Habitats Directive – European experience
Croatia

Workshop
Kotor, November 2018

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Croatia
EU biodiversity strategy to 2020
« Our life insurance, our natural capital »

A 2050 VISION

*European Union biodiversity and the ecosystem services it provides – its natural capital – are protected, valued and appropriately restored...*

A 2020 HEADLINE TARGET

*Halt the loss of biodiversity and ecosystem services in the EU and restore them insofar as feasible, and step up the EU's contribution to averting global biodiversity loss*

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<td>Fully implement the Birds and Habitats Directives</td>
<td>Maintain and restore ecosystems and their services</td>
<td>Increase the contribution of agriculture and forestry to maintaining and enhancing biodiversity</td>
<td>Ensure the sustainable use of fisheries resources and ensuring good environmental status of the marine environment</td>
<td>Combat Invasive Alien Species</td>
<td>Help avert global biodiversity loss</td>
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17% land, 10% sea

CBD – Aichi Targets vs. EU targets:
Objective and scope of the Habitats Directive

• To contribute towards ensuring biodiversity through conservation of natural habitats and species in EU

• To ensure that these species and habitat types are maintained at, or restored to, a ‘favourable conservation status’.

• Focus on 1000+ threatened plants & animals & c.230 habitats
Objective and Scope of the Birds Directive

- Protects all species of naturally occurring birds in the wild state in the EU.

- Overall objective is to maintain the populations of all wild bird species in the EU at a level which corresponds to their ecological, scientific and cultural requirements, or to adapt the population of these species to that level.
Two pillars of Habitats Directive

**Establishment of sites / Ecological network**
- Habitats - Annex I HD
- Species – Annex II HD

**Protection of species**
- **System of strict protection**
  - Species listed in Annex IV HD
  - + all naturally occurring birds
- **Regulation of species taking in the wild**
  - (Annex V HD + Annex III BD)
- **Surveillance/Monitoring**

= Bern/Barcelona Convention
Preparation of Natura 2000 in Croatia
Preparation of Natura 2000 in Croatia

• Approximately 10-year long process

• Several projects financed through LIFE III, PHARE, IPA (EU preaccession funds), WB, etc

• In close cooperation with all relevant scientists and experts & NGOs

• Extensive participative process (regional and sectoral meetings, workshops and working groups)

• Still lack of data especially for the marine part!
Natura 2000 designation process

Habitat types (Annex I)
Species (Annex II)

National list pSCI

List of “Sites of Community Importance”

Special Areas of Conservation (SAC)

Biogeographical regions
Species and habitat lists & amendments!

SCIENTIFIC CRITERIA

BIOGEOGRAPHICAL SEMINARS
(3y) (EC, NGO, ETC/BD, experts, Country represent.)

Birds Directive
Art 4

“Special Protection Areas”

Habitats Directive
Art 3
Preparation of Natura 2000

Research:
1) Species and habitats distribution on national level + population levels
2) Site species and habitats information and spatial data:

- Detailed distribution maps for targeted species and habitats within sites
- Current status of targeted species and habitats
- Threats and pressures
- Trends (historical data)
- Any other data
Natura 2000 and NPAs in Croatia

PA network of Croatia
~25%

Natura 2000 in Croatia
~36/16%

We have the network and what was/is next? – management, appropriate assessment, monitoring
Management Regime for Natura 2000

Art. 6

General regime for all Natura 2000 sites

6 (1) Positive and proactive conservation measures,

6 (2) Avoidance of habitat deterioration and significant disturbance

Procedures for new developments

6 (3) Step by step procedure for development plans and projects affecting Natura 2000 sites

6 (4)
Management Regime for Natura 2000

- Different approaches across MS
- Management measures incorporated in existing sectoral plans and programs or management plans prepared at different levels (national / regional / site)

- Croatia
  - Management plans prepared for all sites, responsibility clearly set and divided between county and park public institutions
  - Forest management plans can be N2K management plans if containing analysis of relevant habitats and species, goals, measures, activities and indicators

- New projects funded from EU Structural funds – Setting up Natura 2000 management framework, Development of the system for monitoring species and habitats of European Interest, Seabed habitats mapping
Strict protection of species (SPS)

- Articles 12 till 16 of the HD / Article 5 BD

- aimed at the establishment and implementation of a strict protection regime for animal species listed within the whole territory of a country

✓ Prohibiting the deliberate picking, collecting, cutting or uprooting of plants

✓ Prohibiting all forms of deliberate capture and keeping and deliberate killing, damaging of breeding and resting sites, deliberate disturbance, deliberate destruction and taking of eggs, possession and trade

✓ Establishing a system of derogation

Provisions are not restricted in geographical terms
Strict protection of species (SPS) – slight difference in the annexes

• Species that are listed only in Annex IV HD, shall be strictly protected in the whole territory, independently of its geographical position

• Species that are both in Annex II HD and in Annex IV HD, shall be strictly protected in the whole territory and shall have important sites established for its protection as a part of ecological network
Croatian Nature Protection Act (NPA) - definition

- Strictly protected species are proclaimed native wild species that are endangered endemic or wild species for which such protection is prescribed by EU regulations governing the conservation of wild fauna and flora species or international treaties the Republic of Croatia is party to.

- Strictly protected species, on the proposal of the Agency, based on the Red List, taking into account the precautionary principle and other criteria prescribed by this Act, shall be proclaimed by the Minister by the Ordinance.
Strict protection of species (SPS)

Croatian NPA – provisions for conservation of SPS

– prohibition of all sorts of deliberate disturbance, taking or killing, trade or possession, breeding ( + system of derogation form this rules)
– Preparation of national action plans
– Preparation of management plans for species that are managed and whose population can be subject to some specific measures
– Measures and conditions for protection of SPS must be part of all sectoral management plans (forestry, fisheries) as well as incorporated within environmental assessment
– National alert and response network
– Temporary closure of areas important for SPS if there are no other options for protection
– Reintroduction and ex-situ protection
– Surveillance

– Regulation of trade
– Management of invasive species
## Strict protection of species (SPS)

Croatian Ordinance on strictly protected species

Cca 2400 + all troglobionts + all other cetaceans + all other bats

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<tr>
<th>RED</th>
<th>PORODICA</th>
<th>VRSTA – znanstveni naziv</th>
<th>VRSTA – hrvatski naziv</th>
<th>KRITERIJ UVRŠTENJA NA POPIS</th>
<th>MEĐUNARODNI SPORAZUMI/EU ZAKONODAVSTVO</th>
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Strictly protected species at national level

- Annex II HD
- All species of naturally occurring birds (BD)
- Bern Annex I, II
- Barcelona SPA
- Protocol Annex II, Bonn Convention Annex I

Threatened species (IUCN: CR, EN, VU and some DD using precautionary principle)

Endemic species

Other nationally important species – underground fauna (troglobionts)

Strict protection of species (SPS) – list of species in short.
System of derogation from strict protection

Article 16 HD => Croatian NPA

• If no satisfactory alternative + derogation is not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status:
  • (a) in the interest of protecting wild fauna and flora and conserving natural habitats;
  • (b) to prevent serious damage
  • (c) in the interests of public health and public safety, or for other imperative reasons of overriding public interest;
  • (d) for the purpose of research and education, of repopulating and reintroducing these species and for the breeding operations;
  • (e) to allow, under strictly supervised conditions, on a selective basis and to a limited extent, the taking or keeping
System of derogation from strict protection

• The „3 tests“:

1. Demonstrate one of the listed reasons under Article 16.1(a) to (e)

2. Demonstrate absence of a satisfactory alternative

3. Ensure there is no impact of a derogation on the conservation status of species

But, application of article 12 -16 to all relevant activities that might affect species and habitats concerned is still not very clearly defined or implemented; relation to article 6?
Strict protection of species (SPS) - Useful reading -

• EC Guidance document on the strict protection of animal species (currently in revision)

• EC Guidance documents on sustainable hunting, and on large carnivores

• EC supports Species Action Plans/Management Plans
Regulation of species exploitation and taking in the wild

- Annex V HD (+ Annex III BD)
Regulation of species exploitation and taking in the wild

Croatian Nature Protection Act (and HD)

Management measures for wild native species can be:
➢ monitoring conservation status,
➢ temporary or local prohibition of taking in the wild and exploitation of certain populations
➢ regulation of period or methods for taking in the wild
➢ application, when specimens are taken, of hunting and fishing rules which take account of the conservation of such populations
➢ establishment of a system of licences for taking specimens or of quotas
➢ regulation of the purchase, sale, offering for sale, keeping for sale or transport for sale of specimens
➢ breeding in captivity of animal species as well as artificial propagation of plant species, under strictly controlled conditions, with a view to reducing the taking of specimens of the wild
➢ assessment of the effect of the measures adopted
Regulation of species exploitation and taking in the wild

In Croatia

- **Decision** on species whose taking in the wild and sustainable exploitation is permitted and may be subject to management measures – list and responsibility

- **Ordinance** on taking in the wild of native species – listing and general measures

- **Expert background study** – prescribes specific measures and those that can change more frequently depending on species status
Re-introduction / Repopulation

Covered under Article 22 HD (Art 11 Bern)

In implementing the provisions of this Directive, Member States shall:

– (a) **study the desirability of re-introducing species** in Annex IV that are native to their territory where this might **contribute to their conservation**, provided that an investigation, also taking into account experience in other Member States or elsewhere, has established that such re-introduction contributes effectively to re-establishing these species at a favourable conservation status and that it takes place only after proper consultation of the public concerned;
Re-introduction / Repopulation

*Croatian Nature Protection Act*

Reintroduction or repopulation of native wild species in nature with the aim of improving its conservation status is regulated in Nature Protection Act (Art 74-77) through the process of issuing permits:

- Application for reintroduction/repopulation
- **Expert opinion** from the Agency on possible risks
- **Expert study** on risk assessment
- Permit from the Ministry
- Obligation of monitoring and reporting

- In general: *Reintroduction/repopulation as well as ex-situ protection are the „last resort”*
Monitoring and Surveillance

• National Alert and Response System – for injured, sick vertebrate species – marine protocol is the oldest one

• National system for monitoring conservation status – still in development (only 81 species/habitats have their monitoring programs developed and partially implemented)
Implementation of HD/BD monitoring in EU 28

• Different approaches, difficult comparison
• Comprehensive programme – Czech Republic, Great Britain, Germany
• Orientation on NATURA 2000 sites – Austria, Sweden, Greece
• No EU-wide financing is ensured
Monitoring conservation status

• No specific rules on how monitoring should be set up
• Best guidance: Reporting guidelines and formats – **REFERENCE PORTAL**
National Guidelines in Croatia

- Not prescribed by law but prepared, used and endorsed by monitoring coordinator - CAEN
Monitoring Programs in Croatia

- monitoring programs have been prepared and partly implemented for 81 species and habitats
In Croatia: - Large inventory project (2012 – 2016)

Phase I: processing all literature and other published distributional data

Phase II: field research and laboratory processing for collecting new inventory data for 9 taxonomic groups

165  No. of researchers

6639  No. of localities

1715  No. Of field days
(+ days for laboratory analysis ~ 50 %)

152 730  No. of records

702  No. of researched grid cells
In Croatia: Terrestrial Habitat Mapping of the Republic of Croatia (2014-2016)

All non forest habitats
MMU – 1,56 ha
First status assessment
Monitoring conservation status – National biodiversity information system

• For monitoring conservation status parameters much more detailed and widespread data are needed

Conservation status of species

Conservation status of habitats
European Red List of Habitats - 2017

32% of terrestrial habitats threatened

At least 18% of marine habitats threatened
Where do problems occur?

- Non-compliance with the hunting provision (Art. 7 BD)
- Misuse of derogations (Art. 9 BD, Art. 16 HD)
- Illegal taking, capture, killing of protected species – special focus on "Illegal Killing, trapping and trade of birds,"
- „Paper parks” + Lack of enforcement
- Lack of efficient management measures/plan
- Still enormous press
- Still enormous pressure from different types of economic activities (sea: pollution, fishing)

SO, WHAT’s NEXT?? MORE WORK 😊
Post 2020 Vision /CBD
New programing period (2020-2027)
Thank you for your attention!
Nature protection (NP) institutional framework in Croatia

- Legal framework
- Administrative control
- Permits

NP centralized

- Expert tasks in nature protection
- Inventory monitoring, assessment, reporting, preparation of ecological network, species action plans, expert tasks in appropriate assessment – etc.

1 Public Institution managing 1 PA

1 Public Institution managing multiple PAs

- Site management