

“Biodiversity — the extraordinary variety of ecosystems, species and genes that surround us — is our life insurance, giving us food, fresh water and clean air, shelter and medicine, mitigating natural disasters, pests and diseases and contributes to regulating the climate. Biodiversity is also our natural capital, delivering ecosystem services that underpin our economy. Its deterioration and loss jeopardises the provision of these services: we lose species and habitats and the wealth and employment we derive from nature, and endanger our own wellbeing. This makes biodiversity loss the most critical global environmental threat alongside climate change — and the two are inextricably linked.”

EU Biodiversity Strategy to 2020 (COM2011) 244 final

INTEGRATION OF BIODIVERSITY AND NATURA 2000 IN PARTNERSHIP AGREEMENTS AND OPERATIONAL PROGRAMMES 2014-2020

ENEA-MA Working Group on 2014-2020 Cohesion Policy and Biodiversity –
Position paper, March 2013

ENEA-MA Working Group on 2014-2020 Cohesion Policy and Biodiversity

The ENEA-MA Working Group on 2014-2020 Cohesion Policy and Biodiversity has been established at the ENEA-MA plenary meeting on October 4, 2011. Its work builds on the results of previous working groups under the ENEA-MA umbrella. Of particular relevance is the output of the Working Group on Biodiversity and Cohesion Policy (2009-2011), which carried out a strategic analysis on the integration of biodiversity into the 2007-2013 Cohesion programming. The working group identified the main obstacles, and proposed ten recommendations on how to improve the integration in the 2014-2020 Multiannual Financial Framework.

The main objective of the present Working Group is to facilitate the interpretation of the 2014-2020 Cohesion Policy Regulations and thus enable the development of the Partnership Agreements and Operational Programmes in a way that promotes biodiversity most effectively. The Working Group clarifies certain provisions of the Regulations and shows how these could be implemented in a way which ensures better mainstreaming of biodiversity in the Cohesion Policy.

The Working Group is set up for a timeframe of maximum two years which corresponds to the preparation and adoption of the 2014-2020 Operational Programmes. Should the working group prove to be a useful forum to assist the implementation of Cohesion Policy and that of the EU 2020 Biodiversity Strategy to 2020, the ENEA-MA based on a Commission proposal shall consider continuation of its work beyond the two-year-timeframe.

The present document

This paper is primarily intended for representatives of management and environmental authorities involved in developing and reviewing the programming documents for the next EU Multiannual Financial Framework of 2014-2020, but it is expected also to be a useful basis for discussing investment portfolios with stakeholders within Member States.

The document is designed to help authorities responsible for preparing Partnership Agreements and Operational Programmes to integrate biodiversity concerns and financing needs in the programming for the 2014-2020 Multiannual Financial Framework. It outlines opportunities and objectives that follow from EU environmental policy and legislation, and provides some examples of possible activities to be funded within different Thematic Objectives.

In line with the mandate of the Working Group this paper focuses on EU financing instruments included in the Common Strategic Framework (CSF)¹, with a special emphasis on Cohesion Policy funds – namely: the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the Cohesion Fund (CF).

¹ COM (2012) 496; financial instruments covered by the Common Strategic Framework include: the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund (CF), the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF)

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1. Key messages

1. Investing in biodiversity, ecosystem services and Natura 2000 is no luxury. Nature and biodiversity deliver social and economic benefits and jobs, e.g. approximately one sixth of European jobs are linked to natural assets and environment.
2. The Cohesion policy is an important instrument to implement the EU 2020 Biodiversity Strategy as part of the Europe 2020 Resource Efficiency Flagship Initiative.
3. The five European Structural and Investment Funds (ESI Funds), as well as, Horizon 2020 and LIFE offer substantial funding opportunities to achieve objectives related to biodiversity, ecosystem services and Natura 2000.
4. Prioritized Action Frameworks (PAFs) developed in accordance with Article 8 of the Habitats Directive offer a strategic planning framework for investments in Natura 2000. Preparation of high quality PAFs is essential to ensure better integration of investments in Natura 2000 into relevant policies and financial instruments.
5. Partnership Agreements (PA) should ensure integrated funding for biodiversity, ecosystem services and Natura 2000 from the European Structural and Investment Funds.
6. For the Cohesion Policy the selection of investment priorities supporting biodiversity under Thematic Objective 6 is the most straightforward way of incorporating direct investments in natural capital within Operational Programmes (OPs).
7. Integrating biodiversity in other relevant Thematic Objectives, particularly Thematic Objective 5, and exploring synergies with climate financing offers additional opportunities for investments in natural capital. This is of particular relevance for developed regions, where the ring-fencing of the majority (80%) of ERDF allocations to energy, SME development and innovation risks to limit the support available for biodiversity investments.
8. The Managing Authorities should make adequate use of the codes of expenditure to allow effective tracking and measuring of social and economic benefits of investments in natural capital.

2. Is investing in biodiversity and Natura 2000 important?

2.1. Investing in biodiversity and Natura 2000 is no luxury

Recent studies confirm that **investments in natural capital can generate a wide range of economic and social benefits**. According to the EU-supported TEEB initiative, such investments can be a cost-effective response to the climate change crisis, offer real value for money, support local economies, create jobs and maintain ecosystem benefits for the long term.

The positive labor-related impacts of investing in biodiversity, Natura 2000 and ecosystem services are illustrated in a number of recent studies. These studies show that approximately one European job in every six (i.e. 16.6% of European jobs) depends in some way on natural assets and environment². In addition, the management of Natura 2000 sites, of which there are over 26,000, is estimated to lead on average to the direct creation of 3 to 5 jobs per site, with tourism around sites helping to create one additional job³.

² TEEB – The Economics of Ecosystems and Biodiversity for National and International Policy Makers, 2009.

³ The EU biodiversity objectives and the labour market, ICF-GHK 2012

The value of the flow of ecosystem services from the (terrestrial) Natura 2000 network is estimated to be between €200 and €300 billion per year⁴. This is equivalent in scale to between 2% and 3% of the GDP of the EU27, and roughly equal to the GDP of countries like Denmark, Greece or Finland.

It is estimated that a minimum of 5.8 billion EUR per year is needed each year for EU27 to manage and restore the Natura 2000 network. These **costs are greatly outweighed by the benefits provided by the network.**

In addition, these benefits should be further enhanced by investing in cost-effective tools to improve biodiversity and multiple ecosystem services inside and outside protected areas, such as Green Infrastructure⁵.

2.2 Fulfilling the EU Biodiversity Strategy to 2020 commitments requires action

The headline target for the **EU Biodiversity Strategy to 2020⁶** (hereinafter referred to as EU BDS-2020) is *"Halting the loss of biodiversity and the degradation of ecosystems by 2020, and restoring them in so far as feasible, while stepping up the EU contribution to averting global biodiversity loss"*. The longer term vision of the EU –BDS 2020 is *"By 2050, European Union biodiversity and the ecosystem services it provides – its natural capital – are protected, valued and appropriately restored for biodiversity's intrinsic value and for their essential contribution to human wellbeing and economic prosperity, and so that catastrophic changes caused by the loss of biodiversity are avoided"*.

The **EU BDS-2020** represents **an ambitious commitment of EU Member States**, and defines to a great extent the focus of further investment in preserving the EU biodiversity and Natura 2000 through relevant funding instruments of the 2014-2020 financial framework.

The **EU BDS-2020 contributes to speeding up the EU's transition towards a resource efficient and green economy** within the wider framework of Europe 2020 and the drive for growth and jobs.

The EU BDS 2020 has six individual targets and twenty separate actions many of which will need support from EU funding mechanisms⁷:

- Target 1 of the strategy is aimed at **improving the conservation status of species and habitats covered by the Birds Directive⁸ and Habitats Directive⁹** This target will be achieved through a number of actions that include:
 - **Completing the establishment of the Natura 2000 network**, especially through the designation of marine Natura 2000 sites.
 - **Ensuring adequate financing of the Natura 2000 network**
 - **Elaborating management plans** (or equivalent instruments) for all Natura 2000 sites.

⁴The Economic benefits of the Natura 2000 Network: http://ec.europa.eu/environment/nature/natura2000/financing/docs/ENV-12-018_LR_Final1.pdf

⁵http://ec.europa.eu/environment/nature/ecosystems/index_en.htm

⁶http://ec.europa.eu/environment/nature/biodiversity/comm2006/pdf/2020/1_EN_ACT_part1_v7%5b1%5d.pdf

⁷ The list of *targets and actions* provided is non-exhaustive, it is provided just to illustrate the strong link between strategic-level commitments and financing.

⁸http://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

⁹http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm

- **Ensuring the implementation of conservation and restoration measures**, as defined in Natura 2000 management plans or other relevant instruments, for all Natura 2000 sites.
- **Providing specific training programmes on Natura 2000** for judges and public prosecutors, and develop compliance promotion capacities (EU BDS-2020 Target 1, Action 3c).
- Target 2 of the EU-BDS 2020 concerns the **maintenance and enhancement of ecosystems and their services with a specific commitment to establish Green Infrastructure and to restore 15% of degraded ecosystems**. Several of the a specific actions associated with Target 2 are of particular relevance in relation to EU funding mechanisms:
 - By 2014 the Member States with the assistance of the Commission will establish a framework for identifying restoration priorities at the EU, national and sub-national levels.
 - By 2012 (will be in fact 2013) the Commission will develop a Green Infrastructure Strategy to promote the deployment of Green Infrastructure in the EU in urban and rural areas, including through incentives to encourage up-front investments in green infrastructure projects and the maintenance of ecosystem services, for example through better targeted use of EU funding streams.
 - It is foreseen that by 2015, the Commission will propose an initiative to ensure that there is no net loss of ecosystems and their services. In the interim Member States may wish have already started to develop and support offset pilot schemes for a no net loss policy at the national level). The Commission is also to develop a methodology for assessing the impact of EU-funded projects, plans and programmes on biodiversity by 2014 (*'biodiversity proofing'*).
- There are a number of specific actions associated with **Target 3** of EU-BDS 2020, which have to be undertaken. These are as follows:
 - **Enhancing direct payments for environmental public goods in the CAP;**
 - **Better targeting of Rural Development to biodiversity protection including the integration of quantified targets into rural development strategies and programmes and enhancing the continuity of landscape features** by promoting collaboration of farmers and foresters.
- **Target 4** of the EU-BDS 2020 is to ensure the **sustainable use of fisheries resources and good environmental status** of marine waters
 - **Improve the management of fish stocks**, thereby restoring them to levels that can produce maximum sustainable yield (MSY); this will require the development and implementation of long-term management plans and the collection of data to support implementation of MSY.
 - **Eliminate adverse impacts on fish stocks, species, habitats and ecosystems**, in line with the Marine Strategy Framework Directive's requirement to achieve good environmental status by 2020; this also concerns the designation and management of marine protected areas and could include restoring marine ecosystems, adapting fishing activities, and promoting the involvement of the fishing sector in alternative activities (e.g., eco-tourism, biodiversity monitoring and management, combating marine litter).

- Target 5 of the EU-BDS 2020 is about **combating Invasive Alien Species by identifying and prioritising Invasive Alien Species** and their pathway **and ensuring that priority species are controlled or eradicated.**

The very comprehensive list of tasks emerging from the EU BDS-2020 is likely to cover many biodiversity-related investment needs of Member States. However, it will be a worthwhile exercise to review national objectives, for example through the process of preparing national Natura 2000 Prioritised Action Framework documents, to ensure maximum synergy between national objectives and the tasks promoted by the EU BDS-2020.

Examples from the 2007-2013 period showing the possible role of Cohesion Policy funding:

In **Poland** preparation of **Natura 2000 management plans** has been co-financed by ERDF. This is an important step to set the right conditions for EU 2020 sustainable growth strategies in regions. In the meantime, it reduces possible conflicts with project developments, in and around areas of high nature value.

Habitat restoration projects in **Hungary** co-financed by ERDF contribute to achieving objectives of the EU 2020 Biodiversity Strategy through creating the necessary conditions for improving the conservation status of species and habitats **on more than 90 000 hectares of Natura 2000 sites.**

3. The 2014-2020 financing framework for biodiversity and Natura 2000

In the **context of global economic crisis**, priorities of EU governments are generally focused on the renewal of economic growth, employment performance and monetary stability, while the importance of public financing for biodiversity and Natura 2000 is often underrated.

Investments in biodiversity return slowly but have an irreplaceable role for the long-term conservation of the European natural capital and the future sustainable growth. Recognizing this, **the EU financing framework for 2014-2020 offers several opportunities for integration financing needs of biodiversity and Natura 2000.**

The **Europe 2020 Strategy for Smart, Sustainable and Inclusive Growth** is the key strategic document, defining main priorities of the European Union's development. The Sustainable growth priority and its Flagship initiative "Resource efficient Europe" supports, *inter alia*, the protection, valuation, sustainable use of the biodiversity, ecosystems and their resources.

According to the EC communication "A Budget for Europe 2020", focusing on the 2014-2020 Multiannual Financial Framework¹⁰, **financing the implementation of the EU Biodiversity Strategy should be ensured first of all via mainstreaming financing needs in the main funding instruments** and by ensuring synergies with climate financing (e.g. ecosystem based approaches to mitigation and adaptation).

EC legislative proposals for funds under the Common Strategic Framework do provide a range of financing opportunities supporting biodiversity protection in all regions of the EU. Some of these are explicitly targeted to biodiversity conservation and the

¹⁰http://ec.europa.eu/budget/library/biblio/documents/fin_fw1420/MFF_COM-2011-500_Part_I_en.pdf

restoration and management of the Natura 2000 network, while others entail the support of actions of indirect relevance (i.e. the primary focus is not the protection of biodiversity and natural ecosystems, but the actions foreseen may deliver nature conservation benefits – e.g. ecosystem based solutions to environmental risks). On the other hand, **no clear (compulsory) targets have been set concerning the integration of funding needs of biodiversity conservation, and due to thematic concentration rules competition for funds between biodiversity and other areas of investment** (e.g. transport, risk prevention, flood protection, etc.) may be very strong. Similarly to the 2007-2013 framework **Member States' decisions concerning allocations will be crucial in ensuring an adequate level of funding for biodiversity**, as well as the exploring of synergies and the strong coordination among relevant funds.

Although the ESI funds may be expected to provide the main part of the EU contribution to financing biodiversity, there are still **other important means** in the Multiannual Financing Framework. Besides **Horizon 2020**, the EU framework programme for research and innovation, the **new LIFE programme**, as the only EU instrument solely dedicated to the environment, is expected to stay a key element. Through its sub-programme on environment, thematic area "Biodiversity", LIFE will finance the **best practices to halt biodiversity loss and restore ecosystem services**, while keeping its primary focus on **Natura 2000**. The newly introduced concept of **LIFE integrated projects** may provide financing opportunities for projects focusing on the implementation of large-scale territorial programmes co-financed by LIFE and other EU financing instruments of relevance (including ERDF, CF, EAFRD, EMFF, Horizon 2020, etc.).

The effective management of Natura 2000 sites is a key requirement of the Habitats Directive and it is also critical to achieving the EU biodiversity target of reducing and halting biodiversity loss. Article 8 of the Habitats Directive requires Member States to develop strategic planning tools, called **Prioritised Action Frameworks (PAFs)**, which are designed to help integrate Natura 2000 financial requirements into relevant EU funding instruments. While the proposed regulation for the ESI Funds do not define an ex-ante conditionality regarding biodiversity, the requirements of the Habitats Directive to establish conservation objectives and achieve favourable conservation status of protected habitats and species makes biodiversity related spending an important point to consider in planning and programming.

3.1. Financing opportunities offered by Cohesion Policy funds: ERDF, CF, ESF

ERDF and CF aim to redress the main regional and national imbalances by supporting the development and structural adjustment Member States' economies. In this respect they may support Member States in financing **measures** related to biodiversity conservation, Natura 2000, the protection and restoration of **ecosystem services** and the establishment/development of **Green Infrastructure**.

In the case of some Member States funding from ERDF and CF will be crucial as it will cover a financing gap that could not be fulfilled from other sources (MS public or private funding).

Funding provided under the ESF is also expected to contribute to the achievement of biodiversity objectives through supporting the reform of the education and training systems, the adaptation of skills and qualifications, the up-skilling of labour force and the creation of new jobs. Regardless of the different financing opportunities it offers, Cohesion Policy funding remains **economically oriented**. Therefore a considerable emphasis is placed on proving the socio-economic benefits of Cohesion Policy investment in biodiversity, and ensuring that its contribution to the overall goals of Cohesion Policy – reduce significant economic, social and territorial disparities, support the creation of jobs, competitiveness, economic growth, improved quality of life and sustainable development – is well understood.

Requirements related to **thematic concentration** result in the **ring-fencing of the majority (50-80%) of ERDF allocations to energy, SME development and innovation**. Due to

the proposed thematic concentration rules for the ERDF and the specific territorial focus of the CF¹¹, **in more developed regions¹² and transition regions¹³ the amount available for biodiversity investments is likely to be significantly less than in the less developed regions¹⁴**. Most of the regions in the first two categories are parts of EU Member States that will not be eligible for Cohesion Fund, and the majority of their ERDF allocation (i.e. 80% in more developed regions, and 60% in transition regions) will have to be directed to Thematic Objectives that may provide very limited and only indirect support to biodiversity investments. The remaining ERDF allocations will have to be shared among the remaining 21 different investment priorities, with only one investment priority dedicated explicitly to environment and thus to biodiversity. Although **similar rules are foreseen in less developed regions, in these regions the amount earmarked for non-biodiversity investments covers only 50% of the overall ERDF allocation**, and these regions are more likely to be eligible for CF. It is foreseen that a minimum of 5% of ERDF resources should be earmarked for sustainable urban development, which could provide opportunities for financing Green Infrastructure in urban areas.

However, allocations to support biodiversity under the European Territorial Cooperation (ETC) play a specific role as they help to manage and develop important cooperation mechanisms to protect biodiversity across borders; moreover the ETC is a very important instrument to support biodiversity activities in the more developed regions where thematic concentration may limit the access to fund for the environment.

The financing opportunities, based on current (2007-2013) experience of the use of EU funds, are presented in Table 1 below. This table provides examples of possible actions to finance with regard to the thematic priorities and investment priorities of the draft Regulations for each Cohesion Policy fund. In brackets is noted whether the investment priority in question is of direct or indirect relevance for financing biodiversity.

¹¹ CF will provide support to those MS where the GNI per inhabitant is less than 90% of the EU-27 average

¹² 156 regions where the GDP per capita is above 90% of the EU-27 average

¹³ 51 regions where GDP per capita between 75% and 90% of the EU-27 average

¹⁴ 64 regions where GDP per capita less than 75 % of the EU-27 average

Table 1. ERDF, CF, ESF opportunities to fund biodiversity related interventions

| Thematic Objectives | Investment Priorities (relevance) | Possible activities promoting biodiversity |
|---|---|---|
| ERDF | | |
| (1) strengthening research, technological development and innovation | (a) enhancing research and innovation infrastructure (R&I) and capacities to develop R&I excellence and promoting centres of competence, in particular those of European interest (<u>indirect</u>) | <ul style="list-style-type: none"> developing the infrastructure background of biodiversity and climate research; developing innovation activities related to biodiversity (bio-indication); developing concepts and solutions for Green Infrastructure linked to eco-innovation; |
| (2) enhancing access to and use and quality of ICT | (c) strengthening ICT applications for e-government, e-learning, e-inclusion and e-health (<u>indirect</u>) | <ul style="list-style-type: none"> developing the ICT background for e-government applications in the management of Natura 2000 sites and protected areas; developing ICT applications for promoting training opportunities and capacity building for planning and implementing green infrastructure solutions ; developing e-tools for linking health benefits and inclusion to biodiversity solutions; |
| (3) enhancing the competitiveness of SMEs | (a) promoting entrepreneurship, in particular by facilitating the economic exploitation of new ideas and fostering the creation of new firms (<u>indirect</u>) | <ul style="list-style-type: none"> developing biodiversity related businesses (e.g. developing sustainable tourism products); promoting the competitiveness of SMEs for Green Infrastructure solutions in local and regional markets; |
| (5) promoting climate change adaptation, risk prevention and management | (a) dedicated investments for adaptation to climate change (<u>indirect</u>) | <ul style="list-style-type: none"> developing green infrastructure to ensure local/regional adaptation to climate change |
| | (b) promoting investment to address specific risks, ensuring disaster resilience and developing disaster management systems (<u>indirect</u>) | <ul style="list-style-type: none"> ecosystem based solutions to flood protection (e.g. re-opening/restoring floodplains, improving water-retention of landscapes and urban areas), forest fires, landslides, etc. |
| (6.) protecting the environment and promoting resource efficiency | (b) addressing the significant needs for investment in the water sector to meet the requirements of the environmental <i>acquis</i> (<u>indirect</u>) | <ul style="list-style-type: none"> Investments to improve water quality and to ensure the good ecological status of surface waters ecosystem-based solutions for waste water treatment, mitigating droughts and preserving the drinking water table; |
| | (c) protecting, promoting and developing cultural and natural heritage (<u>indirect</u>) | <ul style="list-style-type: none"> Infrastructure developments to ensure the protection of natural values of cultural significance (e.g. historical gardens, earth fortifications, improvement of green urban areas etc.); Investment in visitors' infrastructure; |
| | (d) protecting biodiversity, soil protection and promoting ecosystem services including NATURA 2000 and green infrastructures (<u>direct</u>) | <ul style="list-style-type: none"> Site restoration and on-site management interventions; Management planning; Control of invasive species; Reducing impacts of fragmentation and damages of linear structures, creating and maintaining ecological corridors as part of green infrastructures; Public awareness on Natura 2000; Land purchase; Monitoring Natura 2000 sites; Investment in <i>ex-situ</i> conservation infrastructure; Procurement of management machinery and equipment; Administration infrastructure; |
| | (e) action to improve the urban environment, including regeneration of brownfield sites and reduction of air pollution (<u>indirect</u>) | <ul style="list-style-type: none"> Planning, developing, implementing and monitoring elements of green infrastructure; in urban and peri-urban areas; |
| (10) investing in education, skills and lifelong learning by developing education and training infrastructure | NA | <ul style="list-style-type: none"> developing nature education infrastructure; developing training kits and capacities for green infrastructure solutions; |

| Thematic Objectives | Investment Priorities (relevance) | Possible activities promoting biodiversity |
|--|--|---|
| CF | | |
| (5) promoting climate change adaptation, risk prevention and management by | (a) dedicated investments for adaptation to climate change (<u>indirect</u>) | <ul style="list-style-type: none"> developing green infrastructure to ensure local/regional adaptation to climate change; |
| | (b) promoting investment to address specific risks, ensuring disaster resilience and developing disaster management systems (<u>indirect</u>) | <ul style="list-style-type: none"> ecosystem based solutions to flood protection (e.g. re-opening/restoring floodplains, improving water-retention of landscapes and urban areas), forest fires, landslides, etc.; |
| (6) protecting the environment and promoting resource efficiency | (c) protecting and restoring biodiversity, including through green infrastructures (<u>direct</u>) | <ul style="list-style-type: none"> Site restoration and on-site management interventions; Investments to control of invasive or non-native species; Investments to reduce the impacts of fragmentation and damages of linear structures, creating ecological corridors (green infrastructure); Land purchase; Investment in ex-situ conservation infrastructure; Procurement of management machinery and equipment; Administration infrastructure; |
| ESF | | |
| (8) Promoting employment and supporting labour mobility through | (a) Access to employment for job-seekers and inactive people, including local employment initiatives and support for labour mobility (<u>indirect</u>) | <ul style="list-style-type: none"> support to local employment initiatives related to natural values; promote green infrastructure solutions in disfavoured areas and maximising low and high skilled job creation for planning, implementing and monitoring green infrastructure |
| | (c) Self-employment, entrepreneurship and business creation (<u>indirect</u>) | <ul style="list-style-type: none"> developing small-scale businesses based on local natural values and on restoration opportunities; |
| (11) Enhancing institutional capacity and efficient public administration | (a) Investment in institutional capacity and in the efficiency of public administrations and public services with a view to reforms, better regulation and good governance (<u>indirect</u>) | <ul style="list-style-type: none"> developing the institutional capacity of public nature conservation and management bodies; develop institutional capacity for integrated spatial planning, long-term and sector-overarching management of green infrastructure; develop institutional capacity for better involvement of general public in integrated projects. |

3.2 Financing opportunities within other ESI funds: EAFRD and EMFF

The **EAFRD** is very likely to preserve its central and key role in the overall EU financing framework for biodiversity. Due to the nature of funding provided by EAFRD (i.e. payments per hectare), the instrument has a **key role in supporting biodiversity-friendly management of land**, supplementing one-time investments made possible through ERDF or CF.

By **promoting environmentally sound farming systems and organic farming** EAFRD is expected to contribute to restoring, preserving and enhancing biodiversity, including NATURA 2000 areas and farming systems with a high nature value, and the state of European landscapes. The instrument will have its role in **establishing and maintaining wildlife zones** in farm and/or forest areas, as well as in **granting compensation payments for economic disadvantages faced in NATURA 2000** areas and designated wildlife corridors, and to farmers who undertake to pursue farming in mountain areas and other areas facing significant natural constraints.

In line with commitments laid down in the EU Biodiversity Strategy to 2020, the EC proposal on the EAFRD proposes a number of measures with direct or indirect benefits to biodiversity conservation. Table 2 below presents a list of the most relevant measures, their possible relevance and contribution to financing biodiversity:

Table 2. EAFRD opportunities to fund biodiversity related interventions

| EAFRD measures | Relevance | Possible contribution |
|--|---------------------|---|
| Investments in physical assets (art.18) | direct | <ul style="list-style-type: none"> non-productive investments linked to the achievement of agri- and forest-environment commitments, biodiversity conservation status of species and habitats as well as enhancing the public amenity value of a Natura 2000 area or other high nature value area; |
| Basic services and village renewal in rural areas (art. 21) | direct | <ul style="list-style-type: none"> drawing up and updating of protection and management plans relating to NATURA 2000 sites and other areas of high nature value; investing in green infrastructure solutions in rural areas (e.g. with eco-system based solutions for water treatment, landscape rehabilitation or village renewal); |
| Investments in forest area development and improvement of the viability of forests (art. 22) | indirect | <ul style="list-style-type: none"> improving forest habitats and supporting the conservation of forest biodiversity; |
| Afforestation and creation of woodland (art. 23/art. 22,1a) | indirect | <ul style="list-style-type: none"> increasing landscape diversity, contribution to green infrastructure, supporting of forest biodiversity (may be negative when done on high nature value farmland or grasslands); |
| Establishment of agro-forestry systems (art.24/art. 22,1b)) | indirect | <ul style="list-style-type: none"> increasing landscape diversity, contribution to green infrastructure, supporting of forest biodiversity (may be negative when done on high nature value farmland or grasslands); |
| Improving the resilience and environmental value of forests (art. 26/art. 22,1d)) | direct/ indirect | <ul style="list-style-type: none"> improving forest habitats and supporting the conservation of forest biodiversity; reducing fragmentation of forests; |
| Agri-environmental and climate payments (art. 29) | direct/ indirect | <ul style="list-style-type: none"> application of biodiversity-friendly farming practices application of environmentally friendly farming practices reducing pressure on biodiversity; |
| Organic farming (art. 30) | indirect | <ul style="list-style-type: none"> reducing pressure on biodiversity originating from intensive agriculture; |
| Natura 2000 and WFD payments (art. 31) | direct | <ul style="list-style-type: none"> application of farming methods supporting on-site Natura 2000 objectives; application of coherence actions according to Art. 10 HD; |
| Payments to areas facing natural or other specific constraints (art. 32) | indirect | <ul style="list-style-type: none"> application of biodiversity-friendly farming methods on areas subject to special nature conservation conditions; |
| Forest-environmental payments and payments for climate services and forest conservation (art.35) | direct/ indirect | <ul style="list-style-type: none"> application of biodiversity-friendly forest management practices. |

The preamble of the draft EAFRD regulation (Art. 28) envisages that **at least 25% of national allocations are dedicated to** three measures of high relevance from a nature conservation perspective: **agri-environment and climate payments, organic farming and payments to areas facing natural or other specific constraints**. The proposal also underlines that support should be continued to help address specific disadvantages resulting from the implementation of the Birds and the Habitats Directives in order to contribute to the effective management of Natura 2000 sites, and that the specific needs of Natura 2000 areas should be taken into account in the overall design of national rural development programmes.

Table 3. EMFF opportunities to fund biodiversity related interventions

| EMFF measures | Relevance | Possible activities |
|---|---------------------|--|
| Priority 4: sustainable & resource efficient fisheries | | |
| Limiting the impact of fishing on the marine environment (Art. 36) | direct/ indirect | <ul style="list-style-type: none"> investments in equipment improving size selectivity or species selectivity of fishing gear; investments in equipment reducing unwanted catches of commercial stocks or other by-catches; investments in equipment limiting the physical and biological impacts of fishing on the ecosystem or the sea bed; |
| Innovation linked to the conservation of marine biological resources (Art. 37) | direct/ indirect | <ul style="list-style-type: none"> developing or introducing new technical or organisational knowledge reducing impacts of fishing activities on the environment or achieving a more sustainable use of marine biological resources; developing new integrated planning and managing methods for ensuring the multiple delivery of ecosystem services of the sea (such as through green/blue infrastructure); |
| Protection and restoration of marine biodiversity and ecosystems in the framework of sustainable fishing activities (Art. 38) | direct | <ul style="list-style-type: none"> collection of waste from the sea; construction or installation of static or movable facilities intended to protect and enhance marine fauna and flora; contribution to a better management or conservation of resources; management, restoration and monitoring NATURA 2000 sites in accordance with prioritised action frameworks; management, restoration and monitoring of marine protected areas ; participation in other actions aimed at maintaining and enhancing biodiversity and ecosystem services; |
| Priority 5: sustainable & resource efficient aquaculture | | |
| Promotion of aquaculture with high level of environmental protection (Art. 52) | direct/ indirect | <ul style="list-style-type: none"> ensuring the substantial reduction of impact of aquaculture enterprises on water; limiting the negative impact of aquaculture enterprises on nature or biodiversity; purchase of the equipment protecting aquaculture farms from wild predators benefitting from protection under the birds and the habitats directive; increasing energy efficiency and promoting conversion of aquaculture enterprises to renewable sources of energy; restoration of existing aquaculture ponds or lagoons through removal of silt, or possible measures aimed at the prevention of silt deposition); |
| Conversion to eco-management and audit schemes and organic aquaculture (Art. 53) | indirect | <ul style="list-style-type: none"> conversion of conventional aquaculture production methods into organic aquaculture; participation in the Union eco-management and audit schemes (EMAS); |
| Aquaculture providing environmental services (Art. 54) | direct | <ul style="list-style-type: none"> aquaculture methods compatible with specific environmental needs and subject to specific management requirements resulting from the designation of NATURA 2000 areas; participation in ex-situ conservation and reproduction of aquatic animals, within the framework of conservation and biodiversity restoration programmes developed by public authorities, or under their supervision; forms of extensive aquaculture including conservation and improvement of the environment, biodiversity, and management of the landscape and traditional features of aquaculture zones. |

The EC legislative proposal on the **EMFF** translates relevant thematic objectives of the CSF into **six Union priorities**, two of which are directly relevant concerning biodiversity. **Priority 4** focuses on **promoting sustainable and resource efficient fisheries** through the “reduction of the impact of fisheries on the marine environment” and the “protection and restoration of marine biodiversity and ecosystems including the services they provide”. **Priority 5** concentrates on **sustainable and resource efficient aquaculture** through “enhancing ecosystems related to aquaculture and promotion of resource efficient aquaculture” and “promoting aquaculture with high level of environmental protection”.

Priorities are reflected in a number of measures which, based on their content, could become important elements of the overall financing framework for biodiversity, including Natura 2000. Most relevant measures and possible activities are presented in Table 3, on page 12.

4. Including specific biodiversity related references and activities into Partnership Agreements and Operational Programmes

The Common Provisions Regulation (CPR) covering EU funds under the Common Strategic Framework provide opportunities for biodiversity financing in various ways, providing the chance to increase funding for biodiversity by using all sources in a complementary and coordinated way:

- It ensures a more coordinated approach to the five relevant European Structural and Investment (ESI) funds: ESF, ERDF, CF, EAFRD and EMFF;
- It sets a clear Thematic Objective dedicated to environment and resource efficiency;
- It demands for integration of environment across all sectors (Art. 8 CPR) and provides clear references to consider environment in all programmes (Art 87(3 i)).

Partnership Agreements and Operational Programmes are the key programming documents where Member States will have to translate their funding needs – e.g. those emerging from the EU 2020 Biodiversity Strategy or national/regional Natura 2000 Prioritized Action Frameworks – into concrete investment measures, while taking into account opportunities outlined in regulations of the funds as well as recommendations provided by European Commission services through the so called “Position Papers”.

4.1 Ensuring integration of biodiversity through the Prioritized Action Framework

In order to encourage better integration of funds and to promote more strategic planning of investments in Natura 2000, the Commission is assisting Member States in the development of their **Prioritized Action Frameworks (PAFs)** under Article 8 of the Habitats Directive. The PAF documents aim to ensure better definition of the funding needs and priorities for Natura 2000 at a national or regional level and thus facilitate their integration into the forthcoming OPs for the different EU funding instruments.

Natura 2000 plays a central role in the EU efforts to biodiversity conservation. Therefore the PAFs are an important planning tool for identification and prioritization of the nature-related investment needs. This is a relevant step to identify necessary measures and ensure their proper integration into the PAs and Operational Programmes. Financing for Natura 2000 sites laid down into the Operational Programmes will have to be consistent with measures and financial sources for these measures as set out in PAFs. Therefore Member States have been asked to submit their PAFs to the Commission by the end of 2012. PAFs will also provide opportunities for improved stakeholder’s consultation process regarding biodiversity financing.

However **Prioritised Action Frameworks will not substitute negotiations with national level authorities and institutions engaged in planning for 2014-2020**. Besides including

clear references to PAFs in the Partnership Agreements and Operational Programmes, **it will be important to include very concrete and funds-specific actions supporting biodiversity**, following the logic of programming documents. Prioritised Action Frameworks will be able to deliver real added value only if they are based on sound analysis and show good quality.

4.2 Reflecting biodiversity in Partnership Agreements

The preparation of **Partnership Agreements (PAs)** should translate CSF objectives into a national strategic document that assesses the needs and sets priorities. Partnership Agreements are being prepared in times of economic fragility and heavy pressure on public spending, having the need to support economic restructuring in the centre of attention. Therefore, **in their Partnership Agreements Member States will need to explain how EU Funds will be used to address the specific challenges of economic growth encountered in the national context.**

Decisions concerning the overall allocation of the EU funds available will be made by governments at higher levels of strategic planning. These decisions will be crucial in ensuring an indicative level of funding for biodiversity, as well as framing the overall importance of biodiversity including exploring of synergies and the strong coordination among relevant funds.

Following the structure of the planned Partnership Agreement and the template for its preparation¹⁵ the following principles must be kept in order to ensure an adequate level of integration:

1. Provide a description of national biodiversity funding needs and explain the relevance of using different funds to meet the needs (Chapter 1.1 of PA).
2. Specify expected results for biodiversity under the thematic objective 6 with respect to ERDF or CF funding. If biodiversity investments under ERDF are linked to other thematic objectives make sure it is reflected there (Chapter 1.3 of PA).
3. The coherent use of different funds for biodiversity should be explained in accordance with requirements set concerning the use of PAFs (Chapter 1.5 of PA).
 - a. Reflect how nature conservation authorities were consulted in the preparatory process and if environmental partners had the opportunity to comment on the drafts.(chapter 1.5.1 of PA)
 - b. Provide a description on how biodiversity is reflected across all objectives. (Chapter 1.5.3 of PA)
4. The Partnership Agreement should ensure that the PAF is used as the framework to coordinate the use of different funds for biodiversity (Chapter 2 of PA)

4.3 Including biodiversity funding in Operational Programmes

Operational Programmes (OPs) should set the concrete measures and actions eligible for funding under the different ESI funds, including those, which directly or indirectly contribute to the nature conservation, restoration and sustainable use. The competent national authorities have to take into consideration a number of relevant issues to ensure sound integration of biodiversity and Natura 2000 in the Operational Programmes for ERDF and CF. These include:

¹⁵ Draft Template and Guidelines for the Content of the Partnership Agreement Version 1 – 21.12.2012
http://ec.europa.eu/regional_policy/conferences/sfc2014/doc/templ_part_agr.pdf

- Allocation of sufficient funds for direct investments in nature conservation, Natura 2000 management and sites maintenance, development of Green Infrastructure, etc. (mainly through the biodiversity related investment priority under the ERDF and CF Regulations linked to Thematic Objective 6);
- Ensuring synergies with climate financing through ecosystem based approaches to mitigation and adaptation (e.g. regional Green Infrastructures, improved resilience of forest ecosystems or flood protection by increased water-retention of landscapes);
- Mainstreaming biodiversity related actions in other Thematic Objectives and ensuring indirect investments, for example, research and innovations' related in the field of ecosystem-based climate change adaptation (Thematic Objective 1), or enhancing the competitiveness of SMEs, providing "green jobs" (Thematic objective 3).
- The ERFD/CF Operational Programmes fall under the provisions of the Strategic Environmental Assessment Directive (2001/42/EC) (SEA Directive). Hence, the Member States have to assess the effects of the programmes on environment, *inter alia*, biodiversity and Natura 2000, during their preparation, and before their adoption and submission to the Commission. Moreover, Article 48 (4) of the CPR provides that the *ex-ante* evaluation shall incorporate where appropriate the requirements for SEA. The main elements in the SEA procedure and the application of the SEA Directive to the Cohesion policy programmes are outlined in Commission's guidance document on *ex-ante* evaluation¹⁶.

Following the structure of the future Operational Programmes and the template for their preparation¹⁷, the following principles must be kept in order to ensure adequate funding:

1. Identify funding for biodiversity as a relevant part of the Operational Programmes' strategy, providing linkages to EU biodiversity strategy and Europe 2020 flagship initiative for a resource efficient Europe (Chapter 2.1 of OP).
2. Present a justification for the use of Thematic Objective 6 and the respective biodiversity investment priority; for programmes that do not cover Thematic Objective 6 a justification is required to explain if the investment priority for biodiversity is combined with another objective (Chapter 2.1 or 2.2. of OP).
3. Describe the priority axis that covers Thematic Objective 6 and specify actions as identified in Table 1 (Section 3 of OP).
4. Describe the priority axis that covers the biodiversity investment priority through a combined approach (Section 3 of OP).
5. Allocate a clear budget to the codes of expenditure in the section presenting Categories of Interventions (Chapter 3.A5. of OP).
6. Provide a clear explanation how the Operational Programme takes into account biodiversity requirements, this should explain direct and indirect investments under all thematic investments as well as the fulfillment of needs identified through the PAF (Chapter 12.1 of OP).

¹⁶ http://ec.europa.eu/regional_policy/sources/docoffic/2014/working/ex_ante_en.pdf

¹⁷ Draft Template and Guidelines for the Content of the Operational Programmes, Version 1 – 7 January 2013
http://ec.europa.eu/regional_policy/conferences/sfc2014/doc/templ_content_op.pdf

Annex List of the most relevant and recent documents

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http://www.europarl.europa.eu/registre/docs_autres_institutions/commission_europeenne/sec/2011/1131/COM_SEC%282011%291131_EN.pdf
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<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0496:FIN:EN:PDF>
- EC (2010) Communication from the Commission: *Europe 2020 – A Strategy for smart, sustainable and inclusive growth* (COM/2010/2020)
<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:2020:FIN:EN:PDF>



- EC (2011a) Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions: *Our life insurance, our natural capital: an EU biodiversity strategy to 2020* (COM/2011/244):
[http://ec.europa.eu/environment/nature/biodiversity/comm2006/pdf/2020/1_EN_ACT_part1_v7\[1\].pdf](http://ec.europa.eu/environment/nature/biodiversity/comm2006/pdf/2020/1_EN_ACT_part1_v7[1].pdf)
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ABOUT THE ENEA-MA NETWORK

The ENEA-MA network started in 2004 as the European Network of Environmental Authorities for Structural and Cohesion Funds, under the coordination of DG Environment of the European Commission. Added to this are representatives from the Commission, from invited international organizations, and from Non-Governmental Organizations that work with the environment and the Structural Funds.

Given the close collaboration with, and input from DG Regio to the ENEA activities, during 2009 the network was expanded with EU member state representatives from Managing Authorities of Structural and Cohesion Funds

ENEA-MA is a platform where EU member state representatives share experiences, exchange views and good practices, among each other and with the European Commission.

The Network aims to contribute to the integration of the environmental and sustainable development policies within the regional policy programs of EU Member Countries.

The network also serves as a platform for to keep member state Authorities up to date on the evolution of the Community Framework, and to allow the Environmental Authorities to inform the Commission on progress and criticalities at national and regional levels.

ENEA-MA meets at least twice a year in plenary session. In-depth investigations and sectoral studies are carried out by Working Groups, under coordination of a member state or a representative of Commission NGOs or International Organizations. From 2004 on, following working groups have been active:

- Impact of Structural Funds on the Environment (and vice versa)
- Strategic Environmental Evaluation and Structural Funds;
- Financing of the Water Framework Directive by the Structural Funds;
- 3rd pillar of the Cohesion Fund (the sustainable transport and energy hypothesis);
- Capacity Building for the Environment.
- Natura 2000 and Cohesion Funding
- Climate Change Climate Change and Cohesion Policy
- Biodiversity and Cohesion Policy

Working Groups are a meeting point for exchanging experiences. Thematic Working Groups at the European level contribute to a more effective integration of environment and sustainability in all the sectoral policies connected with Structural and Cohesion Funds.