



Establishing Natura 2000: examples one should not follow

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Why this presentation?

Natura 2000 – a network, or rather a system, of specific conservation areas

To be established according to the EU Birds and Habitats Directives

Directives – prescribe the obligatory goals, obligations, and bans only

CJEU rulings specify these goals and bans often into minute details

Despite this, a considerable freedom in regard to implementation remains

How many Natura 2000 networks do we have?

before Brexit: 28 EU MS – apparently 28 different approaches

In reality, about 90 – federal countries have different approaches at the provincial level

Each “newcomer” has to find their own way – which is not easy

“It's no shame to make a mistake, but only a fool makes the same mistake twice”

Therefore, learning from the mistakes of others is often more effective than "best practice examples" – an approach promoted by the European Commission

Mistakes and failures

There is no “database” of mistakes done by current EU 27

Lack of “horizontal” communication among EU MS

I have been recording those mistakes for 27 years

This presentation is aimed at sharing those dealing mostly with procedural issues, as this can be most relevant for Moldova:

- **good start means half of the success**
- **good start requires to avoid already known mistakes**

Example 1: Bulgaria



- *accession date: 2007*
- *no political interest in nature protection*
- *no nature conservation institution*
- *no expert capacity for Natura 2000 preparation*
- *no financial resources*

Example 1: Bulgaria

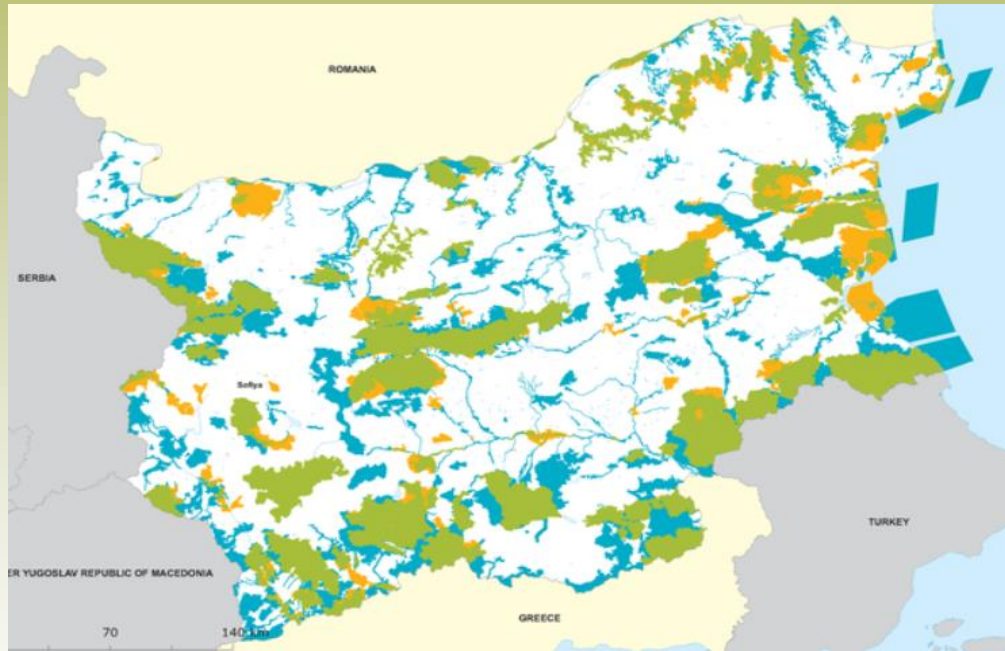


- *Approach chosen: import of knowledge and experts from Germany*
- *The whole Natura 2000 proposal prepared by German experts*
- *Some contribution of Bulgarian NGOs and scientists*
- *Nevertheless, no ownership, no proper understanding of Natura 2000 by locals*
- *At the 2008 biogeographical seminar (Sibiu, RO), a number of insufficiencies identified – Bulgarian delegation disgusted*

Example 1: Bulgaria



A lot of effort to amend the proposal in the following years needed



Even today (2025), most of EU requirements still “implemented” by foreigners (AT, HR) instead of locals

Example 1: Bulgaria



In many Natura 2000 sites, severe damage caused e.g. by small hydropower plants in Natura sites:



Example 1: Bulgaria

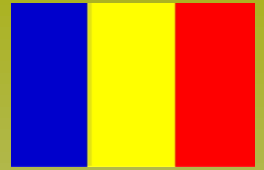


How can this happen?

Due to:

- *lack of effective national protection, caused by*
- *lack of ownership → lack of effective nature conservation structures and*
- *lack of expert institution in charge of theoretical aspects of nature conservation*

Example 2: Romania



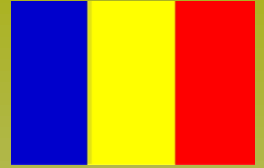
Accession date: 2007

Initial situation January 2006 (12 months before accession!): zero preparatory works and data

Several EU twinning projects launched – one of them in Sibiu region aimed at Natura 2000

No nature conservation institution: there has been National Environmental Agency + 9 regional branches, but nature protection understaffed + zero education on EU requirements

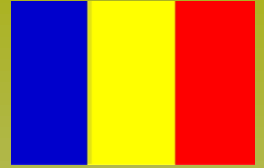
Example 3: Romania



Original solution made up: let's the public create the Natura 2000 proposal!

Public web page arranged – everyone could send their proposals, even ordinary citizens

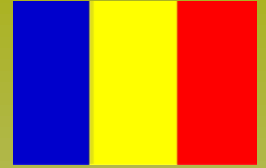
Example 2: Romania



Result:

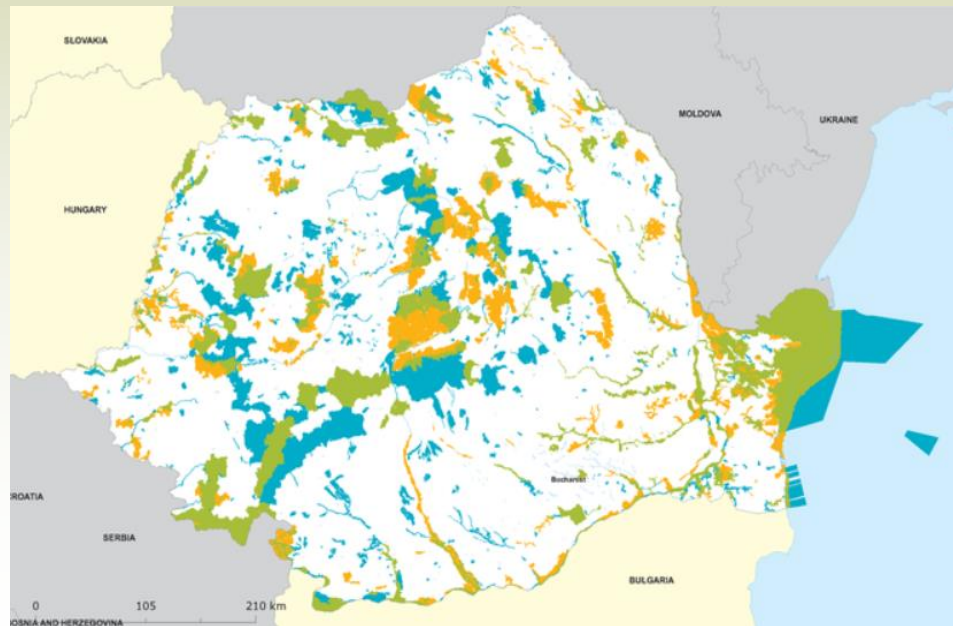
- *basic rules for sufficient representation of Natura habitat types and species omitted, sites often proposed based on “feelings” of nature lovers*
- *many “obligatory” sites omitted (some of them intentionally due to conflict of interest with the business and agriculture)*

Example 2: Romania

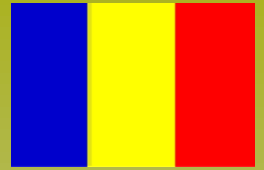


- extensive “shadow list” prepared by NGOs and substantial amendments of the national list of sites enforced later – with “tears and blood” and substantial delay

Lack of dedicated institution hindered the process – and situation has not changed until today (still no nature conservation agency)



Example 2: Romania



Lesson learned:

- *Natura 2000 proposal should be done exclusively based on scientific and expert data, not on proposals made by laymen (nature lovers, general public)*
- *Nature lovers (public) can make a valuable contribution – but the whole preparatory process is to be managed by expert nature protection institution*

Example 3: Czech Republic



Accession date: 2007

*Preparatory process very thorough, from 2000 until 2003 +
amendments until 2005*

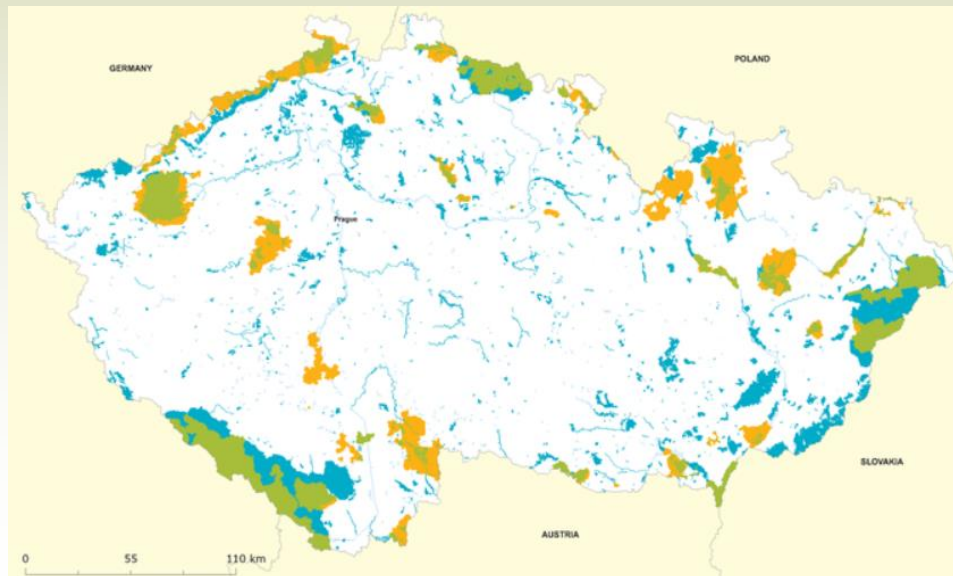
*Hundreds of collaborators involved + central institution – Nature
Conservation Agency*

Example 3: Czech Republic



Accession date May 1, 2004: therefore, expert works stopped in September 2003, as government needed to approve the national list of sites before Christmas

About 900 proposed Natura 2000 sites, scientifically underpinned



Example 3: Czech Republic



*Approaching landowners – **almost no room for negotiations:**
mere 3 months in summer – early autumn 2003*

*Decision taken: not to approach all landowners **but only big ones,**
with large properties*

*During these negotiations, some compromises were necessary –
but negotiations went relatively smoothly*

Example 3: Czech Republic



2004: EU accession

2005 and 2006: biogeographical seminars seeking for sufficiency of proposed sites

Insufficiencies in Czech national list of sites proven

EU required additional sites to be amended

Example 3: Czech Republic



2006-2007 additional site proposals made, negotiation process started

*This time no time pressure – **but a serious resistance from landowners!***

Example 3: Czech Republic



Two main arguments:

„In 2004, you deceived us by saying that Natura 2000 would not impose any restrictions“

„But above all: you did not talk to all but only big landowners - and that was another deception showing that you were liars!“

*Conclusion of many negotiations: **strong disagreement with any new Natura 2000 sites!***

Example 3: Czech Republic



Nature conservancy between two millstones:

- *order from Brussels to amend sites...*
- *...and the refusal of landowners in those sites*

Example 3: Czech Republic



It took months of patient discussions, hundreds of trips to those people, endless explanations that even if they are restricted, they will be remunerated from the state budget

Lesson learned: finally we succeeded to get the consents

Today 1111 + 42 designated Natura 2000 sites in CZ, the network is operational

Example 3: Czech Republic



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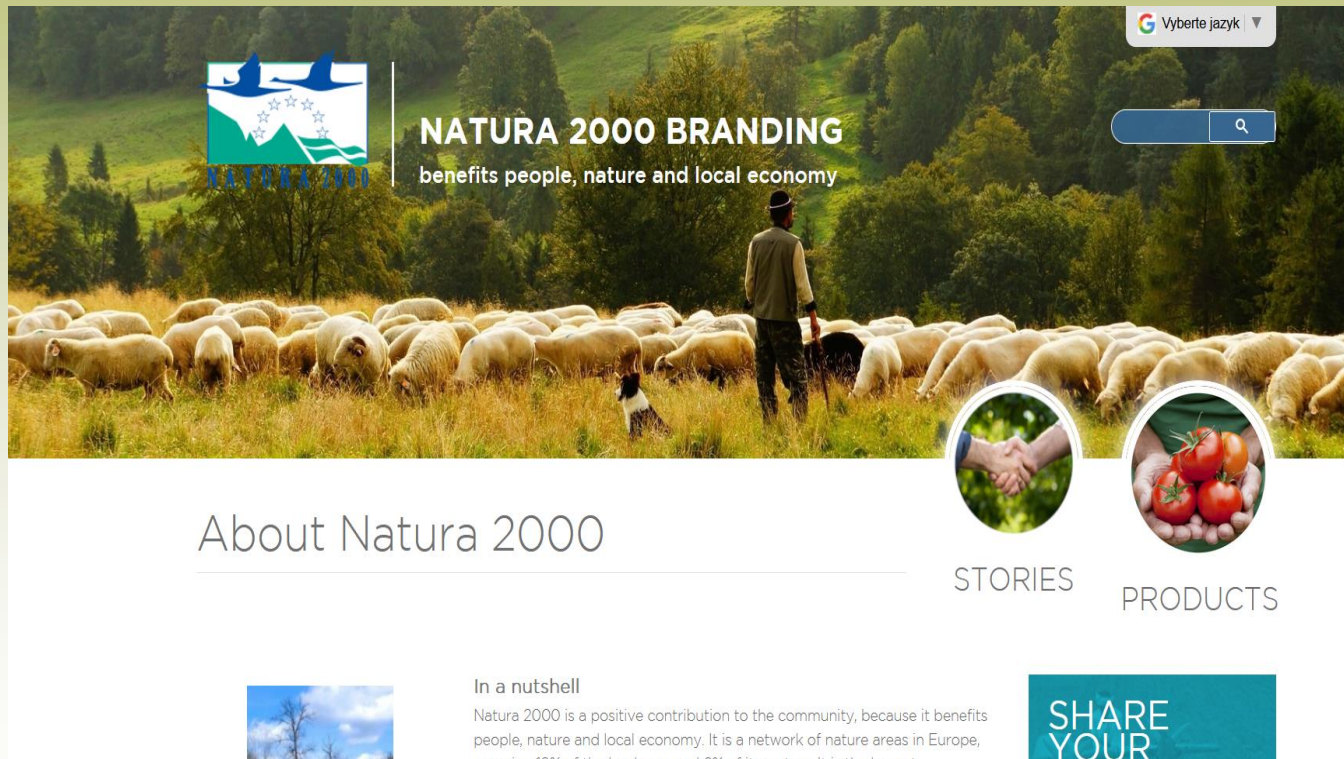
Lesson learned: finally we succeeded to get the consents

Today 1075 + 42 designated Natura 2000 sites in CZ, the network is operational

But the mistrust persists, and memories of „unfair negotiations“ back in 2004 are still being used by populist politicians who oppose nature conservation even today

Example 4: Eurospeak to be avoided

Official webpages of the European Commission:



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Official webpages of the European Commission:

“Natura 2000 is not a system of strict nature reserves from which all human activities are excluded. While it includes strictly protected nature reserves, most of the land remains privately owned. The approach to conservation and sustainable use of the Natura 2000 areas largely centers on people working with nature rather than against it. All areas should be managed in a sustainable manner, both ecologically and economically....”

Example 4: Eurospeak to be avoided

European Commission tends to be positive at all costs, not thinking about consequences

It only delivers positive information in Natura 2000, speaking of many benefits and almost no restrictions

Thus, instead of being fair, it produces fairy tale-like stories, which are then spread by nature lovers – individuals and NGOs

Example 4: Eurospeak to be avoided

But adult people do not trust fairy tales: each of us prefers truth, even if sometimes unpleasant, to fairy tales!

And if nature conservation wishes to get support for Natura 2000 of the public – above all, landowners – it must use truthful arguments

Example 4: Eurospeak to be avoided

What is the truth?

*Natura 2000 is a network of protected areas with **strictly supervised regime** (not necessarily strict protection regime)
such a regime always brings **some restrictions** – which need to be **compensated***

*there can also be **opportunities** – but only if there is a **functional national system of incentives and remunerations for restrictions** imposed on land owners and companies managing the nature*

So what to do in Moldova in general?

To develop the national concept of Natura 2000, tailor-made to Moldovan reality, with all necessary restrictions and limitations stemming from EU requirements

To make analysis of land ownership and analysis of companies managing the land (agriculture, forestry)

To develop national awareness-raising policy especially towards landowners and companies

So what to do in Moldova in general?

To develop remuneration schemes (not necessarily now but people must be sure that they will be compensated for the restrictions as soon as they arise

*And the most important issue: each proposed site must be negotiated with the landowners/companies **before designation** – even today, Moldovan Law on ecological network stipulates this obligation!*

Vă mulțumesc încă o dată pentru atenție!