




# NATURE SCORE CARD



## Belgium

Belgium has been a member of the European Union since 1958. Its Natura 2000 network consists of 310 sites, covering 5.158 km<sup>2</sup>. Terrestrial sites are covering 3.887 km<sup>2</sup> (13% of the land area) while marine N2000 sites are covering 1.271 km<sup>2</sup>. 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"> <li>· Transposition</li> <li>· Site designation (Wallonia)</li> <li>· Habitats and species monitoring</li> <li>· Promotion of research</li> <li>· Non-native species (Wallonia)</li> </ul>
	<ul style="list-style-type: none"> <li>· Site designation (Flanders + Federal (Marine))</li> <li>· Management of sites</li> <li>· Species protection</li> <li>· Non-native species (Flanders)</li> <li>· Funding and resources</li> <li>· Stakeholder engagement, public participation and communication</li> </ul>
	<ul style="list-style-type: none"> <li>· Landscape connectivity</li> <li>· Avoid deterioration of sites, disturbance of species and implementation of appropriate assessments</li> </ul>

## ACTION PLAN FOR NATURE IN BELGIUM

### Transposition and designation

- Re-designation of Vlake van de Raan
- Clarify status of habitats outside SPA's

### Prevention of negative impacts

- Address environmental pressures with an ambitious nitrogen approach (Flanders)

### Active management to achieve favourable conservation status

- More action for species protection (Flanders)
- Strengthen connectivity between sites (Flanders and Wallonia)
- Issue clear guidelines for management of non-native species on the EU list, also in private properties (Flanders)
- Promote voluntary approaches to restore N2000 habitats outside the network and to protect them (Wallonia)

### Funding

- More budget and better use of available European funds (Flanders)
- Structurally strengthen the resources through appropriate structures and the human resources available to ensure the implementation of species action plans and Natura 2000 site management plans (Wallonia)

### Monitoring and research

- Develop a mapping of the ecological network, identifying natural habitats and species protected under the Birds and Habitat Directives outside the N2000 network (Wallonia)

### Stakeholder engagement

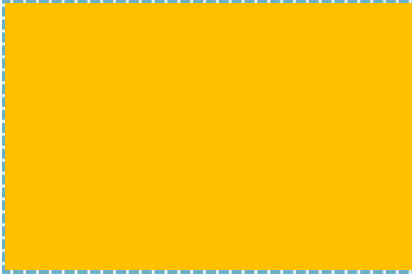
- Verify outcomes of computer models with field experts (Flanders)
- Ensure more transparency and strengthen public consultation for authorizations and derogations in Natura 2000 (Wallonia)

The information in this scorecard is based on expert analysis from Natagora, Natuurpunt and WWF-Belgium. Full details on the following pages.

LEGAL REQUIREMENT	STATUS IN BELGIUM
<p><b>Transposition</b></p>	<ul style="list-style-type: none"> <li>The transposition of the Birds and Habitats Directives is complete</li> </ul>
<p><b>Site designation (Flanders and federal)</b></p> <p>Designate and establish sites that form the Natura 2000 network of protected areas</p> <p><i>Habitats Directive, art. 3 &amp; 4</i> <i>Birds Directive, art. 3 &amp; 4</i></p>	<ul style="list-style-type: none"> <li>The terrestrial Natura 2000 network is considered complete, but questions arise if the terrestrial sites are big enough to meet the conservation objectives. Terrestrial sites are covering 3.887 km<sup>2</sup> (13% of the land area).</li> <li>In Flanders (esp. forests) and in Wallonia (megaphorbiaie, prairies de fauche de l'Arrhenatherion), there is a substantial amount of actual habitat outside designated areas. Also a large percentage of several endangered target species occurs outside N2000.</li> <li>In Wallonia there is a lack of knowledge of protected habitats and species that are occurring outside the Natura 200 Network</li> <li>Marine N2000 sites are covering 1.271 km<sup>2</sup>. Also the marine network is considered complete. The proposal for re-designation of 'De Vlakte van de Raan' has been approved by the European Commission. This re-designation will coincide with the decision on the new marine spatial plan (2020 – 2026) in 2018-2019. The site will double in surface in the northeast direction. No extra measures will be taken as there is no evidence that the current use of the site is impacting the biological/ecological state.</li> <li>In Flanders and Wallonia, Natura 2000 legislation is included in the Nature Conservation Act and the protected areas' system. It is a category within the national system of protected areas.</li> </ul>
<p><b>Site designation (Wallonia)</b></p>	
<p><b>Management of sites</b></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) &amp; 4(2)</i></p>	<ul style="list-style-type: none"> <li><b>In Flanders</b>, conservation objectives are set at regional and site level. The conservation objectives at both levels are not always adequate, for ex. concerning species protection and conservation objectives for open habitats (4010, 4030, 6510).</li> <li>The management plans for the terrestrial sites are currently under development and will be reviewed in 2018 in an official public consultation. Official approval of the site management plans is foreseen for the end of 2018/beginning 2019.</li> <li>The marine management plans for SAC 'Vlaamse banken' and SPA's 1-2-3 have a draft version in public consultation (June '17). At this moment, the final version is not yet published. A separate marine management plan for SAC 'Vlakte van de Raan' will be drawn up.</li> <li>The draft management plans contain specific actions to meet the conservation objectives, but they are not sufficient, since: <ul style="list-style-type: none"> <li>The environmental pressures are not addressed sufficiently (for ex. Flemish nitrogen approach fails).</li> <li>To allocate goals, focus areas were established with a computer model. whereby socio-economic considerations often dominated ecological values and potentials. The outcome is not always realistic and needs to be evaluated by experts. At the moment, it is not clear whether this will happen.</li> <li>There are strong concerns regarding the implementation of the appropriate assessment in Flanders and in the Belgian part of the North Sea</li> </ul> </li> <li>There are clearly designated management authorities for Natura 2000 sites. The Flemish Nature Agency is covering the whole Natura 2000 process in Flanders, but it is not always clear how the follow up of the actions of the management plans for individual Natura 2000 sites will be organised.</li> <li><b>In Wallonia</b>, conservation objectives have currently been set at regional level. The regional objectives are aimed at improving conservation status, while the objectives assigned to the sites are aimed at maintaining conservation status.</li> <li>The conservations objectives at regional level are adequate. The legal framework ensuring the protection of Natura 2000 sites is strengthened in January 2018, ensuring greater protection of specific habitats. Some</li> </ul>

	<p>regulatory measures will also help to improve their conservation status. Many voluntary measures of site management already exist and will be enhanced with the establishment of management plans and the implementation of the Integrated Life project. By 2021, 16 management plans will be implemented by local actors as part of the Integrated Life project.</p> <ul style="list-style-type: none"> <li>• There are clearly designated management authorities for Natura 2000 sites and important resources for coordination will be mobilised in the framework of the LIFE integrated project.</li> <li>• The Walloon administration is responsible for controlling legal provisions and an association is responsible for supporting land owners and farmers engaged in restoration projects or site management. Nevertheless, we regret the lack of openness to civil society for the management of the public properties that make up the bulk of the Forest N2000 Network.</li> <li>• In general, conservation measures proposed for Natura 2000 do not take climate change considerations into account.</li> </ul>
<p><b>Species protection</b></p> <p>Ensure species protection</p> <p><i>Habitats Directive, art. 12-16</i> <i>Birds Directive, art. 5-9</i></p>	<ul style="list-style-type: none"> <li>• In Flanders there are approved species action plans for the Seaport of Antwerp, European beaver (<i>Castor fiber</i>), smooth snake (<i>Coronella austriaca</i>), Montagu's harrier (<i>Circus pygargus</i>), European hamster (<i>Cricetus cricetus</i>), Grayling (<i>Hipparchia semele</i>), Garlic toad (<i>Pelobates fuscus</i>), Corn crake (<i>Crex crex</i>) and Eurasian bittern (<i>Botaurus stellaris</i>).</li> <li>• In Wallonia, some action plans have been elaborated but they have not officially been approved (e.g. <i>Lycaena helle</i>). Measures to ensure species protection are implemented only on a few occasions. The LIFE integrated projects foresees the development of new species action plans.</li> <li>• Permits / derogations for activities impacting protected species are being issued and published</li> </ul>
<p><b>Avoid deterioration of sites, disturbance of species and appropriate assessment (Flanders and federal)</b></p> <p>Ensure no deterioration of habitats and disturbance to species in Natura 2000 sites</p> <p><i>Habitats Directive, art.6(2)</i></p> <p>Ensure that plans or projects likely to affect Natura 2000 sites are subject to appropriate assessment</p> <p><i>Habitats Directive 6(3)</i></p> <p>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</p> <p><i>Habitats Directive 6(4)</i></p>	<ul style="list-style-type: none"> <li>• <b>In Flanders</b>, no measures in order to secure a site from degradation from actions that do not fall under article 6(3) procedures are taken.</li> <li>• Species and their habitats are rarely taken into consideration in appropriate assessments.</li> <li>• Article 6 procedures to assess projects and plans are implemented only partially. The Flemish nitrogen approach is an example of bad implementation, where the adverse effects on the site are not correctly assessed. The precautionary principle is rarely applied.</li> <li>• The planned measures for habitat restoration in SAC 'Vlaamse banken' are being threatened by procedure art 11 of the Common Fisheries Policy.</li> <li>• Experts should be independent, but they are paid by the project developers who need the permit. In Wallonia, the studies are evaluated by an advisory body. In Flanders, the Flemish Agency of Nature evaluates the appropriate assessments. In several cases, NGOs objected their evaluation of the appropriate assessment.</li> <li>• In general, the "less damaging alternatives" and the "overriding public interest criteria" are not enough justified. In Wallonia, so-economic issues are quickly of public interest. In Flanders, it is the Flemish government that decides on 'overriding public interest'.</li> </ul>

<p><b>Landscape connectivity</b></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) &amp; 10</i></p>	<ul style="list-style-type: none"> <li>• Since the sites are designated in a very fragmented way (esp. in Flanders and for certain habitat / species in Wallonia), landscape connectivity is a huge challenge; this is also challenged by other sectors (for ex. agriculture), who fear extra measures and prohibitions on their fields, because of connectivity measures between Natura 2000 sites.</li> <li>• Also in Wallonia landscape connectivity is a major weakness and designation of other protected areas are not sufficiently used to respond to the connectivity requirement. The ongoing development of the territorial development scheme does not include this connectivity concern with regard to the proposals submitted for public consultation.</li> <li>• In Flanders, designation of other PA's should be used to respond to the connectivity requirement but the designation of this network has barely begun, let alone the implementation.</li> </ul>
<p><b>Funding and resources</b></p> <p>Identify funding needs</p> <p><i>Habitats Directive, art. 8</i></p>	<ul style="list-style-type: none"> <li>• Both Wallonia and Flanders have elaborated a Prioritized Action Framework (PAF). For Flanders, it is still unclear how the budgets will be put into practice. The estimated funding need for Flanders for the period 2014-2020 is 612,4 million euro.</li> <li>• In Wallonia, the Nature Directives' funding needs are covered almost exclusively by EU co-funding sources (RDP, Life).</li> <li>• Flanders has a dedicated budget, but it is still insufficient. A large amount is spent on bureaucracy.</li> <li>• In Wallonia, relevant services and authorities are understaffed.</li> <li>• In Flanders, on the one hand, most staff of the Flemish Nature Agency is now oriented towards implementing Natura 2000, which makes it very hard to have enough staff available for nature projects outside Natura 2000. On the other hand, the Flemish Agency of Nature would prefer to have more staff to implement all the Natura 2000 requirements.</li> </ul>
<p><b>Habitats and species monitoring</b></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"> <li>• There is a monitoring system in place.</li> <li>• The assessments of conservation status and the underlying data are generally of good quality.</li> <li>• Data are publically available.</li> </ul>
<p><b>Promotion of research</b></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"> <li>• There is specific support of scientific and research activity for species and habitats. Universities, NGOs and other research institutions are significantly active in this field.</li> </ul>
<p><b>Non-native species (Flanders)</b></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"> <li>• In Flanders, measures are taken by NGO's and public authorities (nature agency, road and water managers). Little action is taken on private properties. This affects the habitats and species in the SPA's. It is not yet clear what is expected from NGO's and private owners concerning the EU list of IAS.</li> <li>• In Wallonia, some management plans for IAS are in place. A regional unit ensures coordination of local initiatives but there is no action plan for the Region. An important work of sensitization has been realized. Specific measures are systematically foreseen in the framework of authorized projects that are likely to introduce invasive species.</li> </ul>
<p><b>Non-native species (Wallonia)</b></p>	
<p><b>Stakeholder engagement, public participation and communication</b></p> <p>Stakeholder engagement and public participation are key to ensuring effective implementation</p>	<ul style="list-style-type: none"> <li>• There is adequate stakeholder participation in the site designation process.</li> <li>• The stakeholder participation in the development of management plans is partially adequate. Socio-economical concerns often outrule ecological concerns. The process is overruled by political decisions in Flanders, which affects acceptance and support.</li> <li>• In Flanders there is a public consultation processes before approving management plans, in Wallonia this doesn't seem planned.</li> <li>• In Flanders, there is adequate stakeholder participation and public consultation on the granting of authorisations under Article 6.</li> <li>• In Wallonia, public consultation processes are foreseen, but they are not adequate. For example, there is no central online system of information with respect to the consultation processes that are taking place. Some authorizations and derogations are not public and are not subject to the</li> </ul>



advice of an advisory council.

- In general there is no full public participation and transparency in decision-making impacting nature..
- In Wallonia several local and regional awareness raising activities on Natura 2000 have been implemented.
- In Flanders, all stakeholders got public financing to inform their members on Natura 2000, but there has not been a general campaign to inform the wider public about Natura 2000.

## RECOMMENDATIONS FOR FLANDERS

**Less computer calculation, more expert field knowledge.** When the discussions between stakeholders at regional level got more complex over the years, computer models – based on ecological and economical criteria - were being built to solve all kind of remarks about the conservation objectives and where to implement them. This proved to be a dead-end street, especially when the models, who were supposed to be supporting the decision making process, started taking over the process itself.

Any real participation on the (real) natura2000 management plans was replaced by politically driven decisions and socio-economical concerns on the parameters of the models, starting from a “no goldplating” perspective and ending in an approach where ecological needs and values were completely dominated and overruled by other socio-economic interests. Hence, the results of the models were unacceptably poor: European protected nature got locked up in fragmented sites with low ecological potential surrounded by very intensive and damaging, yet unrestricted forms of landuse. Expert judgement was neglected.

The process needs to be reanimated: focussing on the creation of robust, well connected and well-managed sites. Real participation from the stakeholders on the terrain should be re-installed (at site-level), real solutions for the socio-economic problems brought to the table. We need program managers, not programmers.

**Address environmental pressures.** The actual Flemish Nitrogen approach will be operational by 2020. The goal is to safeguard both Natura2000 sites and economic development. However, at this moment temporary permit rules are in place. These offer no legal certainty and no guarantee of nitrogen reductions. Under pressure of the economic sectors, the future nitrogen approach has been scaled down. Nature restoration projects at landscape level to mitigate the impact of nitrogen are not foreseen.

**Strengthen connectivity between sites.** The Natura 2000 sites in Flanders are very fragmented, which make the connection between sites even more important. But there are few or no measures foreseen to provide these connections, in order to meet the favorable conservation status of many European habitats and species.

**Re-designation of ‘Vlakte van de Raan’ and clarification of the status of habitats outside SPA’s**

**More budget - better use of CAP, regional funds, etc.** Since 2008 the budgets were mainly spend on participation, research and policy documents. There was few support towards more Natura2000 actions in the field. More budget for land acquisition, improving environmental conditions and site management could speed up actions on site. Making better use of other (European) funds is necessary.

**Issue clear guidelines for management of invasive alien species, also on private grounds.** The Flemish government has been making strategies to manage the IAS on the EU list. At this moment, it is not clear for nature conservation organisations, local governments or private land owners how these IAS should be managed in the field. These stakeholders should be consulted more on the strategies and should be informed how the Flemish government will manage or eradicate the EU IAS species.

**More action for species protection.** In the whole Natura 2000 implementation, species protection is still underdeveloped, although there is improvement. Flemish nature legislation, including appropriate assessments, is almost completely focussed on habitat management, not species management. The needs of protected species should be better included in the site management plans.

## RECOMMENDATIONS FOR WALLONIA

- Strengthen connectivity between sites. For some habitats and species the Natura 2000 sites are very fragmented, which make the connection between sites even more important. But there are few or no measures foreseen to provide these connections, in order to meet the favorable conservation status of many European habitats and species.
- Ensure more transparency and strengthen public consultation for authorizations and derogations in Natura 2000.
- Develop a mapping of the ecological network, notably identifying natural habitats and species protected under the Birds and Habitat Directives outside the N2000 network.
- Promote voluntary approaches to restore N2000 habitats outside the network and to protect them through the statutes provided for in the “Loi de la Conservation de la Nature”.
- Structurally strengthen the resources for animation and participation (species action plans and site management plans) through appropriate structures and the human resources available to ensure the implementation of species action plans and Natura 2000 site management plans.