

3.1 Please score the following:

	Not important	Somewhat important	Important	Very important	I don't know
*How important is nature conservation to you?	☐	☐	☐	☒	☐

3.2 How familiar are you with EU nature conservation policy?

	Not familiar at all	Not very familiar	Somewhat familiar	Very familiar	I don't know
*Birds Directive	☐	☐	☐	☒	☐
*Habitats Directive	☐	☐	☐	☒	☐
*Natura 2000 Network of Protected Areas	☐	☐	☐	☒	☐

3.3 In your view, how important:

	Not important	Somewhat important	Important	Very important	I don't know
*are the Birds and Habitats Directives for nature conservation?	☐	☐	☐	☒	☐
*is the Natura 2000 network for protecting threatened species and habitats in the EU?	☐	☐	☐	☒	☐

3.4 In your view, for protecting nature in the EU, how appropriate are:

	Not appropriate	Somewhat appropriate	Appropriate	Very appropriate	I don't know
*the Directives' strategic objectives?	☐	☐	☐	☒	☐
*the Directives' approach?	☐	☐	☐	☒	☐

3.5 Please score the following:

	Not effective	Somewhat effective	Effective	Very effective	I don't know
* Have the Directives been effective in protecting nature?	☐	☐	☒	☐	☐

* 3.9 If you think the Directives are effective or very effective, is this mainly thanks to the following:

Maximum 7 selection(s)

- ☒ Their provisions are clear
- ☒ Their provisions are strict enough
- ☒ Their provisions are ambitious enough
- ☐ Implementation by national, regional and local authorities is mostly effective
- ☐ Stakeholders are sufficiently involved and supported
- ☐ The funding and capacity allocated to the implementation are sufficient
- ☐ Enforcement at EU level is mostly effective
- ☐ Enforcement at Member State/regional/local level is mostly effective
- ☐ The management of the Natura 2000 network is delivering positive results on the ground
- ☐ Other, please specify below

* 3.11 How do the costs of implementing the Birds and Habitats Directives compare with the associated benefits?

- ☐ The implementation costs are greater than the benefits
- ☐ The implementation costs are more or less equal to the benefits
- ☒ The benefits are greater than the implementation costs
- ☐ I don't know

* 3.12 How would you describe the administrative burden of complying with the Birds and Habitats Directives for your activity?

Administrative burdens are a specific type of costs incurred by enterprises, public authorities, and citizens solely to meet the legal obligations stemming from the directives. This excludes the administrative costs that would be incurred regardless of those obligations. This captures a broad range of administrative activities including labelling, reporting, registration, provision of data, as well as monitoring and assessments needed to generate the information.

- ☒ Very low
- ☐ Low
- ☐ Moderate
- ☐ High
- ☐ Very high
- ☐ I don't know
- ☐ Not applicable

3.14 To what extent have the following aspects been taken into account in the implementation of the Directives at EU and national level?

	Not taken into account at all	Not taken into account very well	Somewhat taken into account	Taken into account very well	I don't know
*Economic	☐	☐	☐	☒	☐
*Social and cultural	☐	☐	☐	☒	☐
*Defence and civil protection	☐	☐	☒	☐	☐
*Energy independence and security	☐	☐	☒	☐	☐
*Housing and related infrastructure	☐	☐	☒	☐	☐
*Transport and related infrastructure	☐	☐	☒	☐	☐
*Climate change	☐	☐	☐	☒	☐
*Other environmental	☐	☐	☒	☐	☐
*National, regional and local	☐	☐	☐	☒	☐

3.15 To what extent do you consider EU policies in the following areas to be coherent with the objectives of the Birds and Habitats Directives?

	Not coherent at all	Not very coherent	Somewhat coherent	Very coherent	I don't know
*Agriculture and rural development	☐	☒	☐	☐	☐
*Cohesion/regional	☐	☐	☒	☐	☐
*Fisheries and Maritime	☐	☒	☐	☐	☐
*Energy	☐	☒	☐	☐	☐
*Transport	☐	☒	☐	☐	☐
*Industry/enterprise	☐	☒	☐	☐	☐
*Climate action	☐	☐	☐	☒	☐
*Health	☐	☐	☐	☒	☐
*Research and innovation	☐	☐	☒	☐	☐

*** 3.16 Would you like to answer the more specific questions in Section 2 of the questionnaire?**

- ☒ Yes
☐ No

4 Section 2

This section contains questions on effectiveness, efficiency and coherence.

4.1 How effective have the Birds and Habitats Directives been in:

	Not effective at all	Not very effective	Somewhat effective	Very effective	I don't know
*Protecting Europe's most threatened species	☐	☐	☐	☒	☐
*Protecting Europe's most threatened habitat types	☐	☐	☒	☐	☐
*Protecting all wild bird species	☐	☐	☒	☐	☐
*Ensuring that species are managed sustainably (e.g. hunting, fishing)	☐	☐	☒	☐	☐
*Establishing an EU-wide ecologically coherent network of protected areas (Natura 2000)	☐	☐	☐	☒	☐
*Managing and restoring Natura 2000 sites	☐	☐	☒	☐	☐
*Limiting negative impacts of new plans and projects on Natura 2000 sites	☐	☐	☐	☒	☐
*Ensuring ecological connectivity for migratory species	☐	☐	☐	☒	☐
*Improving knowledge on the conservation status of protected habitats and species	☐	☐	☐	☒	☐

4.2 To what extent do you think the factors listed below have contributed to the ineffectiveness or effectiveness of the Directives?

	Major contribution to ineffectiveness	Minor contribution to ineffectiveness	No contribution	Minor contribution to effectiveness	Major contribution to effectiveness	I don't know
*Clarity of legal text together with case law at national and EU levels	☐	☐	☐	☐	☒	☐
*Ambition of Directives' provisions	☐	☐	☐	☐	☒	☐
*EU level implementation and coordination	☐	☐	☐	☐	☒	☐
*National implementation	☐	☐	☐	☒	☐	☐

*Regional implementation	☐	☐	☐	☒	☐	☐
*Local implementation	☐	☐	☐	☒	☐	☐
*Enforcement at EU level	☐	☐	☐	☐	☒	☐
*Enforcement at national/regional/local level	☐	☒	☐	☐	☐	☐
*Guidance and best practice for implementation	☐	☐	☐	☐	☒	☐
*Scientific knowledge about species and habitats	☐	☐	☐	☐	☒	☐
*EU-level funding under the LIFE programme	☐	☐	☐	☐	☒	☐
*EU-level funding under other instruments (e.g. common agricultural policy, European Regional Development Fund, Horizon Europe)	☐	☒	☐	☐	☐	☐
*National/regional/local funding	☐	☐	☐	☒	☐	☐
*Human resources at EU level	☐	☐	☐	☒	☐	☐
*Human resources at national/regional/local level	☐	☒	☐	☐	☐	☐
*Stakeholders' involvement	☐	☒	☐	☐	☐	☐
*Public awareness and support	☐	☐	☐	☐	☒	☐
*Integration of nature conservation into other policies	☒	☐	☐	☐	☐	☐
*International cooperation to protect species and habitats	☐	☐	☐	☐	☒	☐
Other (please specify in the following question)	☐	☐	☐	☐	☐	☐

4.4 Please specify how these factors contribute of the Directive's ineffectiveness: (400 characters)

The main barriers are enforcement, funding, resources and implementation. The Multiannual Financial Framework must ringfence funds to conserve nature. Every euro invested in nature provides up to 38 euro in benefits. Most EU funding is being used to encourage unsustainable practices. We must cease damaging subsidies and redirect money for a just transition to ensure the objectives of the Nature Directives are met.

4.5 **Based on your experience, how significant are the benefits associated with the Directives?**

	Insignificant benefits	Minor benefits	Moderate benefits	Major benefits	I don't know	Not applicable
* Wild bird conservation	☐	☐	☐	☒	☐	☐
* Species conservation (other than birds)	☐	☐	☐	☒	☐	☐
* Habitats conservation	☐	☐	☐	☒	☐	☐
* Other environmental benefits (e.g. water purification, air purification, soil quality, pollination)	☐	☐	☐	☒	☐	☐
* Climate change resilience and mitigation (e.g. flood, drought and wildfire prevention)	☐	☐	☐	☒	☐	☐
* Society (e.g. health, culture, recreation, education)	☐	☐	☐	☒	☐	☐
* Economy (e.g. jobs, tourism, food production, research and innovation)	☐	☐	☐	☒	☐	☐
Other (please specify in the following question)	☐	☐	☐	☐	☐	☐

4.7 **Based on your experience, how significant are the implementation costs associated with the Directives?**

	Insignificant costs	Minor costs	Moderate costs	Major costs	I don't know	Not applicable
* Costs of habitat protection and restoration	☐	☒	☐	☐	☐	☐
* Costs of species protection and restoration	☐	☒	☐	☐	☐	☐
* Compensation costs linked to species protection	☐	☒	☐	☐	☐	☐
* Adjustment costs (investments/expenses that people, organisations or economic sectors may have to make/incur in order to adjust their activity to the requirements of the Directives)	☒	☐	☐	☐	☐	☐
* Administrative costs (administrative activities performed to comply with administrative obligations included in legal rules)	☐	☒	☐	☐	☐	☐

*'Hassle' costs (costs that may result from delays, litigation, redundant legal provisions)	☒	☐	☐	☐	☐	☐
*Opportunity costs (the costs of foregone income)	☐	☒	☐	☐	☐	☐

4.9 **Based on your experience**, are these costs proportionate, given the benefits associated with the Directives?

	Not at all proportionate	Not very proportionate	Somewhat proportionate	Very proportionate	I don't know	Not applicable
*Costs of habitat protection and restoration	☐	☐	☐	☒	☐	☐
*Costs of species protection and restoration	☐	☐	☐	☒	☐	☐
*Costs of species protection, additional to habitat protection and restoration (including compensation for damage)	☐	☐	☐	☒	☐	☐
*Adjustment costs (investments/expenses that people, organisations or economic sectors may have to make/incur in order to adjust their activity to the requirements of the Directives)	☐	☐	☐	☒	☐	☐
*Administrative costs (administrative activities performed to comply with administrative obligations included in legal rules)	☐	☐	☐	☒	☐	☐
*'Hassle' costs (costs that may result from delays, litigation, redundant legal provisions)	☐	☐	☐	☒	☐	☐
*Opportunity costs (the costs of foregone income)	☐	☐	☐	☒	☐	☐

* 4.10 **Based on your experience**, how efficient is the appropriate assessment procedure in preventing the degradation of habitats and species protected in Natura 2000 areas (e.g. taking into account effectiveness, duration, costs, administrative burden)?

- ☐ Not at all efficient
☐ Not very efficient
☐ Somewhat efficient
☒ Very efficient
☐ I don't know
☐ Not applicable

4.11 Please rank the following elements with regard to how they contribute to the efficiency/inefficiency of the 'appropriate assessment' procedures under the Birds and the Habitats Directives

	Major contribution to inefficiency	Minor contribution to inefficiency	No contribution	Minor contribution to efficiency	Major contribution to efficiency	I don't know
*Legal formulation of the Directives	☐	☐	☐	☐	☒	☐
*Interpretation of legal requirements by the Court of Justice of the European Union	☐	☐	☐	☐	☒	☐
*Administrative procedures as described in the Directives	☐	☐	☐	☒	☐	☐

*Administrative procedures in place at national/regional/local level	☐	☐	☐	☒	☐	☐
*Guidance documents developed at EU level	☐	☐	☐	☐	☒	☐
*National/regional/local guidance and support	☐	☐	☐	☒	☐	☐
*Integration of the appropriate assessment with the environmental impact assessment under the EIA Directive	☐	☐	☐	☐	☒	☐
*Implementation practices by national/regional/local authorities compared with the Directives' requirements	☐	☒	☐	☐	☐	☐

*Coordination between several competent authorities at national level	☐	☒	☐	☐	☐	☐
*Capacity or resources of competent authorities	☐	☒	☐	☐	☐	☐
*Availability and level of quality of data on species and habitats	☐	☐	☐	☒	☐	☐
*Existence, level of quality and preciseness of site-specific conservation objectives which inform the assessment of the plans and projects	☐	☐	☐	☒	☐	☐
*Litigation before national/regional/local courts	☐	☐	☐	☐	☒	☐
*The requirement for a formal Commission opinion for certain plans and projects affecting 'priority' habitats/species in Natura 2000 sites (Article 6(4) of the Habitats Directive)	☐	☐	☐	☐	☒	☐
Other (please specify in the following question)	☐	☐	☐	☐	☐	☐

4.13 Please specify how the elements selected contribute to the inefficiency of the appropriate assessment procedures under the Birds and Habitats Directives: (400 characters)

AAs are a core safeguard in the Directives. Without ensuring effective in depth assessments of potential threats, we risk causing extreme damage to ecosystems. This will cause greater administrative burdens and costs. Challenges around appropriate assessments arise from a lack of capacity and insufficient implementation. Issues can be avoided by ensuring there is effective pre planning procedures.

*** 4.14 Which of the following measures would most improve the functioning of appropriate assessment procedures for your activity?**

Maximum 11 selection(s)

- ☐ More detailed EU guidance documents
- ☒ Increased capacity/resources/upskilling of competent authorities
- ☒ Better and more easily/publicly available scientific data
- ☐ Increased involvement of and support to stakeholders
- ☐ A clearer and more predictable framework for the timely completion of appropriate assessments at national level
- ☐ A clearer and more predictable framework for the timely completion of appropriate assessments at regional level
- ☒ Better coordination between competent authorities at regional and/or national level
- ☐ Faster and improved permitting and authorisation procedures
- ☐ I don't need appropriate assessments procedures in my activities
- ☒ I don't think appropriate assessments procedures need to be improved
- ☐ Other (please specify in the following question)
- ☐ I don't know

4.16 Do you have examples of best practices or solutions to reduce costs or administrative burden in appropriate assessment procedures? (1000 characters)

Whenever a site is in favourable conservation status, it will be more resilient to pressures and the ecological integrity of the area will be stronger. This will then in turn help to streamline the appropriate assessment processes and allow for greater certainty of impacts on the site. Ensuring healthy functioning ecosystems will reduce costs and administrative burdens in the long run and it will help with faster, more efficient screening. Actions for mitigation against damage will also then be clearer. Legal certainty will be increased if there was stronger administrative capacity and the risk of delays will be reduced.

*** 4.17 In your view, how clear are the current rules on species protection under the Birds Directive (Article 5) and the Habitats Directive (Articles 12 and 13)?**

- ☒ Very clear
- ☐ Rather clear
- ☐ Rather unclear
- ☐ Very unclear
- ☐ I don't know

*** 4.18 To what extent does the current derogation system from the general species protection rules (Article 9 of the Birds Directive and Article 16 of the Habitats Directive) efficiently address the specific challenges associated with your activity?**

- ☐ Not at all efficiently
- ☐ Not very efficiently
- ☐ Somewhat efficiently
- ☒ Very efficiently
- ☐ I don't know
- ☐ Not applicable

*** 4.19 Which of the following measures would most improve the functioning of species protection and derogations for your activity, while ensuring that the Directives' objectives are achieved?**

Maximum 11 selection(s)

- ☐ Clearer/less complex/more consistent provisions in the Directives
- ☐ Easier procedure to adapt the annexes of the Directives listing the species concerned to technical and scientific progress
- ☐ More targeted rules focusing on how activities affect species populations rather than individual specimens
- ☐ Clearer definitions and concepts in EU guidance
- ☒ More and better publicly available scientific data on species, their habitats and other data to support derogations
- ☐ Simplification of procedures to approve derogations at regional/local level
- ☐ Simplification of procedures to approve derogations at national level
- ☐ I don't deal with species protection and derogations procedures in my activity
- ☒ Other (please specify in the following question)
- ☒ I don't think species protection and derogations need to be improved
- ☐ I don't know

*** 4.20 If you selected other, please specify:**

80 character(s) maximum

Conservation science must be the main basis in species protection.

4.21 Please provide examples of how that would help you: (400 characters)

Changing species protection rules will create added bureaucracy which is not needed. If derogations are added this will only create uncertainty amongst the public, which will result in greater burdens and could increase mistrust in the process. Legal certainty is important for many people including landowners and businesses and changing rules at this stage will undermine that certainty.

4.22 Please rank the following elements with regard to how they contribute to the efficiency/inefficiency of species protection and derogations under the Birds and Habitats Directives.

	Major contribution to inefficiency	Minor contribution to inefficiency	No contribution	Minor contribution to efficiency	Major contribution to efficiency	I don't know
*Legal formulation of Article 5 of the Birds Directive	☐	☐	☐	☐	☒	☐
*Legal formulation of Articles 12 and 13 of the Habitats Directive	☐	☐	☐	☐	☒	☐
*Interpretation of legal requirements by the Court of Justice of the European Union	☐	☐	☐	☐	☒	☐

*Administrative procedures at national/regional/local level	☐	☐	☐	☒	☐	☐
*Guidance documents developed at EU level	☐	☐	☐	☐	☒	☐
*National/regional/local guidance and support	☐	☒	☐	☐	☐	☐
*Coordination between several competent authorities at national level	☐	☒	☐	☐	☐	☐
*Capacity or resources of competent authorities	☐	☒	☐	☐	☐	☐
*Availability and level of quality of data on protected species and their habitats	☐	☐	☐	☒	☐	☐
*Litigation before national/regional/local courts	☐	☐	☐	☐	☒	☐
*Derogation reporting under Article 16 of the Habitats Directive and Article 9 of the Birds Directive	☐	☐	☐	☐	☒	☐
*Procedures to change the annexes listing protected species	☐	☒	☐	☐	☐	☐
Other (please specify in the following question)	☐	☐	☐	☐	☐	☐

4.24 Please specify the provisions and/or species concerned for the elements selected contributing to the inefficiency (400 characters)

The previous fitness check stated the laws are fit for purpose. Weakening environmental laws during a biodiversity and climate crisis puts nature, people and local and national economies at risk. Priority should be ensuring implementation. Funding and enforcement issues must be addressed. This will in turn reduce future burdens which will only increase if environmental protections are weakened.

4.25 Do you have concrete examples of best practices or existing solutions to reduce costs or administrative burden in relation to species protection and derogation procedures? (1000 characters)

Species sensitivity mapping has been undertaken in the marine space in Ireland and is currently being developed to take into account a range of species including those represented in the nature restoration regulation. Identifying important areas for a range of species is critical to ensure these areas will be protected for the species that rely on it. This will help give developers certainty on areas that are not suitable for industrial activities which will in turn reduce costs and time. Sensitivity mapping must include broad stakeholder

engagement as well as the latest scientific research and take into account the expertise of civil society and local communities.

.26 To what extent do you agree with the following statements?

	Totally disagree	Mostly disagree	Neither agree nor disagree	Mostly agree	Totally agree	I don't know
*The provisions of the Birds and the Habitats Directives are consistent with each other and mutually supportive	☐	☐	☐	☐	☒	☐
*The provisions of the Birds and the Habitats Directives are consistent with the objectives of the EU biodiversity strategy and contribute to their achievement	☐	☐	☐	☐	☒	☐
*The provisions of the Birds and the Habitats Directives are consistent with international biodiversity commitments, and contribute to their achievement (e.g., the Convention on Biological Diversity, the Convention on the Conservation of Migratory Species of Wild Animals, the Bern Convention)	☐	☐	☐	☐	☒	☐
*The provisions of the Birds and the Habitats Directives are consistent with those of other EU environmental legislation	☐	☐	☐	☐	☒	☐
*The provisions of the Birds and Habitats Directives are consistent with other EU policies in the field of the Green Deal and long-term competitiveness	☐	☐	☐	☐	☒	☐

5.1 Is there anything you would like to add in relation to this questionnaire?

The Directives are compliant and aligned with other environmental legislation such as the Water Framework Directive, Nitrates Directive and Nature Restoration Regulation. Weakening the environmental ambition of the Nature Directives will undermine every other piece of environmental legislation. Member States are also currently drafting their national restoration plans to comply with the NRR and lowering ambition now is poor policy and will cost Member States time, resources and money. The stress test should be used to identify exactly where Member States can be assisted in ensuring the full implementation of these Directives and the best and fastest way to restore and protect nature in the EU. Recent wildfires should highlight how pertinent it is that we ensure ecosystems are healthy and resilient as we are in an era of climate change and unpredictable weather events.