




NATURE SCORE CARD



The Netherlands

Netherlands has been a member of the European Union since its founding. Its Natura 2000 network consists of 195 sites, covering 20603km², all of which are terrestrial (13.29% of the land area) while marine NATURA 2000 sites are covering 15083km². 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"> • Transposition
	<ul style="list-style-type: none"> • Site designation • Management of sites (terrestrial) • Avoid deterioration of sites, disturbance of species and implementation of appropriate assessments (terrestrial) • Landscape connectivity • 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"> • Species protection • Management of sites (marine) • Avoid deterioration of sites, disturbance of species and implementation of appropriate assessments (marine)

ACTION PLAN FOR NATURE IN THE NETHERLANDS

Transposition and designation

- Complete the process of the designation of Natura 2000 sites, including the identification and designation of marine SPAs (Brown Bank and other qualifying sites).
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Prevention of negative impacts

- Determine and execute management plans for all sites As soon as possible.
- Take action on species protection
- Climate change adaptation and nature have a natural synergy.
- Evaluate the nitrogen and nitrates policy on the Natura2000 targets taking into account the accumulating long term effects in the soil.

Active management to achieve favourable conservation status

- Put results in management plans with automatic back-up actions

Funding

- Finance true management costs

Monitoring and research

- Take action on surveillance, control and enforcement.
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Stakeholder engagement

The information in this scorecard is based on expert analysis from Natuurmonumenten, Vogelbescherming, and WWF Netherlands. Full details on the following pages.

LEGAL REQUIREMENT	STATUS IN THE NETHERLANDS
Transposition	<ul style="list-style-type: none"> The Directives are currently transposed in the new Nature Conservation Act that entered into force on 1 January 2017. It is generally in line with the Directives.
Site designation Designate and establish sites that form the Natura 2000 network of protected areas <i>Habitats Directive, art. 3 & 4</i> <i>Birds Directive, art. 3 & 4</i>	<ul style="list-style-type: none"> Terrestrial Natura 2000 network has generally been completed but, there are still sites that (potentially) qualify as Natura 2000 sites that have not yet been designated. Six marine sites have been designated as Natura 2000 sites, including three offshore sites in the Dutch exclusive economic zone. The marine Natura 2000 network is with these six sites not complete because there are still important gaps in the network, in particular with regard to the designation of marine SPAs. Almost all the Natura 2000 sites are the key component of the Netherlands system of protected areas.
Management of sites (terrestrial) Establish site protection measures in Natura 2000 sites <i>Habitats Directive, art. 6(1)</i> <i>Birds Directives, art. 4(1) & 4(2)</i>	<ul style="list-style-type: none"> Conservation objectives have been set It is questionable whether the objectives at the site level are adequate, because the conservation objectives at site level are often unambitious (maintain, rather than restore). This is the result of the current national policy applied to determine conservation objectives at a national and site level.
Management of sites (marine)	<ul style="list-style-type: none"> A significant number of management plans has been (drafted or) adopted in recent years, but they are not yet in place for all terrestrial and marine sites. All management plans contain conservation measures, but many of them are unambitious and mainly aimed at keeping things as they are or preventing deterioration. Achievement of fcs is not in reach in most sites within the foreseeable future with these measures. It is typical that most sites are affected by nitrogen have management measures targeted at avoiding further deterioration but not on reaching favourable conservations status.
Species protection Ensure species protection <i>Habitats Directive, art. 12-16</i> <i>Birds Directive, art. 5-9</i>	<ul style="list-style-type: none"> About 25 national species action plans have been adopted for protected species in the past, but most of those are no longer operational or updated and new plans have not been adopted in recent years. This is mainly due to the fact that the Netherlands Government no longer stimulates the adoption of species protection plans. The only exception is the national protection plan for the harbour porpoise that was adopted in 2011. It seems that the provincial authorities have not adopted regional species action plans for protected species in an unfavourable conservation status. One of the most important omissions in this respect is the lack of species protection plans for farmland birds. The species action plans that were adopted in the past were implemented, but not to the full extent. The national species protection plan for the harbour porpoise has mainly stimulated research and monitoring activities, but has not yet lead to new conservation measures. Derogations are granted on a large scale throughout the country. It is mostly done by provincial authorities, using either general derogations in provincial legislation or specific permits. They are published in most cases, although it is often difficult to find them on the provincial websites.

Avoid deterioration of sites, disturbance of species and appropriate assessment (terrestrial)

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)

Avoid deterioration of sites, disturbance of species and appropriate assessment (marine)

Landscape connectivity

Encourage the management of landscape features to improve the ecological coherence of the Natura 2000 network

Habitats Directive art. 3(3) & 10

Funding and resources

Identify funding needs

Habitats Directive, art. 8

- The Nature Conservation Act includes permitting requirements for plans, projects and other activities to implement both article 6(2) and 6(3). It also include tools to adopt measures to prevent deterioration from activities that fall outside of the scope of the permitting requirements. Specific measures to prevent deterioration are included in the management plans for the Natura 2000 sites.
- The Nature Conservation Act requires an appropriate assessment for all plans and projects likely to affect Natura 2000 sites. Generally, these procedures are followed in practice.
- Compensatory measures are frequently presented as mitigation measures to avoid the procedure of article 6(4) of the Habitats Directive. Due to recent judgments of the EU Court of Justice this has become more difficult, but there is still a tendency to reason in the appropriate assessments towards the conclusion that significant effects do not occur. A more structural problem is that marine fishing activities in the exclusive economic zone of the Netherlands are not subjected to an appropriate assessment.
- Generally experts are independent but we also see that advisory consultants are (under pressure or anticipating) pressure from their clients. So in our view we see sometimes that consultants are reasoning towards the conclusion that there are no significant effects to allow the activity to take place.
 - Worst case scenarios and accumulation are not always given enough attention. Although that has to do also with the position of the Dutch Administrative Court.
- The precautionary principle is being applied but the court does allow for the discretion of the government.
- NATURA 2000 compensation is formally relatively well organised especially when compared with compensation of other protection categories.
 - The adopted compensation measures are certainly not always effective, as is shown in the Maasvlakte II case (compensatory measures have not yet lead to the required improvements of the permanently submerged sandbanks in the Voordelta).
- Article 6(4) has thus far not been applied very often in the Netherlands
- In the Netherlands there was an ecological network developed in 1990 called the Ecological Network (EHS). The Natura 2000 network was developed later but on basis of the fact that the EHS would be in place so especially the EHS would give much needed robustness and connectivity to the Natura 2000 network. Sadly somewhere around 2011 the EHS was revised because of a political change and the economic crisis. This meant a much meagre EHS, renamed in Nature Network Netherlands (NNN). Some research shows that the EU obligations will not and cannot be met with such a downsized NNN. This, by the way, is different in several provinces. They have been delegated the responsibility for nature policy in the same period. We see large differences in ambition between provinces. The legal status of the NNN is not to be compared with the protection of Natura 2000. The NNN knows only a (not that firm) spatial protection.
- The NNN, which includes Natura 2000 is paid by national budget. There is a national grant system in place based on standard cost prices for management. 75% of these costs are compensated for, so 25% of the costs have to be paid by the owners/managers themselves.
- Natura 2000 sites are nearly all part of our Nature Network Netherlands.

	<p>The management of these is already (partly) been taken care of by national means. The extra costs of the Natura 2000 designation are also looked into:</p> <ul style="list-style-type: none"> - “A Quick Scan of the costs and socio-economic consequences of Natura 2000 has been carried out on the basis of the procedure used for social cost-benefit analyses. The measures required to achieve Natura 2000's targets were provided by Kiwa Water Research, the Ministry of Agriculture, Nature and Food Quality, and the Directorate-General for Public Works and Water Management. These measures have been reviewed to determine whether they constitute additional measures, and to assess the concomitant costs. The results are presented as the total additional costs for Natura 2000, as well as the additional costs per landscape type and per sector. The total additional costs for Natura 2000 are estimated to amount to between € 29 and € 49 million per annum. Moreover, additional investments of an amount of between € 52 and € 203 million will be required.” <ul style="list-style-type: none"> • The state and provinces do co finance (partly) Life projects. This applies only to non-regular management. • The costs of management are for a large part related to external environmental pressures like eutrophication, acidification, desiccation and disturbance. So if these pressures are reduced, the management costs will also be reduced. • There is a dedicated decentralize fund for the Nature Network Netherlands, which works at the provincial level. This can and normally will also cover NATURA 2000. The priority is given to NATURA 2000 over the national protected habitats. We meet in certain provinces are under continuous pressure to cut back on the budget. • The practical implementation lies largely with big site managing organizations and the State Forestry & Rijkswaterstaat. At the site level there is huge shortage of manpower for surveillance, control and enforcement because in the current grant-scheme these functions are not fully taken into account. • The national government level should be responsible for the ‘system’ but there isn’t enough qualified neither staff nor the will to actively monitor, check and enforce.
<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"> • The monitoring of habitats is often predominantly on vegetation types, and not always adequate for monitoring habitat quality at site level given the large effect of nitrogen on both flora and fauna within the habitats in the Netherlands. • The data and assessment for conservation status for the area of habitats is of good quality, but not always for quality of habitats. • The data is partly public
<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"> • There is funding for research on the causes of decline and possible management measures is limited.
<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"> • The management plans in place only partly address the issues of invasive species. Several alien invasive species already form a large threat for habitats (and already a decline in quality) for which no funding or adequate measures are foreseen.

Stakeholder engagement, public participation and communication

Stakeholder engagement and public participation are key to ensuring effective implementation

- Regrettably stakeholder involvement is nearly always organised after the plans or programs are already designed.
- There was (approx. 2005) a half-hearted financing of an educational NGO to give attention to Natura 2000. The government (National and regional) never was and is an outspoken champion for Natura 2000.

RECOMMENDATIONS FOR THE NETHERLANDS

(Recommendations are not ranked by priority).

a. Better implementation Nature policy

- a.1. Complete the process of the designation of Natura 2000 sites, including the identification and designation of marine SPAs (Brown Bank and other qualifying sites).
- a.2. Determine and execute management plans for all sites asap.
- a.3. Put results in management plans with automatic back-up actions
- a.4. Take action on species protection
- a.5. Finance true management costs
- a.6. Realize the Nature Network Netherlands ultimately in 2027
- a.7. Take action on surveillance, control and enforcement.

b. Put nature firmly in other policies

- b.1. Agriculture and fisheries, let the CAP and CFP work for biodiversity
- b.2. Put buffer zones around Natura 2000
- b.3. Evaluate the nitrogen and nitrates policy on the Natura2000 targets taking into account the accumulating long term effects in the soil.
- b.4. Put ecological targets at the heart of water policy.
- b.5. Invest in robust nature first before city-development. Search for synergies when developing.
- b.6. Fully incorporate the threat of alien invasive species for habitats and species on the directive in the Natura2000 management plans.
- b.7. Implement the Water Framework Directive and the Marine Strategy Framework Directive ambitiously

c. Create chances for more biodiversity

- c.1. Create biodiversity outside designated nature sites, especially on farmland.
- c.2. Climate change adaptation and nature have a natural synergy.
- c.3. Create green cities, with green rooftops and green business parks.
- c.4. Only certify building and renovation projects after they are fully executed