



Miljödepartementet
Naturmiljöenheten, Landmiljö

Input from SE:

- 1) Draft technical note on criteria and guidance for protected areas and designation
- 2) Draft technical note: Guidance to Member States on how to select and prioritise species/habitats for the 30% conservation improvement target under the strategy

1. Draft technical note on criteria and guidance for protected areas and designation

Sweden welcomes that a technical note has been drafted, and that it aims to clarify some of the core issues associated with the Protected Area targets.

We do see a strong need for further discussions and clarifications regarding some fundamental issues.

Criteria for identification of areas

Sweden has a long tradition of protecting valuable nature as national parks and nature reserves, and more recently also as Natura 2000 areas. The national protection is based on various strategies developed by relevant environmental authorities. Protection of areas under national schemes are based primarily on national priorities. But habitat and species under the nature conservation directives are also a parameter. Therefore, the priority proposed in the note to primarily protect areas that strengthen the Natura 2000 network cannot be accepted. The priority must be more flexible and allow for national priorities and not only EU priorities and for red-listed

habitats and species – but in practice, we expect that there will be some overlap between the two categories.

Regarding sites with a need for restoration we want to stress that many restorations need to be carried out in the wider landscape, and that most such restored sites probably do not need formal protection. Which means that restored areas should not necessarily result in new protected areas within Natura 2000 network. In some cases (eg. wetlands and semi-natural grassland) national legislation would be sufficient. Voluntary measures can also in some cases be sufficient, e.g. in the framework of voluntary certifications scheme for the forestry. Certified forestry can for example, instead of leaving areas untouched, practice continuous cover forestry which means that you can rehabilitate forest stands for social and biodiversity needs. It is also important to encourage voluntary restoration measures.

It is valuable that supposed effects of climate change is given due consideration in the designation of new protected areas, but we think more clarifications are needed about these issues. For example, the EU, and the rest of the world, is challenging a growing demand for mineral raw materials stemming from the transition towards a low-carbon future. Moreover, EU and Sweden need to see that the objectives of the biodiversity strategy are mutual supportive with the objectives of food production and security, climate change, wind power and sustainable use. The 30% conservation target should be in line with this and not hamper the path to activities that by extension can contribute to a greener transition of the society. In this regard there is also a need for a clear definition of non- intrusive renewable energy installations.

Site-specific conservation measures

The logic for conservation measures and targets is clear, and for sites in the Natura 2000 network, the legal requirements for site-specific targets and measures must be followed. It is, however, important that these requirements are not directly transposed to other areas that are included in the 10 and 30 % targets. For many functions important for green infrastructure, it could be more effective to define general objectives and measures, than to make them site-specific.

The requirement that is mentioned, that MS should have necessary governance systems for all protected areas and have allocated sufficient

resources for their protection, management and monitoring by 2024, is ambitious and will depend strongly on the availability of well-aimed EU funding.

Formal designation criteria

We believe that the IUCN categorization and guideline provides a useful overarching tool for protected areas designations. When combined with the guideline for OECS it would be possible to set up relevant targets and ambitions. However, it would be valuable with a clearer definition of long-term commitments concerning what type of nature/habitat types that could be of relevance, e.g. in relation to CAP financing periods.

In Sweden, voluntary forest set-asides areas by landowners contributes with a substantial part of nature conservation measures in the forest. They are an important undertaking from the private forest sector. It is essential that these measurements also are recognised and taken into account when developing a system that is appropriate for all relevant measures including strict protection, formal protection and OECS.

The mechanism of designation

The Commission proposes a process where the MS is expected to submit to the Commission a pledge for every new area to be protected, even for areas that are not proposed to the Natura 2000-network. Sweden cannot accept that fundamental change in the protection of areas under national schemes. Sweden strongly questions the Commission proposal that areas protected under national schemes will be discussed at biogeographical meetings. It is a good ambition to clearly show that the protected areas should be regarded in a wider landscape context, and to focus more on the functional connectivity of the protected area network. Sweden will in contrast to the proposed process recommend the Commission that MS should have the responsibility in the mechanism of designation new areas for biodiversity to meet the objectives for strict protection.

Strict protection

Regarding the objectives for strict protection, it will be essential to find a definition for what can be regarded as strict protection, which focuses on the

actual benefits for threatened biodiversity, not on exclusion of all human activities.

We do not agree with the Commission that extensive human usage of such areas for example hiking, hunting or fishing cannot be compatible with a “strict” protection classification and where the activities are already regulated by national law. It is a long Swedish tradition that such activities are permitted in legally protected areas. Those among the sami people who works with reindeer herding have unique rights to hunting and fishing in the reindeer herding area on state-owned land. The important thing is that nature conservation objectives and regulations are being met and maintained in each area. We also want to raise the importance of traditional and extensive land-use forms to be included in a future definition of strictly protected areas as for example reindeer grazing which is also protected and regulated by national law and international conventions. We want to stress that such land use may often be positive or direct necessary for maintenance of biodiversity and should not be regarded as being in conflict with strict protection. In a strictly protected area, activities that counteracts the conservation objectives should obviously not be allowed. But it should be possible to allow interventions and land use, as long as such interventions and land use are fully compatible with the long-term conservation objectives. That is, necessary, positive or at least neutral in their effects on biodiversity.

Sweden suggests that the possible use of strict protection should not be limited to habitat types and it should not focus on whether the habitat needs management or not. It is unclear if the Commission proposes that all habitat types should be able to have a share that is “strictly” protected, or only some? We also wonder how areas with restoration needs should be regarded in these contexts.

For formally protected areas in SE, including Natura 2000 sites with forest habitats, SE normally has regulated all land uses that could be in conflict with the conservation objectives. This means that all such formally protected sites can be regarded as ”strictly protected”, from an ecological conservation perspective, although necessary conservation measures such as grazing of semi-natural habitats is and has to be permitted to maintain the biological value.

Primary and old-growth forests

Primary and old-growth forests are not criteria Sweden use for designation of areas for nature protection. Instead we use the more functional term “Forest with high conservation values” as an overarching concept. The term includes a wide range of forest core areas with existing key values for forest biodiversity. Our term “Forest with high conservation values” may however overlap with the terms Primary and old-growth forests. We apply the approach by looking at a wide range of biodiversity related factors to determine which areas are most valuable to protect. This approach enables us to choose the most effective way of protection, especially when state acquisition is deemed necessary. From an ecosystems approach, boreal forests are naturally subject (and in need of) large scale natural disturbances for example forest fires. The abovementioned classification is used both for formal legal protection as well as for voluntary set-asides and retention areas (as used in certification systems).

In the forthcoming work it will be necessary to have definitions of primary and old-growth forests on which takes in to account different MS motives and their own incentives of how these forests best should be preserved. SE argue therefore for a flexible and overarching definition which gives MS the autonomy to implement the concept of Primary and old-growth forests according to local and regional condition. The outcomes of the currently ongoing work with a common definition in the Working Group on Forests and Nature are thus very important for Sweden.

Other carbon-rich ecosystems

We would welcome a discussion to make up clear definitions regarding which ecosystems that should be considered as carbon rich. E g semi-natural grassland and wetlands are good at storing carbon but are not suitable for strict protection in the non-intervention sense since they will need continued measures to stay in this stage of succession

Management effectiveness

Sweden would like to point out that management measures can be necessary to maintain a certain habitat type in some parts of the Union, eg. Semi-natural grassland and wetland will need regular grazing to keep this type of habitats in its right shape otherwise they will sooner or later turn into forest. Depending on decisions on which habitat types that will qualify for the

different types of protection the description of needed management measures has to follow that decision.

2. Draft technical note: Guidance to Member States on how to select and prioritise species/habitats for the 30% conservation improvement target under the strategy

The need for nature restorations are high, and it will be an important activity in the coming decade. We consider the proposed criteria relevant on a general level, but we believe that much more work will be needed in order to give sufficient guidance to the MS. It will be necessary to address the possibilities for restoration of different habitats, also to identify which restoration measures we should prioritize.

Section 2.3

Sub-target 2 states that for bird species, information on status is only available on EU level. Therefore, bird species with non-secure status on EU level is proposed to be selected. We do, however, believe MS should have the possibility to add a secure species on EU level which is red listed or struggling in that MS as well as to ignore EU level non secure species that in fact has a good and stable status in the MS. The scientific flexibility would be useful in order to reach the target.

Section 3.2 and 3.3

We agree to the biodiversity related criteria, that is; species at risk to go extinct, species for which a MS have an EU/global responsibility or species with an important umbrella effect. We also want to underline the necessity for a further dialog between MS and COM.

In both section 3.2 and 3.3 (other environment or climate targets) EEA is proposed to develop indicators and propose a list of prioritized species. We support this suggestion as it would ease the burden for the MS and the work to coordinate the selection. The indicators should be possible to be monitored.

We support that the suggested synergies listed in section 3.3 should be a basis for the selection of priority species as well as the above. Examples of such positive synergies are those with other EU environment and climate targets. Some are listed, but the list is not exhaustive.

Continued process

Sweden want to underline the necessity for a further dialog between MS and the Commission.