

NATURE SCORE CARD



Croatia

Croatia has been a member of the European Union since 2013. Its Natura 2000 network consists of 779 sites, covering 25.690 km². Terrestrial sites are covering 20.704 km² (36.6% of the land area) while marine N2000 sites are covering 4.986 km² (15.5%). The below analysis and recommendations suggest that national authorities still need to make further efforts in order to fully implement the Birds and Habitats Directives and effective conservation of threatened species and habitats to be achieved on the ground.

	<ul style="list-style-type: none"> • Landscape connectivity
	<ul style="list-style-type: none"> • Transposition of the Birds and Habitats Directives • Species protection • Funding and resources • Habitats and species monitoring • Promotion of research • Non-native species • Stakeholder engagement, public participation and communication
	<ul style="list-style-type: none"> • Site designation • Management of sites • Avoid deterioration of sites, disturbance of species and implementation of appropriate assessments

ACTION PLAN FOR NATURE IN CROATIA

<p>Transposition and designation</p> <ul style="list-style-type: none"> • Significantly improve designation of offshore marine Natura 2000 sites. 	<p>Prevention of negative impacts</p> <ul style="list-style-type: none"> • Raise capacities of the regional administration on appropriate assessment (AA) procedures. • Improve the system of developing AA studies and transparency. • Increase the capacity of the nature conservation inspection and invest in citizens “inspection”. • Bring national judicial capacities on a level to be efficient on EU legislation.
<p>Active management to achieve favourable conservation status</p> <ul style="list-style-type: none"> • Develop fisheries management measures in marine Natura 2000 sites. • Enable appropriate measures to be implemented when monitoring shows deterioration of species and habitats. 	<p>Funding</p> <ul style="list-style-type: none"> • Secure constant national co-financing for the LIFE program regarding Nature and Biodiversity. • Improve absorption of EU funds through enabling hiring of staff and through co-operation with partners.
<p>Monitoring and research</p> <ul style="list-style-type: none"> • Develop national monitoring programs for Natura 2000 species and habitat types. 	<p>Stakeholder engagement</p> <ul style="list-style-type: none"> • Improve understanding of, and cooperation with other sectors and other actors, like CSOs, etc.

The information in this scorecard is based on expert analysis from Association Biom, WWF Adria and Croatian Society for the Bird and Nature Protection. Full details on the following pages.

LEGAL REQUIREMENT	STATUS IN CROATIA
<p>Transposition</p>	<ul style="list-style-type: none"> The transposition of the Birds and Habitat Directives is partially completed. The European Commission found some deficiencies in the proper transposition of the Birds and Habitat Directives (2 EU PILOTS were initiated) and requests for proper transpositions were made (including Nature Protection Act, Hunting Act etc.). Nature Protection Act has been amended in February 2018 and Hunting Act is still in the adoption procedure. Minor corrections were made in the Nature Protection Act, i.e. better transposition of the Article 6 (3).
<p>Site designation</p> <p>Designate and establish sites that form the Natura 2000 network of protected areas</p> <p><i>Habitats Directive, art. 3 & 4</i> <i>Birds Directive, art. 3 & 4</i></p>	<ul style="list-style-type: none"> The terrestrial Natura 2000 network is not completely finalized yet and Croatia has still several years to complete the network. CSOs are working on the review of terrestrial IBAs/KBAs (new “shadow list”) which will result in revision of some existing and also some new IBAs/KBAs. pSCIs cover 16.040 km² of land in Croatia and SPAs cover 17.034 km². In total the terrestrial Natura 2000 sites cover 20.704 km² or 36.58% of land territory in Croatia which is the 2nd largest percentage in the EU. As SCIs have not been completely designated it is premature to have designated Special Areas of Conservation (SACs). The marine Natura 2000 network is not considered complete yet. There is scientific reserve for <i>Caretta caretta</i>, <i>Tursiops truncatus</i> (offshore), 1120 *Posidonia beds (<i>Posidonium oceanicae</i>), 1170 Reefs (offshore). Offshore areas are a big gap. The government is aware of this and a project on marine habitat mapping will be implemented 2018-2022, financing is secured through the Operational Program 2014-2020. Marine pSCIs cover 4.668 km² and SPAs cover only 1112 km². In total the marine Natura 2000 covers 4.986 km² or 15.45% of the territorial sea and internal marine waters of Croatia. In 2017 Croatia announced the expansion of Jabuka/Pomo Pit Marine Protected Area, the habitat recognised as essential nursery and spawning ground for a number of marine species. The Natura 2000 sites are integrated in the protected areas (PA) system. PA management authorities are responsible for the management of Natura 2000 sites as well. Already 26.14 % of Natura 2000 sites is also protected within one of the 9 national protection categories. 87.17 % of PA territory is within Natura 2000 network in Croatia.
<p>Management of sites</p> <p>Establish site protection measures in Natura 2000 sites</p> <p><i>Habitats Directive, art. 6(1)</i> <i>Birds Directives, art. 4(1) & 4(2)</i></p>	<ul style="list-style-type: none"> Conservation objectives have not been completely set yet, but Croatia still has time to set the conservation objectives by 2021. They are set for birds (there is a regulation – by-law) and partially for other species and habitats (currently through management plans, in the future also through the regulation – by-law). A project on setting up of Natura 2000 management has started and will last for 5 years (2017-2022), financing is secured through the Operational Program 2014-2020. Conservation objectives that currently exist (very few) at the site level for habitats and species other than birds seem adequate. However, it is too early to assess if conservation objectives are adequate, since their implementation has only just started. The objectives are set based on the evidence and measures proposed by scientists. Management plans have been partially developed. They exist for national and nature parks, but not even all of them have Natura 2000 integrated into them (this will be done when management plans will be revised in the coming period). Most of the Natura 2000 site lack management plans, but they will be developed through the above mentioned project on setting up of Natura 2000 (2017-2022), as Croatia still has time to set up management in Natura 2000 sites. Croatia has amended the Nature Protection Act in February 2018 and management plans are now obligatory for Natura 2000 sites (previously they were optional). The new Nature Protection Act specifies that management plans include analysis of target species and habitat types, conservation objectives, measures/means of achieving favourable conservation status (FSC), activities and indicators for monitoring management plan

implementation.

- Management plans for Natura 2000 sites that exist are adequate (but only a few exist), they contain specific and measurable conservation objectives and specific and concrete measures that should be sufficient to achieve the FCS. However, Croatia joined the EU in 2013 and has not monitored the conservation status for long enough so that it could be confirmed that the measures will result in achieving the FCS. There was no systematic national biodiversity monitoring before the EU memberships (due to lack of funds, or number of experts engaged in monitoring). Objectives and measures are based on best available scientific knowledge, so these can only be improved after a certain time of implementing the measures and tracking their impacts.
- Management plans that exist are being implemented only partially. The level of implementation varies, but the more recent the management plans, the better they are implemented. Implementation of management plans is hampered by lack of adequate resources for implementation by designated management authorities, conflicting management strategies among nature protection and other users (forestry, hunting, water management, tourism etc.) and lack of political will to properly implement existing management plans. It is actually too early to assess proper implementation, especially since first management plans that really integrate Natura 2000 sites have been adopted in 2016.
- Croatia has a clearly designated management authorities for all Natura 2000 sites. Primary responsibility of these authorities (public institutions) is management of protected areas and Natura 2000 sites. However, other sectors (like forestry, water management, agriculture, fisheries, physical planning, etc.) will also be responsible for implementing conservation measures. Improvements have been made in February 2018 with the amendments to the Nature Protection Act regarding the approach used by other sectors (forestry service will also develop management plans and other sectors will have to integrate conservation measures through the AA procedure). The future implementation of the amended Act will show the effectiveness of the approach.
- It is important to note that many PA management offices lack capacities (man-power, knowledge, finances, political independence etc.) to carry out the management tasks. In the field, proper management of Natura 2000 sites does not exist (with a few exceptions, such as some national and nature parks).
- Only the offshore areas (which are not designated yet) still do not have a more precise designated authority – it is stated that the Government of Croatia is responsible for the management of offshore sites. This needs to be defined in more detail in the future.
- Conservation measures proposed for Natura 2000 in management tools do not take climate change considerations into account adequately, although some provisions are included in the National Biodiversity Strategy and Draft National Strategy on Adaptation to Climate Change (Natura 2000 and forest ecosystem are mentioned).
- At the site level, the conservation measures proposed for Natura 2000 do take into account climate change consideration to a certain extent. This is done when threats are being considered and then usually only monitoring of climate change impacts is considered as a measure. However, there should and could be improvements in approaching climate change considerations. As for the future impacts projected for species and habitats, they are currently not being considered, except for the monitoring of climate change impacts, as mentioned above.

Species protection

Ensure species protection

Habitats Directive, art. 12-16
Birds Directive, art. 5-9

- There are a few approved species actions plans – for *Canis lupus* and *Lynx lynx*. There is a plan for *Ursus arctos* as well, but brown bear is not a protected species (it is still listed as wild game). Also, there is a preliminary plan for sea turtles and cetaceans.
- The government of Croatia has recently started a project on developing 11 species action plans (9 new and 2 updates – for wolf and lynx) for 21 priority species (2017-2019). Financing is secured through the Operational Program 2014-2020.
- The existing species action plans are implemented.
- Permits / derogations are being considered on an annual basis for example

Avoid deterioration of sites, disturbance of species and appropriate assessment

Ensure no deterioration of habitats and disturbance to species in Natura 2000 sites

Habitats Directive, art.6(2)

Ensure that plans or projects likely to affect Natura 2000 sites are subject to appropriate assessment

Habitats Directive 6(3)

Ensure that developments affecting the integrity of the site are not approved unless there are no alternative solutions, and for imperative reasons of overriding public interest and if compensatory measures are taken

Habitats Directive 6(4)

for the wolf. There was no derogation in 2016 and 2017. In 2015 there was a permit to do annual cull of several specimens of wolf. These derogations are published in an annual report on the status of wolf population.

- Measures in order to secure a site from degradation from actions that do not fall under article 6(3) procedures are partially taken. The work with the fisheries sector is only starting. As for agriculture, there are certain pilot (voluntary) measures for the protection of *Crex crex*, 3 species of butterflies and grasslands of high nature value, which are implemented through the Rural Development Program 2014-2020. Regulation has been issued in 2017.
- Article 6(3) procedures are only partially implemented and although there has been improvement, there are still significant gaps here. There is still no ruling at any national court that acknowledges Article 6(3).
- The Commission recognized that Croatia has not transposed the Article 6 (3) well, so amendments of the Nature Protection Act adopted in February 2018 include appropriate transposition.
- A few positive elements related to art 6(3) implementation are the following:
 - There are Guidelines for the appropriate assessment procedure that were developed through an EU funded project.
 - Public participation is actually better than what the Habitats Directive requires. All procedures are available online and the public has a right to send comments at several instances of the process (not only at the end). However, comments are often rejected without valid arguments.
 - All administrative authorities (central and regional level) can rely on the expertise of the Croatian Agency for Environment and Nature (but they do not have enough staff to cover all areas where expertise is needed).
- Appropriate assessments (AAs) that are done at the regional level are, on average, of a much lower quality than the ones on the national level. Counties (Regions) do not have adequate capacities to deal with increasing number of AAs (not enough staff but also not enough expertise). It is questionable how many experts really use the Guidelines for the AA procedure.
- Also, recently the new Government started to disregard the best practice established in the previous period – and sometimes goes against their own expert opinion. This will have to be closely monitored both at the national and the EU level.
- Experts are supposed to be independent, they have to obtain a permit from the Ministry to be able to do AAs, but they are hired by investors/project developers. Experts that develop the studies are increasingly more qualified and have improved their approach, but there are still some that do not use the appropriate methodologies or that do not consider the alternatives.
- In short, appropriate assessment studies are undertaken by consultants who are not independent but hired by the interested project developers.
- Evaluators are authorities (sometimes very skilled), they should be able to be independent, but in reality politics highly influences their work. Central government evaluators are much more independent and also qualified than the evaluators at the regional (county) level. As mentioned above, counties (regions) do not have adequate capacities – neither staff numbers, nor staff expertise.
- Many assessments lack proper information on species and habitats distribution as well as population sizes/habitat extent. Adverse effects on sites are often neglected or claims that there would be no adverse effects are placed without any proof.
- The precautionary principle is being applied only in principle. It is used during the AA procedure – for example to ask for research and monitoring to be conducted prior to the project. However, often it is not used as an argument to reject a plan or a project. There was one big project that was rejected by the Government due to, among others, the precautionary principle (big underground hydropower plan in karst area – Ombla).
- There has not been any case of overriding public interest yet. There was one request for it and the Government rejected it (water management project on the mouth of the river Mura into the river Drava which was applied by the State Water Management Company).
- Compensation measures are part of the Nature Protection Act, but they have

<p>Landscape connectivity</p> <p>Encourage the management of landscape features to improve the ecological coherence of the Natura 2000 network</p> <p><i>Habitats Directive art. 3(3) & 10</i></p>	<p>not been applied yet, as there was no case of “overriding public interest”.</p> <ul style="list-style-type: none"> • Considering that 36.3% of land in Croatia is designated as Natura 2000, landscape connectivity has mostly been secured. • However, certain habitats/ecosystems are under constant pressure – i.e. freshwater ecosystems (wetlands, rivers), marine ecosystems (due to fisheries)... • Natura 2000 management documents do consider landscape connectivity (e.g. green infrastructure on highways). • A vast majority of protected areas in Croatia are also Natura 2000 sites (87.11%). Designation of new protected areas is in principle not done with the purpose of landscape connectivity.
<p>Funding and resources</p> <p>Identify funding needs</p> <p><i>Habitats Directive, art. 8</i></p>	<ul style="list-style-type: none"> • Being a voluntary mechanism, Prioritized Action Framework (PAF) was not taken into consideration during the programming period 2014- 2020. • However, Croatia is preparing for the elaboration of the PAF for the next programming period and is in the group of countries that want PAFs to be more detailed than they are currently. • Croatia currently has a number of big projects from European Funds (co-funded 15% by national funds) on Natura 2000 – setting up of Natura 2000 management, setting up of Natura 2000 monitoring, development of species action plans, marine habitat mapping, invasive alien species, etc. (all part of the Operational Program 2014-2020). However, it is questionable if Croatia will be able to absorb all the funds, considering the low administrative capacities available both at national and regional level (need to hire almost double number of outsourced staff to be able to implement projects). • The state budget is insufficient to ensure current needs, and it is not clear if regular activities for Natura 2000 management will be funded from EU or national budget, but it is highly probable that regional/county level administration is not ensuring sufficient budget for regular activities on management of Natura 2000. • As mentioned above, capacities are low – especially administrative capacities, but also capacities of most of the PA management authorities (although not all). Scientists and CSOs are hired to do inventorying and monitoring. Outsourcing will be needed for the implementation of all big projects from European Funds, even for the Project Implementation Units.
<p>Habitats and species monitoring</p> <p>Undertake monitoring of the conservation status of habitats and species of Community importance</p> <p><i>Habitats Directive, art.11</i></p>	<ul style="list-style-type: none"> • There are national monitoring programs for 53 species and 5 habitat types. Practice so far has been that monitoring programs were being developed by the PA management authorities, CSOs, scientific institutions, or projects. • However, a project on setting up of Natura 2000 monitoring system will develop monitoring programs for 400 species and/or habitats. The project will be implemented 2018-2022, financing is secured through the Operational Program 2014-2020. Results are expected in the period beyond 2023. • Some of the data is publicly available. There is a good webGIS system available online (http://www.bioportal.hr/gis/). There are plans to have more data publicly available at the webGIS system, financing is secured through the Operational Program 2014-2020 (setting up of the Natura 2000 management 2017-2022). Data are also available via the EU website.
<p>Promotion of research</p> <p>Encourage research and scientific work</p> <p><i>Habitats Directive, art. 18</i> <i>Birds Directive, art. 10</i></p>	<ul style="list-style-type: none"> • The scientific community does work on assessing the status of threatened species and these projects are mostly funded by national sources. However, they do that in addition to their work (as consultancies), because these assessments are not considered as scientific research. There were attempts by the Ministry of Environment to change this and have conservation work accepted as scientific contributions, but so far the Ministry of Science did not agree to that.
<p>Non-native species</p> <p>Ensure that introductions of non-native species do not prejudice native habitats and species</p> <p><i>Habitats Directive, art. 22</i> <i>Birds Directive, art. 11</i></p>	<ul style="list-style-type: none"> • Measures to address the threats caused by invasive alien species are partially foreseen in the management plans, but there are still a lot of management plans that are missing. • There are also two EU projects starting that will deal with the IAS (methodologies, alert system, etc.) (2017-2020), financing is secured through the Operational Program 2014-2020.
<p>Stakeholder engagement,</p>	<ul style="list-style-type: none"> • There is no true stakeholder involvement in the site designation, with a few

public participation and communication

Stakeholder engagement and public participation are key to ensuring effective implementation

exceptions (i.e. some marine sites). Since the criteria for site designation are scientifically-based, then considerations of different stakeholders are not really taken into an account during the site designation process.

- The process enables public participation at the end of the procedure – the same as for any regulation that is being adopted by the Government. As for other sectors (like fisheries, agriculture, forestry, hunting, physical planning, energy, waters, etc.), they are being consulted during the process, because this is prescribed by the Government (for almost all laws and regulations/by-laws).
- Management plans are being developed using a participatory approach. There are good Guidelines for the development of protected areas and/or ecological network (Natura 2000) sites management plans and they strongly encourage stakeholder participation. Also the Nature Protection Act encourages stakeholder participation.
- There are adequate public consultation processes (for stakeholders with competences and means/access to i.e. online consultation) before the approval of the management plans and these are regulated by the Nature Protection Act.
- Stakeholder participation and public consultation on the granting of authorisations under Article 6 is partially adequate. All procedures are available online and public has a right to send comments at several instances of the process, not only at the end (as is the case with the adoption of regulation).
- CSOs still argue on transparency and early involvement in planning and decision-making. Also, the EU project on setting up of the Natura 2000 management (2017-2022) will improve data availability as well – as all AAs will be available on webGIS.
- There is public participation in decision-making impacting nature. As for transparency, there are mechanisms that allow for transparency, but the Government sometimes does not comply with these mechanisms (mainly due to pressure from sectors or private investors), which is partially the cause of legal uncertainty. So far, when the Government was taken to the administrative court, the court has decided in favour of the public interest only a very few times.
- There was a campaign on the Natura 2000 network and also public attitude surveys. A Natura 2000 Communication Strategy has also been developed.
- The existing Natura 2000 communication strategy includes actions at the local level.

RECOMMENDATIONS FOR CROATIA

- Significantly improve designation of offshore marine Natura 2000 sites.
- Secure constant national co-financing for the LIFE program regarding Nature and Biodiversity (which is implementing the Birds and Habitat Directives (BHD)).
- Together with the fisheries directorate and MPAs, start developing fisheries management measures in marine Natura 2000 sites.
- Develop national monitoring programs for Natura 2000 species and habitat types in order to secure and support monitoring efforts at both national and local level.
- Raise capacities of regional (county) administration regarding appropriate assessment procedures.
- Improve the system of developing appropriate assessment studies in a way to secure more independence for experts and evaluators, better data quality and availability, and transparency.
- Enable appropriate measures to be implemented when monitoring of the project shows deterioration of protected species and habitats.
- Significantly improve understanding of, and cooperation with other sectors, such as forestry, fisheries, agriculture, hunting, maritime domain, spatial planning, and other actors, like CSOs, etc.
- Improve absorption of EU funds through enabling hiring of staff (in government and public sector) that will implement BHD requirements, and through co-operation with partners outside official establishment (business, CSOs).
- Significantly improve the enforcement of the Nature Directives by increasing the capacity of the nature conservation inspection, but also other inspections and police with regard to Natura 2000, as well as invest in citizens "inspection".
- Bring national judicial capacities to a level to be efficient on EU legislation as part of the European juridical force and ensure the monitoring of judicial system effectiveness about nature/environmental crime.