



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 27.3.2001
COM(2001)162 final

VOLUME II

**COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE
EUROPEAN PARLIAMENT**

**BIODIVERSITY ACTION PLAN
FOR THE
CONSERVATION OF NATURAL RESOURCES**

Biodiversity Action Plan

For the

Conservation of Natural Resources

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1. INTRODUCTION

1. Over the last few years the European Community has developed its environmental policy through a large number of initiatives aimed at improving conditions within the European Union. The Biodiversity Action Plan for the Conservation of Natural Resources focuses on wild plant and animal species and their related ecosystems and habitats. It builds on and complements existing and planned Community legislation and initiatives. The Action Plan aims at ensuring that such instruments are used to their full potential to achieve the objectives of the 1998 Community Biodiversity Strategy by translating those objectives into specific actions.
2. The 1979 Birds directive and the 1992 Habitats directive are two key instruments for the conservation of wild species and their habitats in the European Community. Together, these Community directives provide for the creation of protected areas and areas where special conservation measures are taken, the protection of specific species under threat, and the prohibition of certain forms of exploitation of particular plants and animals. The Habitats directive provides a framework for the establishment of a European ecological network, "Natura 2000", which will include a range of important and threatened habitats, including sites already designated under the Birds directive. Thus actions to implement the two directives and to provide adequate financial and technical support for the conservation and sustainable use of the designated areas play a major role in sustaining biodiversity within the Community.
3. As the preservation of biodiversity requires actions not only within designated areas but also across the whole territory, the Action Plan also has a focus on land-use related environmental initiatives, on horizontal environmental instruments and on the integration of biodiversity in other policy sectors.
4. Land-use related environmental legislation and initiatives such as the Water Framework directive or the Strategy for Integrated Coastal Zone Management promote and support the conservation of ecosystem characteristics both inside and outside protected areas. Moreover the Communication "Sustainable Urban Development: A Framework for Action"¹ has the objective of promoting biodiversity in urban areas. Integrated urban management and planning approaches that include the conservation of biodiversity should also play a substantial role in achieving the objectives of the biodiversity strategy.
5. Many horizontal initiatives also promote the sustainable use of natural resources. These include the further development of environmental assessment procedures, especially environmental impact assessment and strategic environmental assessment, as well as voluntary instruments such as eco-labelling and eco-audit. The proposal for a regime on environmental liability, which should cover damage to biodiversity, should constitute an important additional step forward. Instruments under legislation on GMO and chemical substances also contribute significantly towards achieving the objectives of the Strategy.

¹ COM(605)98

6. The Action Plans presented in this Communication are tools for integrating biodiversity considerations into policy making and activities across a wide range of policy sectors. Activities regarding Agriculture and Fisheries which relate to the objectives of the Community Biodiversity Strategy are set out in separate Action Plans. Cross-references between the Action Plans are made wherever relevant. Measures taken under Community Policies for the Regions and Spatial Planning, Energy and Transport as well as Tourism to contribute to the conservation and sustainable use of resources are not specifically addressed in this Action Plan. Instead they will be documented in the First Report to the Council and to the Parliament on the Implementation of the Community Biodiversity Strategy.
7. Forest ecosystems, which cover around 1/3 of Europe's land area, are a key natural resource that hosts an important part of Europe's biodiversity. If well protected and sustainably managed, they provide an important contribution to biodiversity. Forests are addressed in a specific chapter of the Biodiversity Strategy. The EU Forestry Strategy is currently the main tool to implement the objectives set there. In addition, many elements of this Action Plan such as the establishment of Natura 2000 or the development of voluntary instruments such as forest certification will contribute to biodiversity goals in forests.
8. Finally, the Action Plan focuses on measures to promote a better co-ordination between different initiatives in international forums to optimise the opportunities for synergy and coherence.
9. The following sections 2 to 5 of the Action Plan set general environmental quality targets and recall the conservation of natural resources objectives of the Biodiversity Strategy and set out specific actions to fulfil each of those objectives.

2. MAINTAINING AND RESTORING, AT FAVOURABLE CONSERVATION STATUS, NATURAL HABITATS AND SPECIES OF WILD FAUNA AND FLORA OF COMMUNITY INTEREST

10. Achieving this environmental quality target requires actions to address the following objectives set in the Community Biodiversity Strategy:
 - *To fully implement the Habitats Directive, as well as the Birds Directive*
 - *To support the establishment of network of designated areas, particularly the EU Natura 2000 network , and to provide adequate financial and technical support for their conservation and sustainable use*
 - *To develop management plans for selected threatened species and some huntable species.*

2.1.To fully implement the Habitats Directive, as well as the Birds Directive.

11. **The Birds Directive (79/409/EEC)** relates to the conservation of bird species naturally occurring in the wild. It provides for the protection, management and control of these species and lays down rules for their exploitation, e.g. hunting.
12. Habitat protection is a key element of this directive. Member states must take the necessary measures to preserve, maintain or re-establish a sufficient diversity and

area of bird habitats. Annex I of the directive lists endangered and vulnerable species that are in need of special protection measures. The most suitable territories, in number and size, have to be designated as special protection areas (SPA) for these species as well as for regularly occurring migratory species. To this end, Member States must pay particular attention to the protection of wetlands and particularly to those of international importance. Species, which may be hunted, are listed in Annex II. Some of those species, which can be traded, are also listed in Annex III. Annex IV lists methods of capture and killing and modes of transport for hunting which are prohibited. Research subjects to which Member States should pay particular attention are listed in Annex V.

13. **The Habitats directive (92/43/EEC)** aims to contribute towards ensuring biodiversity of natural and semi-natural habitats and of wild fauna and flora other than wild birds. A coherent ecological network of special areas of conservation (SAC) is currently being established under the title of Natura 2000. This will also include the SPAs designated under the Birds directive (see above).
14. The network will be comprised of sites hosting natural habitat types listed in Annex I and plant and animal species listed in Annex II of the directive. The scientific criteria for identifying sites to be included in the network are given in Annex III. Animal and plant species of Community interest in need of strict protection even outside the Natura 2000 network are listed in Annex IV. Like the Birds directive, the Habitats directive regulates the exploitation of the species: Annex V lists those species of Community interest whose taking in the wild and exploitation may be subject to management measures. Annex VI lists the prohibited methods and means of capture and killing and modes of transport for hunting.
15. Despite legal requirements by 2001, several Member States had still failed to implement these directives. They have not designated 'the most suitable territories in number and size' under the Birds directive, despite the legal deadline being 1981, and/or have not proposed complete national lists of sites of Community importance under the Habitats directive. Moreover, hunting practices in some Member States do not conform to the Birds directive.
16. In order to ensure correct application of the directives, the Commission assesses complaints received and checks Member States' transposition and implementation measures both technically and legally. When necessary, the Commission submits infringement procedures to the European Court. The Commission aims to maintain contact with NGOs who can be a valuable source of information in this field. The Commission checks Member States' obligatory reports provided for under the directives, to ensure that they are properly applying the law.
17. The Commission and Member States co-operate in the Advisory Committees and Scientific Working Groups of the so-called 'Habitats' and 'Ornis' Committees that oversee the implementation of the two directives. The Commission keeps the general public informed via publications and its web site.²

ACTION: *Overseeing Member States' transposition of the directives, including if necessary initiating legal action, to ensure that directives are correctly incorporated*

² <http://europa.eu.int/comm/environment/nature/home.htm>

into national legislation.

Target:

Full transposition for both directives in all 15 Member States by 2002.

18. Good quality timely reporting on the implementation of both directives is essential for maintaining confidence in their ability to safeguard European nature. A comprehensive monitoring and reporting system, that provides Member States with clear guidelines and is compatible with the EC Clearing House Mechanism, will be set in place.

ACTION: *Establishing reporting requirements under the directives in order to realise a comprehensive and clear EC reporting system. Developing guidance on monitoring of habitat types and species, especially in Natura 2000 sites.*

Target:

Adoption of standard EU format for reporting by 2001.

19. During the screening of the environmental policies of the countries that are candidates for Community enlargement the Commission has obtained a good overview of natural values of European conservation interest. In the light of enlargement the Annexes of both Nature directives will need to be revised to incorporate new habitat types and species from those countries. Applicant countries will have to commit themselves to protect these natural values during the pre-accession period.

ACTION: *Expanding the approach of the Birds and Habitats to candidate countries to promote that key values of European conservation interest that contribute to biodiversity, are adequately safeguarded.*

Target:

Preparation of an agreement on the technical adaptations of the Annexes of both directives by 2002.

2.2.To support the establishment of networks of designated areas, particularly the EU NATURA 2000 network; and to provide adequate financial and technical support for its conservation and sustainable use

20. The Natura 2000 network under the Habitats directive will be a key Community tool with a direct impact on site-related land-use activities in Member States. It is estimated that Natura 2000 will include more than 12 % of the Community territory, with national variation depending on the biological diversity of species and habitat types present in each bio-geographical region of the Member States and on the degree to which buffer zones have been included.
21. Bio-geographical seminars are being organised to evaluate the proposed national lists of the Member States. Representatives of the Commission and the Member State in question, independent experts and conservation NGOs attend these seminars under the scientific leadership of the European Topic Centre for Nature Conservation (ETC/NC) of the European Environment Agency.

ACTION: *Establishing the Community list of sites for the Natura 2000 network for*

each of the six bio-geographical regions.

Target:

Community lists of sites agreed for all bio-geographical regions by end 2002, including marine sites wherever appropriate.

22. Forests are key renewable natural resources. They cover 35% of the EU land area. Fifty-nine forest habitat types, grouped in six forest habitat categories of European conservation interest, are listed in Annex I of the Habitats Directive because they are rare or residual and/or hosting species of Community interest. According to the Habitats directive, Member States are required to propose Natura 2000 sites for these habitats for each of the six bio-geographical regions.

ACTION: *Ensuring that Natura 2000 includes a coherent network of forest areas.*

Target:

All forest types from Annex I of the Habitats directive assessed as "sufficiently represented" by 2002.

23. Some NATURA 2000 sites may be unexploited nature reserves, but most sites will be in areas where significant human activities have always existed and helped to create or maintain habitats. For this reason the designation of Natura 2000 sites is not intended to block economic activity in and around the affected land. On the contrary, the emphasis will be on encouraging a level of economic activity that will be sustainable and compatible with the conservation requirements of the habitats and species for which the sites have been designated. This is best achieved within the framework of management planning, the success of which will frequently depend upon the full involvement and support of landowners and users.
24. At the beginning of 2000, in the context of the very substantial Community Structural Funds available to help EU regions which are lagging behind the Commission sent letters to all Member States on the links between funding and Community environmental law. The letters stated that "In the interests of proper programming of structural spending and at a later stage, proper implementation of programmes, Member States must have fulfilled their obligations under the Community policies and schemes for protecting and improving the environment, in particular the Natura 2000 network. Where this is not yet the case, the Commission considers that Member States should submit their lists of sites to be protected under Natura 2000, together with the related scientific information, as soon as possible. The programming documents for these countries must contain clear and irrevocable commitments to guarantee consistency of their programmes with the protection of sites as provided under Natura 2000".
25. The LIFE Nature fund is a strategic tool for demonstration projects in Natura 2000 sites e.g. to test management measures. Between 1992-1999, € 350 Million have been used for nearly 500 LIFE/Nature projects in Member States.³ A new LIFE III regulation, which covers the years 2000-2004, has been adopted. Therefore the Commission is able to make a financial contribution of € 300 Million to LIFE projects during the next five years for the 15 Member States, plus additional funds

³ See additional information in <http://europa.eu.int/comm/environment/nature/home.htm>

for those applicant countries having decided to join LIFE. The Commission also favours collaboration between projects and foresees an active role in the dissemination of results (e.g. 1999 Life week in Brussels).

ACTION: *Financing the Natura 2000 network using Life-Nature projects to promote these activities.*

Target:

Amounts should be earmarked for positive management of Natura 2000 sites by each Member State.

26. The new Rural and Regional Development Regulations improve the possibilities for supporting the enhancement of biodiversity in the Member States, and in particular in the Natura 2000 Network. The measures relating to the Rural Development Regulation are covered by the Biodiversity Action Plan for Agriculture.

ACTION: *In the framework of the environmental evaluation systems already established under the regulations concerned, evaluating the impact on biodiversity of Structural Fund Programmes and Rural Development Plans for 2000-2006 as well as other Community financial instruments and monitoring the execution of these plans in the Member States.*

Target:

After approval in 2000, follow up evaluation by 2003. Subject to the results of this evaluation consider the need for reviewing existing environmental systems under the regulations concerned.

ACTION: *Promoting the integration of biodiversity supporting measures into programming documents under the Rural, Structural, and Cohesion Funds and other programmes relevant for third countries.*

Target:

EC co-financed programmes containing clear commitments to protect biodiversity, particularly in present and future Natura 2000 sites.

27. According to the Habitats directive, any plan or project likely to affect a site must be subject to appropriate assessment in relation to its impact on the conservation targets. Therefore, the Commission has prepared a document ('Article 6 of the Habitat Directive: Interpretation Guide') to help the Member States. There will be an increasing number of plans affecting the Natura 2000 Network in the Member States, which will need to be assessed. This guide is seen as a useful common tool to be translated into national assessment procedures and manuals.

ACTION: *Developing guidelines for the management of Natura 2000 sites to ensure consistent application of protection regime applying to sites.*

Targets:

- EC Art.6 interpretation document available in all EU languages by the end of 2000
- Specific guidance on how to perform assessments under Article 6(3) and 6(4) available by mid-2001.

28. EC Members States are now in the process of including sites for the Natura 2000 list. In line with the objective of the Directive to build a coherent ecological network, both the Commission and the Members States will review, on the basis of the specific criteria adopted by the Habitats Committee, both the current and future needs of ecological connectivity between Natura 2000 sites and also how this has to be achieved.

ACTION: *Enhancing connectivity between Natura 2000 sites to ensure full ecological connectivity within and between EU countries by reviewing the necessary ecological links and the relationship with other land uses.*

Target:

Connectivity between sites considered as a key criterion when assessing proposed sites for migratory or wide ranging species during the bio-geographical seminars.

2.3.To develop management plans for selected threatened species and some huntable species

29. The Habitats and Birds directives include provisions on species protection involving controls on hunting and other threats. According to the Habitats Directive, Member States must take measures to establish a system of strict protection of threatened species wherever they occur, prohibiting deliberate capture and killing or disturbance or destruction of breeding sites. Latest information from some Member States indicates that despite of various conservation measures the number of species under threat is increasing, and several birds and other animal and plant species are seriously declining.
30. The Commission is supporting the preparation of action plans for globally threatened bird species, which aim to ensure appropriate conservation measures and their implementation by different actors. Information on the plans already approved is available.⁴
31. Special action plans for the recovery of threatened species, other than birds, have been prepared in the context of various international agreements, e.g. large carnivores' action plans by the Bern Convention, action plans for Mediterranean marine turtles by the Barcelona Convention.

ACTION: *Completing framework action plans for the EU most threatened bird species. Collaborating with International Conventions (Bern, Bonn...) to prepare action plans for the most endangered species other than birds.*

Target:

Action plans for the 48 most important bird species approved and ready for implementation by Member States by 2001.

32. Management plans for huntable bird species that are not in a favourable conservation status are under preparation with the help of the 'Ornis' Committee. They aim to ensure recovery of the species to a favourable status.

⁴ <http://europa.eu.int/comm/environment/nature/home.htm>.

ACTION: *finalising management plans for huntable bird species, to be then executed by Member States.*

Target:

Management plans for all 22 huntable species under the Birds directive with unfavourable conservation status approved by 2003.

33. The directives do not allow taking or hunting of animals in a manner that jeopardises their favourable conservation status, but may grant derogations provided that they are in line with the criteria set in both directives. Moreover Member States must establish systems to monitor the incidental capture and killing of the animal species in need of strict protection.

ACTION: *Checking Member States' reports on derogations including the justifications given.*

Target:

All derogations to be fully justified on scientific grounds and in accordance with the requirements of directives.

3. REVERSING THE CURRENT TRENDS OF BIODIVERSITY LOSS RELATED TO MANAGEMENT OF WATER, SOIL, FORESTS AND WETLANDS.

34. Achieving this environmental quality target requires action to address the following objectives set in the Community Biodiversity Strategy:

- *To use the Water Framework Directive as a tool for the conservation and sustainable use of biodiversity and in this context to develop analyses of water quantity and quality versus demand for every river basin including agricultural irrigation, energy generation, industrial, drinking and ecological uses.*
- *To enhance the ecological function of land cover, including riparian and alluvial vegetation, to combat erosion and maintain the water cycle supporting ecosystems and habitats important for biodiversity.*
- *To protect wetlands within the Community and restore the ecological character of degraded wetlands.*

3.1. To use the Water Framework Directive as a tool for the conservation and sustainable use of biodiversity and in this context to develop analyses of water quantity and quality versus demand for every river basin including agricultural irrigation, energy generation, industrial, drinking and ecological uses.

35. The objective of the Water Framework directive⁵ is to prevent further deterioration and water quality and quantity of aquatic ecosystems and groundwater. It establishes a common approach, objectives, basic measures and common definitions of ecological status of aquatic ecosystems for water policy based on aquatic ecology and entire river basins.

⁵ Council Directive 2000/60/EEC

36. The directive is an example of how to implement a "ecosystem approach" as requested in Decision V/6 of the Conference of the Parties to the CBD. It focuses on water as it flows naturally through river basins towards the sea, taking into account natural interaction of surface water and groundwater in quantity and quality covering the whole of a river basin district including estuaries, other transitional waters and coastal waters. It requires a combined approach to pollution control with control at source and the setting of environmental quality standards. A mechanism is foreseen for phasing out or cessation of discharges, emissions and losses of specific pollutants.
37. The Water Framework Directive is not *as such* aiming at the protection of particular species, communities, biotopes or habitats. The Directive does not name any particular species in terms of its needs for conservation or protection. *Biodiversity is nevertheless the central indicator* used by the Directive to define what constitutes high and good ecological status. This objective of ensuring such good status of waters and to prevent deterioration of water status, including high status, from the date of entry into force means the Directive will inherently promote protection of aquatic biodiversity.
38. Functional parameters used as indicators for the status of the aquatic ecosystem include nutrient status and growth/production patterns. Structural parameters, however, dominate as indicators, in particular in terms of categories of organisms, which are indicative of the trophic structure and diversity of the aquatic ecosystem. Four trophic layers are identified: phytoplankton, macroalgae and angiosperms, benthic invertebrate fauna and fish fauna.
39. Ecological components are used to define the (close-to-natural) *high ecological status* at a specific location in a specific aquatic ecosystem as its point of reference. What constitutes *good ecological status* is measured in comparison with the (natural) high ecological status for a specific water body at a specific location. As an example, the ecology in areas with naturally low precipitation and large seasonal variation in water availability is naturally adapted to those conditions. Organisms belonging to such ecosystems will reflect this "dryness" and variation in their life cycles, survival strategies and other ecological functional and structural characteristics. High status (and its ecology, including biodiversity, physical and chemical components) in this way becomes the fundamental yardstick against which good status is defined. In addition, it should be noted that restoration of wetlands, where appropriate, could be an important tool in securing good status of water.
40. The Water Framework Directive will make a contribution to protect aquatic biodiversity and more broadly will make a contribution towards the conservation of biodiversity depending on the water cycle at water-catchment level through the following objectives and measures:

ACTION: *to ensure that River Basin Management Plans, covering the whole of each river basin reflect biodiversity concerns by*

- *producing a clear picture of the state of aquatic biodiversity inter alia through a regular assessment of the ecological status of waters (every 6 years). Characterisation of aquatic ecosystems will provide detailed information to be used as the reference condition for assessing changes to the ecological status of waters, inter alia species composition and abundance, spatial and temporal*

variations, specific indicator organisms and indicator functions. A better understanding will be provided on hydrological and ecological interaction between wetlands, the riveraine zone and the aquatic ecosystem in a river basin.

- *indicating protected areas and taking account of them.*
- *establishing a string of aquatic ecosystems with restored or improved ecosystem function and structure, which may function as aquatic ecological corridor.*
- *ensuring a good status for groundwater quality and quantity, which in a broader sense contributes to the protection of terrestrial ecosystems and their biodiversity.*
- *promoting sustainable water use based on a long-term protection of available water. Water cannot be abstracted or diverted in large quantities without a thorough examination of the possible impact on aquatic ecosystems*
- *establishing a sound basis for collection and analysis of information on the aquatic biodiversity and pressures upon it. This will provide a necessary information base upon which competent authorities in Member States can develop sensible, sustainable policies; and in particular River Basin Management Plans in line with Annex VII of the Water Framework Directive.*
- *Achieving transparency through publication and dissemination of information and through public consultation on draft River Basin Management Plans, including but not restricted to, the directly interested parties. This open participatory process should ensure better quality in establishing and implementing the River Basin Management Plans.*

Target:

Management Plan into force by 2009 and thereafter revised every 6 years.

ACTION: To promote pilot studies on the integration of biodiversity requirements in the implementation of River Basins Management Plans.

3.2.To enhance the ecological function of land cover, including riparian and alluvial vegetation, to combat erosion and maintain the water cycle supporting ecosystems and habitats important for biodiversity

41. Most human activity has implications for land use and land cover. Initiatives regarding for example water resources and quality, air and climate change, nature protection, agriculture, forestry, urbanisation, chemicals and waste management and disposal often have implications for soil protection and also for land use and land cover which ultimately affect biodiversity.
42. To enhance the ecological function of land cover, Member States can take a vast range of measures adapted to the specific nature of the region concerned. As regards agricultural areas these measures are foreseen or compatible with the general common rules for direct support schemes referred to in Article 3 of Regulation 1259/1999. (See Action Plan for Biodiversity in Agriculture).
43. To combat erosion, one of the main instruments concerns forestry support measures foreseen in Title II Chapter VIII of Regulation 1257/1999. Those measures include,

for example, investments to improve biological value such as diversification of planted tree species, sustainable management practices affecting felling and culling, restoring the mineral fertility of the soil, upkeep of fire-breaks, assistance to foresters on sustainable management rules. (See Action Plan for Biodiversity in Agriculture).

44. Concerning the protection of the water cycle, besides the measures already referred to in the previous section on the Water Framework Directive, under the Nitrates Directive⁶ Member States have to draw up national programs, which require watercourse protection against fertiliser flow into rivers and dikes, the only practical and efficient measures being the establishment of buffer strips, embankments and hedges. These programmes may also include the maintenance of a minimum green vegetation cover during rainy winter periods to protect the watercourses from nitrates pollution and the soil from erosion.
45. In the context of the control of pesticides, the Commission intends to complement the existing legislation on plants protection products (See Action Plan for Biodiversity in Agriculture) by presenting a Communication on the sustainable use of pesticides in 2001 and to take further initiatives fostering the sound use of pesticides.
46. The Commission is reflecting on strengthening the sewage sludge directive⁷ to cover not only sewage sludge but other sludge and to broaden the scope to all land-spreading operations (not only those in agriculture). For municipal waste, the Commission is examining the possibility of a directive on biological treatment (composting and anaerobic digestion) of biodegradable waste. One of the objectives in both these areas is to prevent the application of very low quality waste products that could have negative effects for the soil in the long term.
47. Basic data in relation to soil is an essential tool for the conservation of soil. The Commission is currently completing these mapping exercises relating to areas of soil erosion risk, organic content of European soils and heavy metal levels. These data will provide the basis for a structured approach to the protection of soil biodiversity, as they will better identify the extent of pressures on soil. In addition, as part of the environmental headline indicators set, research is being done on possible indicators to examine trends in built up and related areas, which should establish the extent to which soil is under threat from increasing urbanisation (see section on Urban Environment below).
48. In order to improve knowledge, the Commission, together with the Member States, the Candidate Countries and other European States has recently established the European Soil Forum whose long-term goal is the overall protection of soils.

ACTION: *Establishing an information base with respect to soil erosion, organic matter and heavy metals and monitoring urbanisation in relation to biodiversity.*

Target:
Database established by 2003

⁶ Council Directive 91/676 concerning the protection of waters against pollution caused by nitrates from agriculture sources

⁷ 86/278/EEC

ACTION: *Ensuring that the products resulting from the treatment of sludge and biodegradable waste and intended for application on soils are of sufficient quality as not to endanger the inherent quality of soils and their biodiversity.*

Target:

To set quality standards for those products by 2003

ACTION: *In the longer term, raising overall awareness about the need to protect European soil for preserving biodiversity.*

Target:

To launch a public awareness programme by 2005

ACTION: *To present a Communication on the sound use of pesticides addressing their impacts on biodiversity*

Target:

The Commission to adopt the Communication by 2001

49. Forests have multitude of ecological functions. Title II Chapter VIII of the Rural Development regulation 1257/1999 includes activities such as the restoration of damaged forests, maintaining and improving their ecological stability, the preservation and enhancement of their ecological values and the afforestation of agricultural land. The promotion of specific nature-oriented forest management techniques (including reduction of size of clear felling areas, use of native species, limitation of pesticide and fertiliser use, increase of dead and decaying wood, protection of key habitats, restoration of damaged forests or native forests ecosystems, etc.) are the most effective tools to ensure the conservation and sustainable use of biodiversity in European forests. The implementation of the forestry measures of the Rural Development Regulation should favour such activities and avoid potentially harmful measures. Furthermore, new forests should not negatively affect ecologically interesting or noteworthy sites and landscapes.

ACTION: *Ensure that conservation and sustainable use of biodiversity is being promoted by the implementation of Chapter VIII (Forestry) of the Rural Development Regulation.*

Target:

Rural development plans address forest biodiversity.

3.3.To protect wetlands within the Community and restore the ecological character of degraded wetlands

50. The Community is addressing the conservation of biodiversity in wetlands through actions linked to the development of the Natura 2000 network, to the development of a Strategy for Integrated Coastal Zone Management and to the Water Framework Directive.
51. Previous sections of this Action Plan have already addressed actions regarding the Birds, Habitats and Water Framework Directives, which are relevant for wetlands. In

this section additional actions are identified regarding Integrated Coastal Zone Management to complement those mentioned above.

52. The 1999 assessment report of the European Environmental Agency (EEA) "Environment in the European Union at the turn of the century" indicates the unfavourable developments both in the state of the coastal zones and in the pressures acting on them. This trend is not expected to improve in the near future. Urbanisation continues at a rapid state, particularly in the Southern countries and conflicts between resources uses, such as agriculture and tourism, abound.
53. A significant part of Europe's major wetlands are located in the coastal zone; sustainable planning and management of the coastal zone is therefore key to their conservation. In accordance with the CBD's programme of work on marine and coastal biological diversity,⁸ the Commission is promoting Integrated Coastal Zone Management as a tool for good land management in the coastal zone.
54. The Commission recently adopted a Communication announcing a European Integrated Coastal Zone Management Strategy⁹ and a Communication on a European Strategy for Integrated Coastal Zone Management. The latter includes 38 actions under the following 6 categories:
 - (1) Promoting Integrated Coastal Zone Management Activity within the Member States and at the regional seas and coasts level
 - (2) Making EU Policies Compatible with Integrated Coastal Zone Management
 - (3) Promoting Dialogue between European Coastal Stakeholders
 - (4) Developing Best Integrated Coastal Zone Management Practice
 - (5) Generating Information and Knowledge about the Coastal Zone
 - (6) Diffusing Information and Raising Public Awareness
55. Where possible, the EU Integrated Coastal Zone Management Strategy builds on existing instruments and programmes, including many not conceived exclusively for the coastal zone, such as the best use of the Structural Funds or the LIFE-Environment programme. It indicates where these actions will be complemented by new activities, particularly with regard to development and exchange of best practice, and encouragement of Integrated Coastal Zone Management ICZM action at other administrative levels. In particular, the Strategy includes a proposal for a European Parliament and Council Recommendation concerning the implementation of Integrated Coastal Zone Management in Europe¹⁰. It also notes the importance of continued inter-service collaboration within the Commission.

ACTION: *To ensure that the implementation of the European Strategy for Integrated Coastal Zone Management contributes to protect wetlands within the Community and to restore the ecological character of degraded wetlands.*

⁸ Decision IV/5 of the Conference of the Parties to the Convention on Biological Diversity

⁹ COM (2000) 547

¹⁰ COM (2000) 545

Targets:

- *To create a coastal zones practitioners' network.*
- *To produce information materials.*

4. REVERSING THE CURRENT TREND OF BIODIVERSITY LOSS ACROSS THE WHOLE TERRITORY

56. Achieving this environmental quality target requires actions to address the following objective set in the Community Biodiversity Strategy:

- *To develop in co-operation with Member States instruments to enhance the conservation and sustainable use of biodiversity across the territory outside protected areas*

57. The priorities are a) the integration of biodiversity into main land use related policies (Agriculture, Fisheries and Aquaculture, Structural Funds and Urban Environment), b) targeting biodiversity in horizontal environmental policies such as the precautionary principle, liability, environmental impact assessment, strategic environmental assessment, public participation, access to information, eco-labelling, forest certification and other economic instruments including eco-audit and c) addressing biodiversity through instruments regarding genetic resources in areas of alien invasive species, biotechnology, endocrine disrupters and ex-situ conservation.

4.1.To integrate biodiversity into the main spatial policies

4.1.1. Agriculture

58. The 1999 reform of the Common Agriculture Policy in the context of Agenda 2000 will undoubtedly contribute, directly and indirectly, to enhancing the sustainable use and conservation of the overall biodiversity in Europe.

59. The package of new rules and provisions adopted by the Council in 1999, and in particular the new Rural Development Regulation, will be reflected in the different national agricultural and rural plans elaborated by the Member States and sent for approval to the Commission. Before approval, the Commission makes a thorough check of the plans in order to assess them in terms of their impact on the environment and especially of their benefits for the conservation and sustainable use of biodiversity. These measures will allow and sometimes oblige Member States to widen and implement environmental measures that will benefit the conservation and sustainability of agro-ecosystems in Europe.

60. In March 2000 the Commission adopted guidelines which have been sent out to the Member States concerning the relationship between the Rural Development Plans and the Birds and Habitats directives and the Nitrates Directive (see also paragraph 24). In these guidelines, the Commission has asked those Member States who have not yet respected their obligations, to present the Commission with a complete list of proposals for Natura 2000 sites as well as the necessary measures to protect those sites. If these requests are not fulfilled, the Commission may suspend payments from the European Agricultural Guidance and Guarantee Fund under the rural development plans. The same procedure will be applied if the Nitrates directive is

not properly applied to the protection of the "vulnerable zones" defined by that directive.

61. In addition, the reform of some Common Market Organisations (e.g. beef) provides an opportunity to further integrate biodiversity within the CAP.
62. All these measures are set out in detail in the Action Plan for Biodiversity in Agriculture, or are a major element of the EU forestry strategy.
63. The implementation of this Action Plan will be essential for the retention and enhancement of agro-ecosystems; and for the improvement of conservation status of wild species and key habitats primarily influenced by agriculture. The effects of the implementation of this Action Plan should be measured having in mind the effects of other policies and measures on the territory.

ACTION: *To identify indicators based on the conservation status of selected representative species primarily present in agricultural ecosystems ensuring that the indicators acknowledge different geographic patterns and show the impact of causal processes such as changing agricultural practices¹¹.*

Target:

Indicators identified by 2003

4.1.2. Fisheries and Aquaculture

64. The general framework of the Common Fisheries Policy includes the concept of the conservation of living marine aquatic resources taking into account the implications for the marine ecosystem. In this connection, 4 main objectives have been identified as regards the natural environment in relation to fisheries and aquaculture practices:
 - *promote the conservation and sustainable use of fish stocks and feeding grounds;*
 - *promote the establishment of technical conservation measures in order to achieve the above mentioned objective;*
 - *reduce the impact of fishing activities on marine and coastal ecosystems;*
 - *avoid aquaculture practices that may affect habitat conservation through, for example, pollution from fish farms or genetic contamination.*
65. The most recent step in the process of integrating environment and fisheries policies has been the adoption of the Council report to the European Council on integrating environmental concerns and sustainable development into the common fisheries policy.¹² This report will serve as a basis for the adoption of a strategy, in June 2001, for the full integration of environment in the fisheries policy.

¹¹ The identification of specific agri-environmental indicators concerning the evolution of "key" wild species (birds and plants) and ecosystems is also foreseen in the Biodiversity Action Plan on Agriculture. In this respect, see the 4th column (targets/Indicators) of Table 2, under the priority-rows "Support for less-favoured areas", at page 36, and "Ecological infrastructure. Maintenance of open environment", at page 37

¹² 9207/00PECHE 85 ENV 184

66. The basic regulatory instrument for the Common Fisheries Policy provides management tools that may be used for the protection of marine biodiversity, such as quantitative limits on catches and on the fishing capacity of the fleets. These overall management tools aiming at reducing the fishing pressure can be complemented by specific technical measures in order to improve the conservation and sustainable use of fish stocks by protecting juvenile fish and reducing environmental impact.
67. The Action Plan for Biodiversity in Fisheries examines the available management instruments and proposes their reinforced application to achieve a better performance in fish stock conservation and to increase protection of biodiversity in the marine environment. Its implementation will be essential for improving the conservation of marine and relevant freshwater ecosystems and key habitats affected by fisheries and aquaculture; as well as for improving the conservation status of marine species and relevant freshwater species. The effects of the implementation of this action plan should be measured having in mind the effects of other policies and measures on marine and aquatic environments.

ACTION: *To identify indicators based on the conservation status of selected marine and aquatic species.*

Target:

Indicators identified by 2003

4.1.3. Structural Funds

68. The new Structural Funds Regulation adopted in 1999 has strengthened the consultative process in the preparation, evaluation and adoption of the plans and programmes through the establishment of partnerships involving relevant stakeholders. Under this Regulation, evaluation requirements cover ex-ante, mid-term and ex-post evaluation of the plans and programmes adopted.

ACTION: *To integrate biodiversity in the Regulation's environmental appraisal as well as in Strategic Environmental Assessments and Environmental Impact Assessments of projects, plans and programmes.*

Target:

Enhanced contribution of Structural Funds towards the preservation of biodiversity. No net damage to biodiversity by plans and programmes involving Community funds.

69. Furthermore in March 2000 the Commission adopted guidelines concerning the relationship between the Structural Regional Funds and the Habitats and Birds directives. In these guidelines, the Member States concerned are requested to submit to the Commission, as soon as possible, their lists of natural sites to be protected under Natura 2000 together with the related scientific information, in accordance with the provisions of the Habitats and Birds directives. Pending presentation of lists, the Member States concerned must also give to the Commission the guarantee that they will not allow the deterioration of the sites under Natura 2000. In case of failure to comply with those commitments, the Commission may apply the sanctions foreseen by the General Regulation on the Structural Funds¹³ or the Regulation on

¹³ Regulation EC 1260/1999

the Cohesion Fund.¹⁴

ACTION: *To ensure that the evaluation of the plans and programmes include inter alia arrangements to integrate the environmental dimension (including biodiversity) into the Structural Funds programme and the assessment of its effects on biodiversity.*

Target:

No net damage to Natura 2000 or protected species by plans and programmes involving Community funds.

4.1.4. Urban environment

70. Current trends on continued urbanisation and urban sprawl represent increased pressure on biodiversity. Studies reveal that land-take both for urbanisation and for transport infrastructure has been mostly realised to the detriment of greenfield land, destroying both urban and rural habitats. Thus, integrated urban management and planning approaches that include the conservation of biodiversity as a specific policy objective deem to be desirable. They represent major challenges for politicians, development planners, city planners, architects and landscape architects.
71. The Communication “Sustainable Urban Development: A Framework for Action” COM (605) 98 replies to those challenges. It states that “the extension of built-up areas, linked to the decentralisation of employment, retail and leisure centres as well as to changes in residential preferences, reduces the environmental worth of large areas of land for an infinite period. On the other hand, in some areas cities hold important biodiversity values. Loss of green space both within and around urban areas threatens biodiversity as well as the quality of life of citizens. Many European cities contain extensive areas of derelict and contaminated land (brownfield sites), the legacy of industrial restructuring.” Promoting biodiversity and green space within urban areas has been defined as a policy objective of the Framework for Action. Its implementation will therefore contribute to the preservation and enhancement of biodiversity in urban areas.
72. Current work on sustainable land-use, aimed at reducing the development of greenfield land and promoting the recycling of derelict and contaminated land and more efficient use of infrastructure, will also contribute to this goal. Contaminated sites may entail irreversible groundwater and soil pollution and therefore have severe effects on the environment, human health and biodiversity.
73. The recently launched monitoring initiative ‘European Common Indicators’ represents the final result of a working group on sustainable indicators set up in early 1999 under the framework of the Expert Group on the Urban Environment. It promotes local sustainability indicators including those to assess whether the municipality or city is protecting undeveloped and ecologically sensitive land.

¹⁴ Regulation EC 1164/94

74. Furthermore, the preservation and creation of green corridors or greenways in urban or suburban areas can also benefit biodiversity.¹⁵

ACTIONS:

- *To explore possibilities for a Community urban initiative that enhances the conservation of biodiversity in urban non protected areas, helps to avoid any further biodiversity loss, and suggests measures for improving biodiversity e.g. the creation of a EU-register for contaminated land, or a fund for clean-up of contaminated sites/re-use of brownfield sites.*
- *To consider the feasibility of a future Global Urban Monitoring Facility that could include the necessary features to take stock of protected and unprotected green-field sites including forests, parks, and other types of land or recreational areas with relevance to biodiversity in urban areas.*

Targets:

- *Assessing, by 2002, whether it is necessary to present specific proposals aiming at preventing the disappearance of green-field in urban areas to preserve biodiversity.*
- *Considering developing a register of urban contaminated sites affecting biodiversity by 2004*
- *Provide an action plan including measures to clean-up urban contaminated land affecting biodiversity by 2002*
- *Provide an action plan how to best benefit biodiversity when re-using urban brown-fields land.*

4.2.To support biodiversity through horizontal environmental policies

4.2.1. Precautionary Principle

75. On 2nd February 2000 the Commission adopted a Communication on the Precautionary Principle. This Communication outlines the general guidelines to enable the Commission to apply the Precautionary Principle in a situation where scientific data are insufficient, inconclusive or uncertain and where there are indications, through a preliminary objective scientific evaluation, that the possible effects on the environment or human, animal or plant health may be potentially dangerous and inconsistent with the chosen level of protection. This Communication reflects the preamble of the Convention on Biological Diversity which underlines: “noting also that where there is a threat of significant reduction or loss of biological diversity, lack of full scientific certainty should not be used as a reason for postponing measures to avoid or minimise such a threat...” The Commission's Communication makes reference to the specific situation of a long-term effect on eco-systems. The Precautionary Principle may have to be invoked in cases of risks

¹⁵ See also the publication ‘The European Greenways Good Practice Guide - Examples of actions undertaken in cities and periphery’, European Greenways Association with the support of the European Commission, DG Environment

whose effects may not surface for twenty or more years or which may affect future generations.

ACTION: Based on the precautionary principle, securing application of risk assessment /risk management, specifically addressing biodiversity issues, in development and implementation of Community instruments.

Target:

Securing application of the Precautionary Principle, and in particular of risk assessment and risk management, specifically addressing biodiversity issues, in development and implementation of Community instruments.

4.2.2. Liability mechanisms

76. On 9 February 2000, the Commission adopted a White Paper on Environmental Liability. This paper contains proposals for a Community regime on environmental liability, which should cover, inter alia, *damage to biodiversity*. The Commission's conclusion in the White Paper is that a Community Framework Directive should introduce such a regime. Since liability for damage to natural resources hardly exists as yet in the European Union, and in order to ensure optimal legal certainty, the Commission proposed to limit the coverage of biodiversity damage in a first instance to natural resources that are already protected by Community nature conservation law. That is to the Birds and the Habitats directives and the Natura 2000 Network established on the basis of these directives.

77. At their March 2000 Council, Environment Ministers held an orientation debate on the White Paper and gave broad support for establishing a Framework Directive on environmental liability.

78. The introduction of a liability regime for damage to biodiversity should implement the polluter pays principle. For instance, if someone inflicts significant damage upon a habitat or a species protected under EC nature conservation law, he would have to pay for the restoration or compensation of this damage. This will give people carrying out activities that risk damaging protected natural resources additional incentives to take appropriate measures to avoid problems. The liability mechanism moreover has the merit of internalising environmental costs, as eventual restoration costs may be considered by, for example, insurance companies when setting premiums.

ACTION: *To raise awareness on the usefulness of environmental liability regimes to preserve biodiversity.*

Target:

Public hearings by 2001.

ACTION: *To launch a study on the valuation and restoration of biodiversity damage and a study on opportunities of insurance policy schemes for environmental liability regimes.*

Target:

To present the studies by 2002.

ACTION: *To present a proposal for a Framework Directive including consideration to damage to biodiversity.*

Target:

To present the proposal before the end of year 2001.

4.2.3. Environmental impact assessment

79. Environmental Impact Assessment is a key instrument for identifying the likely impacts of human activities on biodiversity. When impacts are identified early in the decision-making process for the authorisation of projects, decision-makers can take the appropriate measures for preventing or mitigating possible negative effects on biodiversity and for subsequent monitoring of the effects.

80. Since the adoption of the Communication on a Biodiversity Strategy in 1998, environmental impact assessment has been further developed in the European Union. Directive 97/11/EC amending Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (amended EIA Directive), which improves and extends the scope of Directive 85/337/EEC, has entered into force. Under this amended Directive, Member States must, when determining whether or not to carry out an Environmental Impact Assessment, take into account *inter alia* the following criteria: the use of natural resources, the environmental sensitivity of the area likely to be affected and in particular areas such as wetlands, coastal zones, mountain and forest areas, nature reserves and parks and Natura 2000 sites. All these criteria are important to the conservation of biodiversity. However, while the final transposition date of the amended EIA Directive was 14 March 1999 some Member States have yet to transpose the amended Directive properly into national legislation.

ACTION: *To verify that the transposition of the amended EIA directive in Member States adequately covers biodiversity issues and to continue taking legal steps against those Member States who failed to adequately transpose the directive.*

Target:

Directive transposed by all Member States by 2001

ACTION: *To follow up the application of the amended EIA Directive in Member States with a focus on biodiversity issues .*

Target:

Amended EIA directive being fully implemented by Member States by 2002

ACTION: *To pay particular attention to the correct application of this Directive for projects funded under the Structural Funds Regulation and for projects that are likely to affect Natura 2000 sites.*

Target:

EIA applied for all relevant projects funded by the European Union.

4.2.4. Strategic Environmental Assessment

81. After the first reading by the European Parliament, the Commission has amended its Proposal for a Strategic Environmental Assessment (SEA) directive, which deals with environmental assessment of plans and programmes. This amended Proposal was the basis for Council negotiations that were finalised in March 2000 with the adoption of the Common Position. This Common Position requires *inter alia* an obligatory SEA for plans and programmes that are likely to affect Nature 2000 sites. The adoption of the SEA directive, foreseen for spring 2001, would represent a major step forwards taking account of the effects on the environment, including for biodiversity. It would help to ensure that environmental effects are taken into account in the early stages of decision-making for certain plans and programmes, in line with the precautionary principle.

ACTION: *Once the Strategic Environmental Assessment Directive is adopted, to verify its transposition and to follow its application in Member States with a focus on biodiversity issues.*

Target:

Strategic Environmental Assessment Directive transposed by Member States by 2002.

4.2.5. Support of public participation in environmental assessment procedures

82. Public information and consultation provisions are a central component of Environmental Impact Assessment. Not only do these contribute to raising the awareness of the public on the importance of biodiversity, but they also ensure that information available locally is gathered and taken into account in the decisions.
83. Apart from the legislative initiatives to strengthen environmental impact assessment procedures in the European Union, improved stakeholder participation will increase the environmental awareness of the public, including biodiversity, and will contribute to more environmental and biodiversity-friendly decision-making.

ACTION: *To revise existing guidelines on Environmental Impact Assessment and to produce new guidelines to support public participation practice in Assessments of both projects, and plans and programmes that may affect biodiversity.*

Target:

Guidelines by 2002

4.2.6. Access to information, public participation in decision-making and access to justice in environmental matters (the Aarhus Convention)

84. In June 1998, the European Community signed the UN/ECE Aarhus Convention. The 15 Member States are also signatories. In accordance with current EC practice, the European Community will only be in a position to ratify the Convention once the relevant EC legislation is aligned with its provisions. The provisions of the Aarhus Convention relating to access to information, public participation in environmental decision-making and access to justice are generally more detailed than the existing EC legislation in this area.

85. As access to information in the Member States is involved, in June 2000 the Commission proposed a European Parliament and Council Directive on Public Access to Environmental Information¹⁶ to ensure alignment to the provisions of the Aarhus Convention.

ACTION: *Once it is adopted, to ensure that the Directive is adequately implemented regarding access to information relevant to biodiversity.*

Target:

Adoption of the Directive by end of 2001

86. As public participation in environmental decision making in the Member States is concerned, the Commission adopted in January 2001 a proposal for a European Parliament and Council Directive to amend relevant EC environmental legislation to ensure alignment to the provisions of the Aarhus Convention.

ACTION: *To ensure that the Directive is adequately implemented regarding public participation in decision making relevant to biodiversity.*

Target:

Directive adopted by 2002

As far as access to justice is concerned, relevant provisions have been inserted in the two proposals mentioned above.

ACTION: *To consider whether further instruments on any remaining access to justice issues may be necessary.*

Target:

Evaluation of needs for further instruments by 2002.

4.2.7. Eco-labelling

87. In Decision V/15, the Conference of the Parties to the Convention on Biological Diversity, established a Programme of Work that promotes the development and implementation of social, economic and legal incentive measures for the conservation and sustainable use of biological diversity and decided that the activities of the Programme of Work should result, inter alia, in the development of methods to promote information on biodiversity in consumer decisions, for example, through eco-labelling.

88. Council Regulation (EEC) N° 880/92 establishes the Community eco-label award scheme. The eco-label is awarded to individual products on the basis of definitions of product groups and related ecological criteria. Ecological criteria for each product group are defined on the basis of a life cycle analysis of the environmental impacts. There are 15 product groups defined under the current Regulation. The eco-label criteria for four product groups, laundry detergents, dishwashing detergents, copying paper and tissue paper either contribute indirectly or have the potential to affect the

¹⁶ COM (2001) 839

protection of biodiversity. For example the ecological criteria for laundry and dishwashing detergents are designed with a view to limiting or banning a number of dangerous substances that may be toxic for aquatic ecosystems.

89. Regulation 880/92 has recently been replaced by a new Regulation,¹⁷ which extends the Community eco-label scheme to services. This extension is relevant for biodiversity, for example for the tourism sector where the label can be awarded to tour-operators respecting specific biodiversity criteria. In this connection the Commission has recently launched a study concerning the consequences for the environment of accommodation for tourists.

ACTION: *To ensure that criteria for the Community eco-label award scheme address the issue of biodiversity. Eco-labelled products and services should, where appropriate, support and should not negatively affect biodiversity.*

Target:

The life-cycle considerations leading to the establishment of eco-label criteria after 2000 to include, as appropriate, an evaluation of the potential effects of the product on biodiversity.

90. Forest certification schemes may complement the EU eco-labelling instruments. Existing EU eco-labelling criteria for forest products, such as paper, mandate that wood fibres used in these products originate from sustainable managed forests; hence they encompass biodiversity conservation. Forest certification is a voluntary procedure where an independent certifier confirms that a forest is managed according to modern sustainability standards, including the conservation and sustainable use of biodiversity. Forest certification aims to show consumers that wood or wood products come from forests where commercial exploitation is sustainable and follows good environmental practice. Credible forest certification schemes should be encouraged in consultation with stakeholders.

ACTION:

- *To encourage the development of credible forest certification schemes in consultation with stakeholders.*
- *To integrate forests certification schemes into Community policy instruments, where appropriate.*

4.2.8. Other Economic instruments, including Eco-Audit

91. Social, economic and institutional issues are often at the root of biodiversity loss. In return, biodiversity loss has socio-economic consequences of various kinds, such as diminishing amenities, decreasing opportunities for future generations or posing threats to current and future generations. Translating a predominantly nature-related concept, such as biodiversity, into an socio-economic one is, however, difficult since the benefits are often unspecific and diffuse and the factors influencing them are not fully understood.

¹⁷ Regulation (EC) 1800 (2000)

92. It is therefore important to identify and quantify perverse incentives in the economy that are harmful to biodiversity, building on global analyses that have already been undertaken. It will also be necessary to evaluate the utility of using market-based instruments to help maintain or improve biodiversity, be they instruments that work mainly on prices, such as financial incentives, charges or taxes, or instruments working on quality and quantities, such as quotas or tradable rights or permits that will allow the creation of markets. The gathering and dissemination of information is also a key instrument to increase public awareness and thus help consumers to give the right signals via the markets.

ACTION: *To launch a study to identify and quantify existing perverse incentives that are harmful to biodiversity, and to investigate into the utility of using economic instruments, those working on prices as well as those working on quantities, to help maintain or improve biodiversity.*

Target:
Study published by 2001.

93. Improving environmental performance of industry has long been a key element in environmental policy. A new way of improving environmental performance is to use the own dynamic of business and markets to deliver better environmental results.
94. The EMAS Regulation (Council Regulation (EEC) No 1836/93) allowing a voluntary participation by companies of the industrial sector in a Community eco-management and audit scheme, establishes a European system design to help companies to improve their environmental performance. This Regulation is currently being revised. The new Regulation (EMAS II) will extend its scope to organisations in general, including the financial sector, tourism and public authorities. EMAS II will include ISO 14001 standards. ISO 14001 will thus represent a standard for the design of environmental management systems.
95. EMAS provides a clear and credible structure, which can be tailored to the management of environmental issues in any business. It allows organisations to have a clear picture of their environmental impacts, including those on biodiversity, help them to target the significant ones and manage them well. For organisations, EMAS means efficiency, environmental improvements as well as financial benefits and better image. For interested parties and the public, EMAS means that organisations are taking responsibility for environmental impacts and that the process is transparent and credible.

ACTION: *To promote environmental management and audit schemes, which consider biodiversity in all areas of economic activity.*

Target:
To develop guidelines on biodiversity by 2003.

96. Public Procurement represents 14% of the GDP for the EU as a whole (over € 1,000 billion)¹⁸. Therefore, the Greening of Public Procurement can help change

¹⁸ Figures of 1998

markets and convince industry/suppliers to switch to more sustainable patterns of consumption.

97. On 10 May, the Commission adopted two Proposals for Directives on Public Procurement. The first Proposal co-ordinates the procedures for the award of public supply contracts, public service contracts and public works contract. The second Proposal co-ordinates the procurement procedures of entities operating in the water, energy and transport sectors.
98. Environment is referred to in both Proposals in the “*contract award criteria*” when the award is made to the “*most economically advantageous tender*”.
99. The two Proposals also contain another noteworthy explicit change that applies to environment, when stating that “contracting authorities can require particular conditions concerning performance of the contract provided that these conditions are compatible with Community law”. This means that in the contract clauses, when referring to the execution of the contract, environmental (and also social) requirements can be introduced.
100. Finally, the Commission will adopt in 2001 an Interpretative Communication on Public Procurement and Environment that should clarify the opportunities to integrate environment into public tenders.

ACTION: *To encourage the consideration of biodiversity criteria in the implementation of the public procurement directives.*

Target:

To present an Interpretative Communication on public procurement and environment addressing, inter alia, biodiversity issues, in 2001

4.2.9. Chemical substances

101. There is insufficient information on the environmental toxicity of most chemical substances currently on the EU market. However, experience has shown that some chemical substances have a high level of toxicity leading to a substantial impact on biodiversity. For example, widespread use of DDT has caused reproductive disorders in birds, as a result of eggshell thinning, while the anti-fouling agent tributyltin has resulted in the masculinization of female marine snails. Sadly these cases only came to light after substantial damage had already been done.
102. In the forthcoming White Paper on a future strategy for EU chemicals policy, the Commission will propose the collection of further information on chemicals currently on the EU market. More detailed information on toxicity will then be requested for the chemicals presenting the highest risk to the environment. On the basis of this information, appropriate measures could be taken to reduce the risk to the environment in general and to biodiversity in particular.

ACTION: *Address the chemical threat to biodiversity through collection of environmental toxicity information and application of appropriate risk reduction measures.*

Target:

To publish relevant proposals in the White Paper on a future strategy for EU chemicals policy in early 2001.

103. One specific area in which the Commission has developed a strategy on the basis of the precautionary principle is that of endocrine disrupting chemicals. The Commission Scientific Committee for Toxicity, Ecotoxicity and the Environment identified a "potential global problem" for wildlife and stated that "impaired reproduction and development causally linked to endocrine disrupting chemicals are well-documented in a number of wildlife species and have caused local and population changes".

ACTION: *To address potential problems of endocrine disrupters on biodiversity by implementing the Community Strategy for Endocrine Disrupters*

4.3.To support biodiversity through policies addressing genetic resources

4.3.1. Alien invasive species

104. Alien invasive species are a growing problem to biodiversity globally and within the EU. The European Community has adopted protective measures in this field. These include import controls envisaged in the CITES regulation and protective measures against the introduction into the Community of organisms harmful to plant or plant products. There are also measures against their spread within the Community. The Birds and Habitats directives also provide for a complementary legal framework for action on this issue. Finally, additional Community measures established in the context of the International Plant Protection Convention and the International Epizootics Organisation are also relevant and are referred to in the Action Plan on Agriculture and Biodiversity.

ACTION: *Updating the list of alien invasive species that are known to pose an ecological threat to native flora and fauna, habitats and ecosystems within the EU under the CITES Regulation; and to include the list in the European Community Clearing House Mechanism under the CBD.*

ACTION: *To facilitate the exchange of information, through the European Community Clearing House Mechanism, regarding existing legislation, guidelines and experience, including on measures taken to prevent the introduction of, to control or to eradicate those alien invasive species.*

105. Since the problem of alien invasive species is an international problem it is equally important to find solutions at an international level.

ACTION: *To develop international guidelines to address the problem of alien invasive species under the CBD.*

Target:

To continue promoting the elaboration of international guidelines to be adopted by the 6th Conference of the Parties to the CBD.

4.3.2. *Handling of biotechnology*

106. The recent surge of new knowledge and precise techniques of genetic modification may offer potential possibilities, for example for agricultural practices less damaging to the environment, and for greater appreciation of the genetic potential present in natural species. However this must also be considered in the context of any potential risks to biodiversity. The deliberate release of genetically modified organisms (GMOs) into the environment and the application of modern biotechnology to food and plants is currently the focus of intense public and political debate with particular reference to possible long-term effects on the environment and issues of food safety.
107. Directive 90/220/EEC is the core element in the regulatory framework for biotechnology. It sets out the procedures for approvals for both experimental releases of genetically modified organisms (GMO) (Part B) and the placing on the market of products containing GMOs (Part C) and aims at ensuring a high level of protection for human health and the environment.
108. The Directive sets out procedures for the deliberate release of GMOs into the environment, which include a comprehensive assessment of potential risks to human health and the environment. Information relating to both the receiving and wider environment is required as part of applications for experimental releases under Part B of the Directive including geographical location, physical or biological proximity to significant biota, proximity to protected areas, distance to closest areas protected for environmental purposes. Details of flora and fauna, including crops, livestock and migratory species should also be included in notifications as should a description of target and non-target ecosystems likely to be affected and a comparison of the natural habitat of the recipient organism with the proposed site(s) of release.
109. Additional information is required for notifications concerning the placing on the market of GMOs under Part C of the Directive and this includes the conditions of use and, where appropriate, the type of environment and/or the geographical area(s) of the Community for which the product is suited.
110. Directive 90/220/EEC is currently being revised and seeks to increase the efficiency and the transparency of the decision-making process whilst ensuring a high level of protection for human health and the environment through stricter rules for the deliberate release of GMOs.

ACTION: *Ensuring, in line with adoption of the revised Directive, that the introduction of mandatory monitoring, labelling and traceability at all stages of the placing on the market enables Member States to monitor long-term effects on the environment including effects on biodiversity.*

Targets:

Adoption of the Directive by 2001

Prevent or minimise adverse effects on biodiversity caused by release of GMOs.

111. Directive 90/219/EEC on the contained use of genetically modified micro-organisms (GMMs) concerns activities with GMMs under specified conditions of containment in both research laboratories and industrial facilities. The Directive requires that contained uses of GMMs should be carried out in such a way as to limit their possible negative consequences for human health and the environment, due attention

being given to the prevention of accidents and the control of wastes. This involves classification of GMMs in relation to the risks that they present and applying appropriate containment measures. Whilst contact of the GMM with the environment must be limited through appropriate containment measures, the assessment must take account for the possibility of an accidental escape from containment into the surrounding environment. Emergency plans to deal with such escapes are also required.

112. Directive 98/81/EC, amending Directive 90/219/EEC, was adopted on 26 October 1998 and includes provisions based on risk arising from work activities rather than processes although the size and scale of the process is still considered in the risk assessment. The principles for the new risk assessment procedure have been defined in an annex and measures taken to improve the operation of the Directive by linking administrative procedures and notification requirements to the risk arising from activities incorporating GMMs. The risk-based approach of the Directive places additional requirements on the industry in terms of their input but this should be offset by the inclusion of guidelines to clarify the risk assessment procedures.

ACTION: *Ensuring that Directive 98/81/EC has been appropriately transposed into national law and is properly applied by Member State with regard to risks on biodiversity.*

Target:

No negative effects on biodiversity originated by contained use of GMMs.

4.3.3. *Ex-situ conservation*¹⁹

4.3.3.1. Zoos

113. The Council Directive 99/22/EC of 29 March 1999 relating to the keeping of wild animals in zoos establishes conditions for licensing zoos in the European Union. The Directive requires zoos throughout the Community to contribute to the conservation of biodiversity by participating in the following activities:

- *Research, to provide conservation benefits to the species and to link in-situ and ex-situ conservation, for example through re-introduction projects.*
- *Public education and awareness in relation to the conservation of biodiversity, particularly by providing information about the species exhibited and their natural habitats.*
- *Accommodating their animals under conditions satisfying the biological and conservation requirements of the individual species.*

114. On 15 March 2000 the European Commission held an information seminar for the Member States with the aim of providing and sharing information on how to implement the Zoos Directive. The Member States must pass the necessary legislation to implement this Directive by 9 April 2002.

¹⁹ See also Biodiversity Action Plan for Agriculture

ACTION:

Licensing all existing zoos if qualifying to criteria regarding conservation of biodiversity

Target:

Zoos licensed by April 2003

ACTION: *Licensing in the light of biodiversity conservation criteria any new zoo before opening to the public.*

Target:

No new zoos opened without licensing

4.3.3.2. Botanic gardens

115. Ex situ conservation is recognised as one of the most important roles of botanic gardens in the conservation and sustainable use of biodiversity. Their ex-situ collections provide material for integrated conservation (involving a combination of ex situ and in situ conservation techniques). Their activities are relevant, inter alia, for reintroduction of species into damaged habitats and to enhance populations as part of ecosystem management, for research and education, for selecting material for introduction into the nursery trade as well as pharmaceutical and crop protection industries, local agriculture, amenity planting and local forestry. Ex situ conservation can include the maintenance of samples of whole individuals, as well as seed, pollen, vegetative propagules and tissue or cell cultures.
116. In April 2000 the European Botanic Gardens Consortium published an "Action Plan for Botanic Gardens in the European Union". The implementation of this Action Plan will be an important contribution towards achieving the relevant objectives of the Biodiversity Strategy.

ACTION: *To encourage the implementation of the aspects relevant to the preservation of biodiversity in the "Action Plan for Botanic Gardens in the European Union".*

Target:

All EU botanic gardens adopting Environmental Monitoring and Audit Schemes (EMAS) addressing biodiversity issues.

5. CONTRIBUTING TO PRESERVING BIODIVERSITY AT GLOBAL LEVEL

117. Achieving this environmental quality target requires action to address the following objectives set out in the Community Biodiversity Strategy:
- *To implement the EC CITES Regulation and to adapt it to reflect further decisions by the Conference of the Parties to CITES*
 - *To promote better co-ordination between different initiatives in the international forums in the field of climate change, ozone layer depletion and desertification to avoid duplication of efforts, in particular with respect to reporting procedures*

- *To identify interactions between the CBD and activities under other existing international agreements in order to optimise the opportunities for synergy*

5.1.To implement the EC CITES Regulation and to adapt it to reflect further decisions by the Conference of the Parties to CITES

118. The utilisation of wildlife for international trade can play an important role in the conservation and sustainable use of biodiversity resources, particularly in developing countries. It is an industry worth billions of Euro and involving hundreds of millions of animals and plants every year. The Multilateral Environment Agreement designed to ensure that this trade is maintained on sustainable levels and does not cause the extinction of the species it uses is the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).
119. For species covered by CITES, the EU consumes 30% of the global trade in primates, 65% of the global trade in birds and 75% of the trade in wild plants. The EU is therefore one of the world's most significant consumers of wildlife products and subsequently has a duty to ensure that its consumption is at sustainable levels.
120. When CITES entered into force in 1975 no provision was made for regional economic integration organisations such as the European Community to join. Although the text of the Convention was amended in 1983 ("the Gaborone Amendment") to allow this to happen, an insufficient number of CITES Parties have ratified this change to allow it to come into effect. This causes difficulties in international implementation and to the Community's ability to play a full role in the work of CITES. Nevertheless the EC attaches great significance to the principles of the Convention and has put into place comprehensive legislation on wildlife trade. This is amongst the most complete and comprehensive legislation to implement CITES anywhere in the world.

ACTION: *Continue diplomatic efforts to encourage ratification of the Gaborone Amendment.*

Target:

Entry into force of the Gaborone amendment before the 12th Conference of the CITES Parties (2002).

121. The EC CITES Regulation like the CITES Convention is based on a system of import and export permits for species which may be threatened by international trade, with different conditions applying to the permits depending on the degree of threat from international trade to which the species is exposed. As a major market for wildlife products, the EU has decided to take stricter measures than provided for under CITES by making its own 'non-detriment' finding before import of specimens from any of the 30.000 species covered by the Regulation is allowed. This finding is made by scientists in the importing EU Member State who must be sure that the importation would cause no threat to the species before agreeing that a permit should be issued. These findings are harmonised at EU level through the sharing of information and are finalised only after full consultation with the exporting countries, which of course have the primary role in ensuring the sustainable use of the resource.
122. Due to the absence of customs controls between the Member States, wildlife goods have free circulation within the EU. Consequently it is important that all Member

States apply the legislation in a uniform way. The EC CITES Regulation is directly applicable law in all Member States and needs only to be supplemented at national level by measures such as the designation of the responsible authorities, ports of entry for wildlife goods and the provision of penalties for breaches of the law. Co-ordination is ensured through regular meetings of the Member States' Management Authorities (administrative matters), Scientific Authorities (scientific matters) and of the Enforcement Group (enforcement) all chaired by the European Commission.

123. After each Conference of the Parties to CITES the EC CITES Regulations are brought into line with the specific decisions and resolutions taken by CITES. The objective is always to implement all actions agreed by CITES in the most comprehensive way possible and within the time limits recommended by CITES.

ACTION: *To present amendment Regulations to reflect the outcomes of the 11th Conference of the Parties held in April 2000.*

Target:

To implement a Regulation to apply changes to the levels of protection from international trade afforded to different species agreed by the CITES parties to reflect their current conservation needs.

Target:

To implement a Regulation implementing Resolutions and Decisions agreed by the CITES Conference of the Parties to provide guidance and interpretation for the wording used in the text of the Convention.

124. Although the fact that the EC is not a Party to CITES in its own right necessarily limits its possibilities, the Commission nevertheless contributes funds to research activities which directly benefit the implementation of CITES world-wide. In the 5 years 1996-2000, the European Commission spent €1.4 million on measures to support the implementation of the CITES Regulation, part of which – species databases, and statistical and technical reports – was of benefit to CITES more generally. The Commission spent a further €700,000 during the same period on specific scientific research related to the sustainable use of species covered by the EC CITES Regulation and CITES. These varied from the production of a management plan for the exploitation of chameleons in Madagascar to a review of the international trade in Asian orchids. In addition the European Commission has provided some development co-operation and specifically aimed at implementing CITES, in particular funding a co-ordinator of efforts to regulate the trade in ivory.

ACTION: *Continue with core support contracts needed to fully implement the provisions of Community law on wildlife trade.*

Target:

To maintain the full implementation.

ACTION: *Continue to support ad hoc scientific research related to the sustainable use of species covered by the EC CITES Regulations and CITES itself.*

Target:

To maintain current levels of funding until the EC becomes a Party to CITES in its own right when more direct support for CITES should be envisaged to meet the obligations of Parties.

125. The EC CITES Regulation conveys a specific duty on the Commission and the Member States to inform affected members of the public about the implementing provisions of the Regulation. In the 5 years 1996-2000, the European Commission contributed €600,000 to a major EU-wide campaign directed primarily at airports and seaports to inform the travelling public about the contribution they can make to the sustainable utilisation of natural resources through appropriate commercial actions concerning trade in threatened species.
126. The Commission has funded a website containing essential biological and trade data on around 10,000 species. This database can be interrogated to provide details of current EU policy towards import specimens of the species concerned. To improve transparency, the next move will be to provide clearer information on the Commission's Europa site about the decision-making process for EU wildlife trade controls. Such a development will serve two purposes: firstly to inform affected members of civil society (traders, business, pet keepers etc) of Community policy and its implementation and secondly to ensure that the existing high level of public interest in the subject is matched by a full understanding of the issues at stake and the actions undertaken by the Commission and the Member States in this field.

ACTION: *Continue funding and development of the external species database containing essential biological and trade data on species covered by the EU regulations together with details of current EU policy towards the import of the species concerned.*

Target:

Continued funding at present levels and annual review of the content and design of the site with amendments where necessary.

ACTION: *Expand the Commission's Europa wildlife trade website to include far more detail on Community policy and administration and linking it to the European Community Clearing House Mechanism under the Convention on Biological Diversity.*

Target:

Expanded website accessible in 2001

ACTION: *Regular review of measures undertaken at Community and Member State level to publicise the provisions of Community law on wildlife trade. Co-ordinated action (Member States/Commission) to address any deficiencies or lacuna noted.*

Target:

Increased awareness of Community law by professional traders and the travelling public.

5.2.To promote better co-ordination between different initiatives in the international forums in the fields of climate change, ozone layer depletion and desertification to avoid duplication of efforts, in particular with respect to reporting procedures

5.2.1. Climate Change

127. Climate change will have a serious impact on the distribution of species and habitats, including some of those in the annexes to the Birds and Habitats directives. It is, for example, one of the causes of coral bleaching around the world with serious direct impact on the biodiversity both of the coral reefs themselves and of some high seas fish whose populations depend on the reefs during parts of their life cycle.
128. In addition, initiatives regarding deforestation, afforestation and reforestation under the Kyoto Protocol can constitute very important incentives or disincentives for the conservation and sustainable use of biodiversity. This reinforces the need for optimising synergies in the implementation of the Biodiversity and the Climate Change conventions.

ACTION: *To ensure that initiatives regarding deforestation, afforestation and reforestation taken in the light of the Kyoto Protocol are conducive for the conservation and sustainable use of biological diversity.*

Target:

Needs for conservation and sustainable use of biodiversity being recognised as a precondition in the implementation of the Kyoto Protocol

ACTION: *To promote the implementation of Decision IV/15 of the Conference of the parties of the Convention on Biological Diversity, which calls for closer co-operation with the Framework Convention on Climate Change, the Convention to Combat Desertification and CITES.*

Target:

Community Biodiversity experts participating in relevant negotiations under these Conventions

5.2.2. Ozone depletion

129. Ozone depletion has an important impact on biodiversity. It affects phytoplankton productivity at sea and thus the whole basis of the marine the food chain. It also affects the chlorophyll cycle in vegetables and their growth patterns. Ozone depletion may also be one of the causes of the deterioration of the conservation status of amphibians around the world. One of the main substances still being used and causing ozone depletion is the pesticide methyl bromide, which is in itself a powerful destroyer of soil biodiversity.

ACTION: *To phase out the use of ozone depleting substances and in particular of methyl bromide in agriculture.*

Target:

Phase out by 2003

5.2.3. Desertification

130. Biodiversity loss and desertification are mutually reinforcing processes with multiple feedback loops. It is important that the Convention to Combat Desertification and the Convention on Biological Diversity work together to enhance synergies and avoid duplication of work.
131. In its Decision V/23 the 5th Conference of the Parties to the Convention on Biological Diversity adopted a Programme of Work on "dry and sub-humid lands" and requested the Executive Secretary of the CBD to collaborate with the Secretariat of the Convention to Combat Desertification in the development of a joint work programme.

ACTION: *To contribute actively to the joint work programme in particular by providing input to the CBD's Subsidiary Body on Scientific Technical and Technological Advice (SBSTTA) on the conservation status and trends of dryland biodiversity in the European Community.*

Target:

Report on the conservation status and trends of dryland biodiversity in the European Community to be submitted to the Convention on Biological Diversity by 2002

5.3.To identify interactions between the CBD and activities under other existing international agreements in order to optimise the opportunities for synergy

132. The Community is contracting or signatory party to some 57 international environment agreements, and participates in various inter-governmental environment processes which are relevant to its international action in favour of biodiversity.²⁰ Co-ordinated reporting for some biodiversity-related Conventions has been identified as a key tool to enhance opportunities for synergy. Other means are more appropriate in other cases. The CITES, Climate Change and Desertification Conventions and the Montreal Protocol, are dealt with elsewhere in this Action Plan. Equal importance must be given to the Biosafety Protocol, the international process on forests, key regional Conventions such as the Barcelona and OSPAR Conventions and other international processes. The following proposals for action cover only some of the important areas and are not meant to be exhaustive.

ACTION: *to promote the consideration of the implications for biodiversity emerging from the implementation of relevant international agreements.*

Target:

Biodiversity indicators being agreed by other international agreements

5.3.1. Reporting

133. In its Decision V/19 the 5th Conference of the Parties to the Convention on Biological Diversity requested the Executive Secretary to proceed with the further development and implementation of the proposals for streamlining national reporting

²⁰ See Annex B to the First Report on the Implementation of the Convention on Biological Diversity by the European Community.

contained in section 5.2 of the "Feasibility study for a harmonised information management infrastructure for biodiversity-related treaties". Indeed, streamlining of reporting obligations would provide a basis for better identifying opportunities for synergies between these treaties.

ACTION: *To make an analysis of the reporting obligations of the Community and its Member States under relevant international treaties in order to identify best approaches for streamlining in the European Community and to provide an input to the work being developed by the CBD Secretariat.*

Target:

Report transmitted to the Convention of Biological Diversity by 2001.

5.3.2. The Biosafety Protocol

134. After five years of negotiations the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (CBD) was adopted in Montreal on 29 January 2000. The European Community signed the Protocol on 24 May 2000, during the fifth Conference of the Parties of the CBD in Nairobi, and has subsequently started preparing for its ratification and implementation.

135. The Cartagena Protocol is based on the precautionary principle and addresses the safe transfer, handling and use of living modified organisms (LMOs) that may have an adverse effect on biodiversity, taking also into account risks to human health and with a specific focus on transboundary movements. It establishes an Advance Informed Agreement (AIA) procedure for imports of LMOs intended for introduction into the environment and an alternative procedure for mass movements of LMOs intended for food, feed and for processing (commodities). It sets out a detailed basis for decision making on imports, incorporating the precautionary principle and specifies documentation requirements for the movement of all LMOs. The Protocol also contains provisions on confidential information, information-sharing, capacity-building, and financial resources, with special attention to the situation of developing countries, which lack adequate domestic regulatory systems and an enabling clause on liability. It furthers the integration of environmental concerns into trade policy by ensuring that the Protocol and the WTO agreements are mutually supportive.

ACTION: *To ratify and implement the Biosafety Protocol as soon as possible and to encourage other parties to ratify to ensure that the Protocol enters into force as soon as possible.*

Target:

Proposal for ratification and implementation of the Protocol by the European Community by 2001.

5.3.3. The international forests process

136. At its 4th Conference of the Parties the CBD adopted a specific Work Programme for forest biological diversity. The 6th Conference of the Parties in 2002 will probably expand its focus from research to practical action. At the Pan-European level the Ministerial Conference on the Protection of Forests in Europe has, in co-operation with the Environment for Europe process, developed a Work Programme on the

conservation and enhancement of biological and landscape diversity in forests ecosystems.

137. In September 2002 the UN ECOSOC will decide on the establishment of a new international arrangement on forests, including the new UN Forum on Forests. This a follow-up to the UN Inter-governmental Forum on Forests (IFF) (1997-2000) and the Intergovernmental Panel on Forests (IPF) (1995-1997), both under the aegis of the CSD. The results of IFF and IPF include a wide range of conclusions and 284 Proposals for Actions for the management, conservation and sustainable development of all types of forests, several of which address the conservation and sustainable use of biodiversity. One of the main goals of the UNFF will be to monitor and review the implementation of these IPF/IFF proposals.

ACTION: *Promote synergy between forest related activities of the CBD and other intergovernmental processes, in particular the UN Forum on Forests, the Pan-European forests process and the Framework Convention of Climate Change and develop action for the Conservation, Management and Sustainable Developments of all types of forests.*

Target:

The CBD Programme of work on forest ecosystems being integrated into the work of the UN Forum on Forests and the Pan-European forests process.

5.3.4. Regional conventions

138. In the context of the Barcelona Convention and the annexed Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean the Community strongly supports the development of measures necessary to establish specially protected areas. This should include the development of inventories of the components of biological diversity, strategies, plans and programmes for the conservation of biological diversity as well as monitoring the components of biological diversity and the effects of adverse impacts on them.
139. The European Community is already developing the Natura 2000 network that has a mirror in the Bern Convention's EMERALD network for Central and Eastern Europe. Both initiatives cover northern parts of the Mediterranean. Other regional Conventions and Protocols may use the lessons learned in the implementation of these networks.

ACTION: *To encourage the development of regional approaches for the designation of a network of protected areas in the context of regional Conventions and Protocols and, in particular under the Barcelona Convention.*

Target:

To facilitate proposals for the establishment of regional networks of protected areas, in particular in the Mediterranean, the Persian and the Gulf seas.

140. In the framework of the 1992 Convention of the Marine Environment for the North East Atlantic (OSPAR Convention), a ministerial meeting of the OSPAR Commission in 1998 adopted a new Annex V to the Convention concerning the protection and conservation of the ecosystems and biological diversity of the maritime area. The ministerial meeting adopted also a specific strategy in order to

guide the contracting parties with regard to the protection of the biological diversity of the maritime area. In May 2000 the European Community ratified this Annex which foresees that the parties must take the necessary measures to protect and conserve the ecosystems and the biological diversity of the maritime area of the North East Atlantic and to restore, where practical, the maritime areas which have been adversely affected.

5.3.5. *Other international processes*

141. In addition, it is important to ensure the mutual supportiveness of activities under the CBD, FAO and WTO/TRIPS in the areas of intellectual property rights, access to genetic resources and equitable sharing of benefits arising out of the use of genetic resources.

ACTION: *To establish a strong inter-service process to ensure coherence in policies and initiatives developed in the context of the CBD, FAO and the WTO/TRIPS Council.*