-acquired knowledge into direct measures such as surveillance, controlling access, eradicating introduced rabbits and predators, constructing and placing artificial nests and managing the vegetation. Eradicating introduced mammals was a delicate matter, but fortunately the beneficiary was able to profit from the prior experience of another LIFE project, in the Ilhas Desertas (Madeira Archipelago), which eliminated introduced rodents and goats from an island to protect the endemic flora there. Consequently, eradication progressed rapidly and was completed in October 97, which clearly shows the importance of networking between projects.

### The human factor

To avoid disturbance, SPA surveillance was a must. Unfortunately, the administrative procedures needed to hire wardens turned out to be an unexpected difficulty, so that it proved impossible to build up a permanent surveillance team covering all the SPAs by the time the project ended. However, it did at least succeed in wardening the SPAs most prone to human pressure. One permanent surveillance job, funded by the regional administration, has already been created. This problem may be solved with the approval of new legislation regulating wardening as a profession, expected for next year.

The project also carried out a generally successful awareness campaign asking people not to trespass on nesting sites, to stop illegal hunting of the birds (which fortunately only happens sporadically), to help it keep down rabbit numbers and to join its rescue campaign for young birds disoriented by town lights. Information panels were erected to steer visitors away from sensitive sites. Mainly targeting younger people, as an effective campaign directed at them is probably a better guarantee of a good level of awareness in the near future, the project nevertheless also devoted some attention to their elders, traditionally less receptive towards conservation problems.

There was positive feedback from the local population, as witnessed by the municipalities of Praia and Santa Cruz da Graciosa which provided a boat, a vehicle and drivers to support the project's field work.

### Assessment

This LIFE project is a classic example of the importance of acquiring a sound knowledge base from which to formulate accurate and informed management prescriptions. It ensured the continuity of its work by training up teams which have carried on annual monitoring of the marine birds and their habitats through an agreement between the University of Azores and the regional administration. The scientific information it gathered is currently being used to revise the Azores SPA classification.

The project also succeeded in bringing together different bodies around a single cause. This partnership was vital in getting the management prescriptions carried out. Moreover, the partners kept cooperating after the end of the project, not only through the wardening and monitoring teams, but also in the shape of a new, shared project for managing coastal and marine zones, co-financed by LIFE-Nature. One of this new project's objectives is to promote sustainable tourism based on the Azores' rich birdlife.

What of the birds, though? The recovery of roseate tern colonies depends on habitat improvement, which takes time. Nevertheless, by project end in 1998 two of the four colonies targeted had already grown in size. At a fifth site the roseate tern had stopped breeding in 1993, but in 1997, the common terns, which had also disappeared, re-colonised this site and have been expanding since, reflecting the improvement in the nesting conditions. As roseate terns rarely nest in isolation, usually associating with other species such as the common tern, expectations are therefore high for their return to this site. Next April perhaps ... ?

### For further information on the project

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Roseate tern,  
*Sterna dougallii*.  
Photo:  
Paulo Magalhaes  
ImagDOP



# NATURA BAROMETER

(as of 30/4/99)

Member State	Birds Directive SPA Classification					Habitats Directive Proposed SCIs (stage I)				
	Number of SPAs	Total area (km <sup>2</sup> )	Area Maps	Information	Progress	Number of sites proposed	Total area (km <sup>2</sup> )	Site maps	Natura 2000 forms	National list
<b>België/Belgique</b>	36	4,313				102	913			
<b>Danmark</b>	111	9,601				194	10,259			
<b>Deutschland</b>	552	14,653				781	9,784			↑
<b>Ellas</b>	52	4,965				230	25,745			
<b>España</b>	174	33,582				684	74,907			↑
<b>France</b>	114	8,015				814	20,830 <sup>(1)</sup>			↑
<b>Ireland</b>	109	2,226				103	970			↑
<b>Italia</b>	202	9,472				2,480	49,304			
<b>Luxembourg</b>	13	160				38	352			
<b>Nederland</b>	30	3,522				76	7,078			
<b>Österreich</b>	73	11,931				113	9,450			
<b>Portugal</b>	36	3,323				65	12,150			
<b>Suomi</b>	439	27,500				1,380 <sup>(2)</sup>	47,113 <sup>(2)</sup>			
<b>Sverige</b>	301	22,820		0		1,919	46,300			
<b>United Kingdom</b>	194	7,850				333	16,885			
<b>EUR 15</b>	2,436	163,933				9,312 <sup>(2)</sup>	332,040 <sup>(2)</sup>			

(1) Data for some sites missing

(2) This figure is an estimate

Notes: Several Member States have designated significant parts of their coastal waters. Certain sites have been, totally or partially, proposed under both Directives. Only sites that have been formally and definitively proposed are taken into account in the Natura barometer. Some Member States have however also transmitted provisional lists of sites; these are given in brackets.

Keys: 0 no or insignificant classification



classification notably insufficient



classification incomplete



classification complete



list insignificant or not transmitted



partial but insufficient national list



substantial national list but information still incomplete



complete national list according to Member State, information transmitted is coherent



no transmission



incomplete information or partial transmission



complete for transmitted sites



computerised and coherent for transmitted sites



significant progress since last Natura barometer

For further information contact: Micheal O'Briain, DG XI.D.2 for SPA classification and Fotios Papoulias, DG XI.D.2 for proposed SCIs.

## NEWS ROUND UP

### The Natura Barometer: commentary on progress

Progress has been somewhat slower over this last period:

- Germany and France have increased their national lists of pSCIs by 179 sites (+1,080km<sup>2</sup>) and 162 sites (+5,630km<sup>2</sup>) respectively, although the quality of transmitted data is variable. Spain has submitted 96 sites for 4 autonomous regions, covering a total area of around 5,000 km<sup>2</sup>. Ireland continues to submit partial lists of sites on a regular basis, having added another 55 sites (+428 km<sup>2</sup>) to its national list.
- Luxembourg has supplied complete data and maps for its national list of pSCIs.

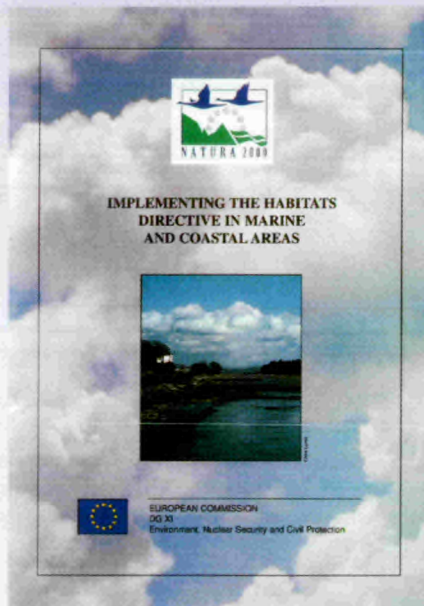
### The European Court finds in favour of protecting the Seine estuary

On the 18 March 1999, the European Court of Justice ruled (case C-166/97) that France had failed to comply with certain obligations under the Birds Directive by not classifying a sufficiently large area of the Seine estuary as a Special Protection Area (SPA) and not adopting the measures required to give the SPA that was classified sufficient legal protection. It did not, however, uphold the Commission's complaint that the construction of a titanogypsum factory was in one of the most important areas for birds. The ruling also helps to support the Commission's previous decision in 1998 concerning the co-financing of a large port development scheme under objective 2 of the Structural Funds. This co-financing was made conditional upon there being sufficient effective protection of the Estuary.

### The LIFE Week

"Put LIFE into your environment" will be the first meeting of all LIFE beneficiaries ever organised. It will be held in Brussels from 20 to 23 October 1999. The

event, also known as "the LIFE Week" will include a conference, an exhibition, a poster area and meeting areas. Its main objectives are to disseminate the results of LIFE projects and to raise awareness on the potential of LIFE. If you are or have been a LIFE, ACE or ACNAT beneficiary, make sure that you spare some time to attend this historical event. *For further information contact Stergios Varvaroussis, DG XI Information and Communication Unit. Fax + 322 296 9560 or e-mail [stergios.varvaroussis@dg11.cec.be](mailto:stergios.varvaroussis@dg11.cec.be)*



### Implementing the Habitats Directive in marine and coastal areas

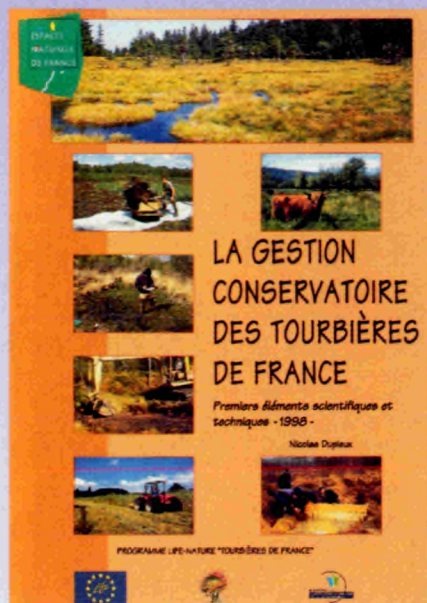
The Habitats Directive provides new opportunities for nature conservation in marine and coastal areas, but the complex character of this environment presents particular challenges for its sustainable use. These challenges were discussed at a seminar in Morecambe Bay, UK (see issue 4 of this newsletter). A selection of the presentations and the guidelines, agreed at the seminar, were also recently published in a DG XI technical report. *Copies available from Isabelle Venti DG XI.D.2*

### Combining commercial forestry and nature conservation in Finland

Forestry is big business in Finland – as much for individual landowners as for the large forestry companies. When the stakes are this high, it isn't easy to find ways for nature conservation and forest exploitation to operate side by side. Help may be at hand though, thanks to an innovative Finnish LIFE-Nature project on western taiga. The beneficiary, the Forestry Development Centre in Tapio, has drawn up a series of nature management plans for western taiga pSCI sites. Done with the help of forest and nature professionals, these plans have the full backing of private landowners. The Centre has now published a set of guidelines on how to elaborate such nature plans based on their experience, illustrating this with a real life example from the project. *The publication is only in Finnish but for further information contact Timo Soininen (in English), Forestry Development Centre of Tapio, Soidinkuja 4, Fin-00700 Helsinki, fax +358 9 156 2232, e-mail [timo.soininen@tapio.mailnet.fi](mailto:timo.soininen@tapio.mailnet.fi)*

### Seminar on saproxylic insects in hollow trees

The beneficiary of the LIFE funded project on the Hermit beetle, *Osmoderma eremita*, in Sweden (see issue 6 of this newsletter) is organising a symposium from 3–5 August on the above subject. The aim is to gather people from all over Europe to exchange information and experiences. The symposium is open to academics, field workers, government agencies and all others who have an interest in this subject. The seminar will be in English with some facilities for French and German. *Applications to be sent to Kjell Antonsson, the Provincial Government of Östergötland, S- 581 86 Linköping, Sweden fax + 46 131 96333 attendance fee is 300SEK.*



**Developing a national strategy for mires in France**

France has a particularly high diversity of mire types but, as elsewhere in Europe, many of these have been lost or damaged over the years. In 1995, 'Espaces Naturels de France' launched an ambitious mires project with the support of the French Ministry of Environment. Part of the process was to analyse 150 experiments on peatland management undertaken in recent years in France. The results are presented in a new handbook on fen and bog restoration. It describes the principal management and monitoring tools applied and uses 22 case studies to illustrate the practical complexities of dealing with such habitat types. "La Gestion Conservatoire des Tourbières de France" can be ordered from: *Espaces Naturels de France, 16, rue du Boeuf Saint-Paterne F-45000 Orléans, Price: 100 FRF Fax +33 238 81 06 55 enf@infonie.fr*

A similar publication has been produced under a second French LIFE Nature project, this time focusing on mires in the Midi-Pyrenees. The report provides detailed information on the distribution, conservation value and threats of close to 400 sites in the region. Practical conservation measures are described as well as existing legal and financial mechanisms. "Les tourbières de Midi-Pyrénées. Comment les conserver?" can be ordered from *Espaces Naturels de Midi-Pyrenees, 75 voie du Toec, F-31076 Toulouse price 210 FRF. Fax +33 5 61 15 29 70, ENMP@espaces-naturels.fr*

**Restoring bogs damaged by forestry in Scotland**

The Flow country in Scotland harbours the single largest expanse of blanket bog in Europe (around 400,000 ha). In the mid 80s, intense commercial forestry damaged significant tracks of this priority habitat type. Now, as the trees are starting to mature, the extent of the damage on the bog is becoming evident – as is the low economic value of forests themselves. In 1994, the Royal Society for the Protection of Birds launched a project under LIFE Nature, to experiment with different restoration techniques on drained and afforested bogs. The results are presented in a new report which provides practical advice on a variety of restoration methods used and gives up-to-date information on the capital costs associated with undertaking such work. "Identification and restoration of damaged blanket bog" can be ordered from *Martin Davies, RSPB +44 1767 683211*

**Internet sites**

Following on from the last issue, here is a second selection of web-sites on LIFE-Nature projects:

- Restoration and management of Buda Island, Spain <http://www.gencat.es/mediamb/buda/island.htm> (in Spanish and English)
- Preservation of arctic fox in Sweden and Finland: <http://www.zoologi.su.se/research/alopez/sefalo.htm> (in Swedish and English)
- Merenkurkku Archipelago, Finland <http://www.vyh.fi/lsu/life.htm> (in Finnish, with English summary)
- Saima ringed Seals in Finland <http://www.vyh.fi/tutkimus/yhthanke/life/pihla/pihla1.htm> (in Finnish)
- Marine SACs project in UK <http://www.english-nature.org.uk/uk-marine/index.htm> (in English)
- Conservation of the North Atlantic Turtles, Portugal <http://www.uma.pt/tartaruga/> (in Portuguese)

Projecto de Apoio à Conservação da Tartaruga Marinha *Caretta caretta* no Atlântico Norte  
**Universidade da Madeira**

**NATURA 2000 NEWSLETTER**

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