

Public consultation as part of the Fitness Check of the EU nature legislation (Birds and Habitats Directives)

Fields marked with * are mandatory.

Public consultation as part of the 'fitness check' on EU nature legislation (Birds Directive, Habitats Directive) (EN)

About you

*Your name or organisation:

40 character(s) maximum

Scottish Land & Estates

Please provide your EU Transparency Register ID number (if you have one):

15 character(s) maximum

If your organisation is not registered, you can [register now](#).

*Can your reply be published:

- with your name or that of your organisation?
 anonymously?

For information on how your personal data and contribution will be dealt with, please refer to the privacy statement in the introduction to this consultation.

*What is your main country of residence or activity?

- BELGIQUE-BELGIË
- DANMARK
- DEUTSCHLAND
- EESTI
- ESPAÑA
- FRANCE
- HRVATSKA
- IRELAND
- ITALIA
- LATVIJA
- LIETUVA
- LUXEMBOURG
- MAGYARORSZÁG
- MALTA
- NEDERLAND
- OTHER COUNTRY (non-EU)
- POLSKA
- PORTUGAL
- ROMÂNIA
- SLOVENIJA
- SLOVENSKO
- SUOMI / FINLAND
- SVERIGE
- UNITED KINGDOM
- ÖSTERREICH
- ČESKÁ REPUBLIKA
- ΕΛΛΑΔΑ (ELLADA)
- ΚΥΠΡΟΣ (ΚΥΠΡΟΣ)
- БЪЛГАРИЯ (BULGARIA)

Region (optional):

- EAST MIDLANDS (ENGLAND)
- EAST OF ENGLAND
- LONDON
- NORTH EAST (ENGLAND)
- NORTH WEST (ENGLAND)
- NORTHERN IRELAND
- SCOTLAND
- SOUTH EAST (ENGLAND)
- SOUTH WEST (ENGLAND)
- WALES
- WEST MIDLANDS (ENGLAND)
- YORKSHIRE AND THE HUMBER

***I am replying to this questionnaire as...**

- an individual
- a business
- a non-governmental organisation (NGO)
- an organisation or association (other than NGO)
- a government or public authority
- a European institution or agency
- an academic/research institute
- other

***Is your organisation:**

- an international organisation
- a business network or association
- a charity
- other

***Which of the following best describes your main field of activity or interest?**

- agriculture
- angling
- construction & development
- culture
- education
- energy
- environment
- extractive industry
- fish farming & associated activities
- fishing (other than angling)
- forestry
- hunting
- nature
- recreation
- science
- tourism
- transport
- water management

Part 1 - General questions

***1. How important is nature conservation to you?**

- not important
- not very important
- important
- very important

2. How familiar are you with EU nature conservation measures?

	not familiar	slightly familiar	quite familiar	very familiar
*Birds Directive	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*Habitats Directive	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*Natura 2000 network of protected areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

***3. How important to nature conservation are the Birds and Habitats Directives?**

- not important
- not very important
- important
- very important
- I don't know

***4. Are the Directives' strategic objectives appropriate for protecting nature in the EU?**

The strategic objective of the Birds Directive is to maintain the population of all species of wild birds in the EU at a level which corresponds to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements, or to adapt the population of these species to that level.

The strategic objective of the Habitats Directive is to maintain or restore natural habitats and species of Community interest at favourable conservation status, taking into account economic, social and cultural requirements and regional and local characteristics.

- not appropriate
- somewhat appropriate
- appropriate
- very appropriate
- I don't know

***5. Is the approach set out in the Directives an appropriate way to protect species and habitats in the EU?**

The Directives require EU countries to establish strict protection rules for all of Europe's wild birds and a wide range of other rare, threatened or endemic species, and to designate specific nature protection areas to assure the long-term survival of Europe's most valuable and threatened species and habitats, as well as migratory birds. Together, these areas form a network covering approximately 18% of the EU and over 4% of its seas.

- not appropriate
- somewhat appropriate
- appropriate
- very appropriate
- I don't know

***6. Have the Directives been effective in protecting nature?**

- not effective
- somewhat effective
- effective
- very effective
- I don't know

***6 b. If you think the Directives have not been effective or have only been somewhat effective, is this mainly due to:**

- problems inherent in the legislation
- problems with implementation
- problems with enforcement
- none of the above
- I don't know

***7. How important is the Natura 2000 network for protecting threatened species and habitats in the EU?**

The Natura 2000 network comprises some 27,000 protected areas with a high biodiversity value covering approximately 18% of the EU and over 4% of its seas.

- not important
- somewhat important
- important
- very important
- I don't know

***8. How do the costs of implementing the Birds and Habitats Directives compare with the benefits from their implementation?**

- The implementation costs are more or less equal to the benefits
- The implementation costs are somewhat greater than the benefits
- The benefits of implementation are somewhat greater than the costs
- The implementation costs far exceed the benefits
- The benefits of implementation far exceed the costs
- I don't know

9. While the Directives are primarily focused on conserving nature, to what extent have the following been taken into account in implementing them?

	Not at all	Not enough	Enough	Very well	I don't know
*Economic concerns	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Social concerns	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Cultural concerns	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Regional characteristics	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Local characteristics	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

10. Do EU policies in the following areas generally support the objectives of the Birds and Habitats Directives?

	No	Yes	Could contribute more	I don't know
*Agriculture & rural development	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Fisheries & maritime	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Cohesion (regional)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Energy	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Transport	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Environment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Industry/enterprise	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Climate change	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Health	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Research & innovation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

***11. To what extent have the Directives provided more value than could have been achieved through national or regional laws in this area?**

- no added value
- some added value
- significant added value
- I don't know

***12. To what extent have the Directives added value to the economy (e.g. job creation, business opportunities linked to Natura 2000)**

- no added value
- some added value
- significant added value
- I don't know

***13. To what extent have the Directives brought additional social benefits (e.g. health, culture, recreation, education)?**

- no added value
- some added value
- significant added value
- I don't know

***14. Is there still a need for EU legislation to protect species and habitats?**

- Yes
- No
- I don't know

***Would you like to answer the more specific questions in part 2 of the questionnaire?**

- Yes
- No

Part 2 - specific questions

Effectiveness

The following questions explore the extent to which the objectives of the Birds Directive and Habitats Directive have been met, and any significant factors which may have contributed to or inhibited progress towards meeting those objectives.

15. How effective have the Birds and Habitats Directives been in:

	Not at all effective	Not very effective	Somewhat effective	Very effective	I don't know
*protecting threatened bird species	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*protecting all wild bird species	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*protecting threatened species (other than birds)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*protecting Europe's most threatened habitat types	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*establishing a system to protect species	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*ensuring that species are used sustainably (e.g. hunting, fishing)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*establishing an EU-wide network of protected areas (the Natura 2000 Network)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*managing & restoring sites in the Natura 2000 network	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*ensuring proper assessment of risks to Natura 2000 sites from new plans & projects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*regulating the impact of new plans & projects on Natura 2000 sites	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*encouraging the management of landscape features outside Natura 2000 sites	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

16.To what extent do the Directives help meet the EU Biodiversity Strategy objectives?

The [EU Biodiversity Strategy](#) identifies 6 targets and 20 actions to help Europe halt the loss of biodiversity and the degradation of ecosystem services in the EU by 2020, and restoring these as far as feasible, while increasing EU support for preventing global biodiversity loss.

	No contribution	A small contribution	A significant contribution	A very significant contribution	I don't know
*protecting species & habitats	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*maintaining & restoring degraded ecosystems & their services	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*conserving & improving biodiversity on agricultural & forested land	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*ensuring sustainable use of fisheries resources	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*combating the introduction & spread of invasive alien species	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Helping conserve
biodiversity
worldwide



17. How effective overall have the Directives been so far?

	Not at all effective	Not very effective	Somewhat effective	Very effective	I don't know
*Birds Directive	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Habitats Directive	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

18. Where the Directives have succeeded, to what extent have the following contributed?

	No contribution	Minor contribution	Moderate contribution	Major contribution	I don't know
*The Directives are clearly worded	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Effective enforcement	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Effective EU-level coordination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Effective national coordination	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Effective regional coordination	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Effective local coordination	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Guidance & best practice on implementation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Sufficient scientific knowledge of species & habitats	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Dedicated funding	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Appropriate human resources	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Stakeholder involvement	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Public awareness & support	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Nature conservation is well integrated into other policies	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Appropriate management of protected areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*International cooperation to protect species & habitats	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

19. To what extent are the following limiting progress towards the Directives' objectives?

	Not restricting progress	Somewhat restricting progress	Significantly restricting progress	I don't know
*The Directives are not clearly worded	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Ineffective enforcement	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Ineffective EU-level coordination	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Ineffective national coordination	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Ineffective regional coordination	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Ineffective local coordination	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Insufficient guidance & best practice on implementation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Unclear guidance & best practice on implementation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Gaps in scientific knowledge of species & habitats	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Insufficient funding	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Insufficient human resources	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Insufficient stakeholder involvement	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Low public awareness & support	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Insufficient integration into other policies	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Lack of appropriate management of protected areas	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Lack of or limited international cooperation to protect species & habitats	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Efficiency

The following questions explore whether the costs of implementing the EU Nature Directives are reasonable and in proportion to the results achieved. The directives were designed to promote the conservation of species and habitats, but they also provide other benefits to the environment and society. Costs arise from administrative requirements, compliance enforcement, and forfeited opportunities, for instance those due to licensing delays or restrictions on activities in Natura 2000 sites.

20. How significant are the benefits associated with the Directives?

	Insignificant benefits	Minor benefits	Moderate benefits	Major benefits	I don't know
*Benefits to wild bird conservation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Benefits to species conservation (other than birds)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Benefits to habitat conservation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Other environmental benefits, e.g. soil, water & air quality	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Benefits to the economy (e.g. local jobs, tourism, research & innovation)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Benefits to society (e.g. health, culture, recreation, education)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

21. How significant are the costs associated with the Directives?

Administrative costs include costs of establishing and running management bodies, preparation and review of management plans, public communication and consultation, site designation, including scientific studies, consultation, costs linked to permitting requirements, investigations and enforcement.

Opportunity costs include foregone development opportunities, delays in development, or restrictions on other activities (e.g. recreation, hunting) resulting from site and species protection.

	Insignificant costs	Minor costs	Moderate costs	Major costs	I don't know
*Natura 2000 site management costs	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Costs of protecting species of birds	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Costs of protecting species other than birds	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Administrative costs	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Opportunity costs	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

22. Are these costs proportionate, given the benefits associated with the Directives?

	Disproportionate	Proportionate	I don't know
*Natura 2000 site management costs	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*Costs of protecting species of birds	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*Costs of protecting species other than birds	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*Administrative costs	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*Lost opportunity costs	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

23. On the basis of experience to date, to what extent have the following caused any inefficiency?

	Not at all	To some extent	To a large extent	I don't know
*How the Directives are written	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*How compliance is enforced at EU level	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*How the Directives are implemented nationally	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*How the Directives are implemented regionally	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*How the Directives are implemented locally	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Interaction with other EU law & policies	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

24. Have any of the following become more or less efficient over time?

	More efficient	The same	Less efficient	I don't know
*How the Directives are managed at EU level	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

*How the Directives are implemented nationally	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*How the Directives are implemented regionally	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*How the Directives are implemented locally	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Interaction with other EU law & policies	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Interaction with other national law & policies	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

***25. Overall, how well are funding needs for implementing the Directives being met?**

- Sufficient funding, efficiently used
- Sufficient funding, not efficiently used
- Insufficient funding, efficiently used
- Insufficient funding, not efficiently used
- I don't know

Relevance

The following questions explore the extent to which the Birds and Habitats Directives meet the needs of species and habitats of EU conservation concern, and whether they are still an appropriate and necessary means of protecting nature in the EU.

25. How important are the Directives to safeguarding Europe's biodiversity?

	Not at all important	Not very important	Important	Very important	I don't know
*Birds Directive	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Habitats Directive	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

26. How important are the Directives to protecting species and habitats from the following pressures and threats?

	Not at all important	Not very important	Important	Very important	I don't know
*Loss or fragmentation of habitats	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Unsustainable use of species & habitats	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Pollution	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Introduction & spread of non-native plants & animals	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Climate change	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

27. How well do the Directives cover the habitats and species that most need conservation in the EU?

Both the Birds and Habitats Directives contain annexes which list the species and habitats protected under each Directive, and the level of protection.

	Not well at all	Not very well	Sufficiently well	Very well	I don't know
*Birds Directive	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Habitat Directive	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Coherence

This section explores whether the Birds and Habitats Directives are consistent with each other and with other policies and legislation, whether they are complementary or if there are significant gaps, overlaps and inconsistencies that prevent them from being effectively implemented

28. To what extent do you agree with the following statements?

The EU has commitments to protect nature under international conventions and agreements, such as the Convention on Biological Diversity, Bern Convention on European Wildlife, the Convention on Migratory Species, the Convention on International Trade in Endangered Species, and the African Eurasian Waterbird Agreement.

	Totally disagree	Mostly disagree	Neither agree nor disagree	Mostly agree	Totally agree	I don't know
*The objectives and requirements of the Birds and Habitats Directives are consistent with each other and mutually supportive	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*The objectives and requirements of the Birds and Habitats Directives are consistent with those of the EU Biodiversity Strategy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*The objectives and requirements of the Birds and Habitats Directives are in line	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

with international commitments to protect nature							
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29. Are there any significant gaps, overlaps or inconsistencies between the Birds and Habitats Directives and the following EU environment legislation that limit the extent to which the Directives can be effectively implemented?

	No	Yes	I don't know
*Strategic Environmental Assessment Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Directive on environmental impact assessment of projects	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Water Framework Directive	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Marine Strategy Framework Directive	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Floods Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*National Emission Ceilings Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Nitrates Directive	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Environmental Liability Directive	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

EU added value

The following questions explore whether EU nature legislation has made a difference compared to national, regional and/or local action alone, and if so, how.

30. To what extent have the EU Birds and Habitats Directives helped improve the following, over and above what could have been achieved through national or regional legislation?

	No contribution	Minor contribution	Moderate contribution	Significant contribution	I don't know
*Standards for nature protection	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*The extent of protected areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Protection of wild bird species	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Protection of threatened species (other than birds)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Protection of threatened habitat types	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Management of habitats	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Restoration of degraded habitats	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Research into & knowledge about species & habitats	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Funding for nature conservation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Staff assigned to nature conservation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Cross-border cooperation on nature conservation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Networking & exchange of best practice in nature conservation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

*Integration of nature conservation into other policies	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Public awareness of nature conservation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Stakeholder participation & engagement in nature conservation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Building partnerships & resolving conflicts around nature conservation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Providing a level playing field for businesses	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Meeting international nature conservation commitments	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

*Regulating hunting	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Economic benefits linked to job creation, investment in tourism & recreation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

***31. If the EU nature Directives did not exist, would the overall state of species and habitats in the EU be...**

- the same
- somewhat better
- somewhat worse
- much better
- much worse
- I don't know

Final remarks

Any further comments?

Text of 1 to 2000 characters will be accepted

While Scottish Land & Estates agrees that the Habitats and Birds Directives have ensured that Europe's rarest and most important habitats and species are not completely lost under the pressure of development, we would also point out that biodiversity continues to diminish. This leads us to conclude that the model employed through the Directives is only partially rather than wholly successful. Some consideration should therefore be given to whether the Natura 2000 model of protection is the most effective means of securing a turnaround in the fortunes of biodiversity going forward. A failing perhaps of the model of strict protection is that it is limited in terms of allowing for most of our economic and social activity to integrate with environmental considerations. It perhaps promotes an idea of nature as existing in separate protected places away from the bulk of human activity, so that most people in their everyday lives do not take account of their impact on it. Conversations about how we can effectively deliver for nature, alongside delivering food, timber, housing and sustainable rural communities need to occur and processes need to be put in place that allow those owning and managing land to make informed choices about what they deliver, where.

Scottish Land & Estates also points out that while the Directives are sufficiently broad to suggest there is considerable flexibility in terms of their implementation, in practice Member States tend to take more prescriptive, risk averse approach to their implementation. This is understandable given their wish to avoid possible proceedings through the Europe Court of Justice. The Court's case law to date tends to have supported rigid, strict interpretation. Europe has an enabling role to play in terms of giving Member States support to take a more flexible and responsive approach where they feel this would benefit the overall objectives of the Directives.

Thank you for your feedback!

Contact

http://ec.europa.eu/environment/nature/legislation/fitness_check/index_en.htm
