**CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS**

Group of Experts for the setting up
of the Emerald Network of Areas of Special Conservation Interest

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Proposal for setting up criteria
for assessing the National Lists of proposed
Areas of Special Conservation Interest (ASCI)

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Introduction

The creation of the Emerald Network of areas of special conservation interest was decided by the Standing Committee in 1989 and actually implemented in 1996 [Recommendation No. 16 (1989) and Resolution No. 3 (1996)]. The rules for the network were likewise adopted by the Standing Committee in 1996 [Resolution No. 5 (1996)].

The states invited to set up the Emerald Network across their national territory are the Contracting Parties to the Bern Convention and observer countries. This means all the European Union states, European states which are not members of the European Union and a few African states.

Participation in the Emerald Network is recommended by the Standing Committee but in contrast to the Natura 2000 network set up under the Birds and the Habitats Directive, members of the Emerald Network benefit from the "soft law" approach characteristic of recommendations. While membership of the Network is optional, the obligations on the Contracting Parties to protect natural habitats are rigorous requirements clearly set out in the Convention and forming part of international law.

The European Community, as such, is a Contracting Party to the Bern Convention. In order to fulfil its obligations arising from the Convention in respect of habitat protection, it produced the Habitats Directive which in turn marked the launch of the Natura 2000 Network. As a result, implementation of the Bern Convention by EU member states is achieved mainly through full compliance with the Habitats Directive and the requirements of the Bern Convention with regard to habitats are met by designating sites for the Natura 2000 Network. According to Resolution No. 5 (1998) of the Standing Committee concerning the rules for the network of areas of special conservation interest "*for Contracting Parties which are Member States of the European Union, Emerald Network sites are those of the Natura 2000*". The provisions of the Birds and Habitats Directives are thus the only procedures that apply to these countries.

The resulting Pan-European Network of sites should be seen as one homogeneously created network. Therefore, the group of experts of the setting up of the Emerald Network decided that any evaluation of the proposed Emerald sites should be based on the rules and procedures as developed for NATURA 2000. At the same time the group stressed that this evaluation is very much resource demanding and time consuming and that attention should be given to possible simplifications without loosing the essence of the evaluation.

This document examines those procedures in the light of their implementation under the Bern Convention for non-EU member states, taking into account specific aspects and limitations of the Emerald Network.

Before going in detail, there are a few important basic issues to be considered:

- The creation of NATURA 2000 is the result of two directives (Birds and Habitats), whereas birds have the same "administrative status" as other species within the Bern Convention. Under the Birds Directive, the Special Areas of Conservation (SPA's) are transmitted by the Member States and as such accepted by the EU without evaluation process. To be able to keep Emerald compatible with NATURA2000, a simplified typology for sites was laid down in the Emerald Standard Data Form:

  ➤ Type A: Emerald Sites important for Birds
  ➤ Type B: Emerald Sites important for other species than Birds and/or Habitats
  ➤ Type C: Emerald Sites important for Birds and other species and/or Habitats

  Although it would be preferable from a scientific and ecological point of view to have such an evaluation also for birds, it is probably preferable not to develop such an evaluation of sites

important   for   birds   under   the   Emerald   process.

Suggestion 1:
Accept proposed Emerald Sites with typology A and C and transmit them immediately to the Standing Committee for adoption. The other species and habitats mentioned in the Standard Data Forms for these sites will be taken in to account for the assessment of the capacity of the network for their long term survival and the maintenance of a favourable conservation status, when evaluating sites of type B.

From experience within the West Balkan countries, it can be estimated that approximately one third of all proposed sites (34 %) would be considered by this suggestion.

As it is for SPA's, evaluation of the network can be done on a case by case principle after adoption according to the specific situation of a species or an area.

- As indicated in the Habitats Directive and the Bern Convention, the ultimate goal for the creation of such a sites network is the "long term survival and maintenance of a favourable conservation status of the species and habitats of European Interest". The evaluation of the efficiency of the proposed sites will have to be done **on a species by species and a habitat by habitat bases**. For the Habitats Directive, the habitat list is laid down in Annex I and species are listed in Annex II. The equivalent lists for the Emerald Network are Resolution 4 and 6. In total, some 180 habitats, 250 species of fauna (except birds) and 600 species of flora are listed (of which 120 are Macaronesian flora species and not to be considered by this Emerald process).
  The efficiency of the sites network can not be assessed if not enough sites are already in the inventory. Therefore, ideally the evaluation can only start if a complete inventory of proposed sites exists for a certain area. Realistically, this would mean that over 80 % of the finally proposed sites would already be available for the evaluation.

- Evaluation within NATURA2000 is done on a Biogeographical basis. In practice, for each of the 6 Biogeographical region defined for the EU-area, biogeographical seminars were organised to assess and discuss the efficiency of the network. For the Pan-European area, not only 11 such regions were defined, but it is hardly to believe that time and the budget would be available for such a series of seminars under the Emerald process. As already suggested in previous documents, evaluation can also be done within defined geographical "sub-areas", without loosing the principles of the biogeographical regions. Examples for such "sub-regions" are the West-Balkan countries with four biogeographical regions occurring (Mediterranean, Continental, Alpine and Pannonian) and the Caucasus countries with four biogeographical regions (Alpine, Black Sea, Steppic and Anatolean).

Suggestion   2:
Evaluation of the proposed sites should be done on a species by species and habitat by habitat bases within predefined "sub-regions" such as the West-Balkan and the Caucasus, without loosing the Biogeographical Regions aspects. For this purpose, more than 80 % of the foreseen total network should already be in the inventory before starting the assessment.

In the following paragraphs, the criteria for assessing the national lists under the habitats directive (Hab. 97/2 rev. 4) are put in the left column. Comments, suggestions and possible amendments for the evaluation process under the Emerald Network are identified in the second column.

NATURA 2000 (Hab. 97/2 rev. 4 18/11/97)	Emerald suggestions and amendments
CRITERIA FOR ASSESSING NATIONAL LISTS OF SCI AT BIOGEOGRAPHICAL LEVEL The EU Habitat Directive is proposed as an important contribution by the European Union to the Convention on the Biological Diversity through **the conservation in a favourable status of selected habitat types and species** of Community interest. **The designation of Special Areas of Conservation (SACs)** for those habitat types and species shall contribute significantly to this aim (the Natura 2000 Network, together with the designated SPA) and provided the designation is accompanied by **the establishment of the necessary conservation measures for the habitats and species**. Sites of Community Importance (SCIs) to be designated as SACs shall be identified by the Commission (in the framework of the biogeographical regions and in agreement with Member States) on the basis of the National Lists proposed by Member States. Together these agreed sites will constitute the Community List mentioned in article 4.2 of the Habitat Directive. The first Community exercise on this matter, in which the European Environment Agency (EEA) is engaged through the European Topic Centre on Nature Conservation (ETC/NC), involves the building of a Community List responding to three basic requirements:	**CRITERIA FOR ASSESSING NATIONAL LISTS OF PROPOSED EMERALD SITES AT BIOGEOGRAPHICAL LEVEL WITHIN "SUB-REGIONS"** Countries are making an inventory of proposed Emerald sites which become Areas of Special Conservation Interest after evaluation and adoption by the Standing Committee of the Bern Convention
1. It shall host a sufficiently large and representative sample of each habitat type and species to enable the maintenance of favourable conservation status **at the level of the EU and biogeographical level,** provided the supporting conservation measures within and outside the sites are in place. 2. It must **only** include sites of Community importance **at EU or biogeographical level**. 3. There should be a proportionate response, so that for those habitats and species of community interest which are rarest a high proportion of the resource will be included within the SAC series, while for those which are more abundant there will be a lower proportion of the resource within the SAC series.	1. …. "at the level of the Pan-European area" (needs to be defined: up to the Oeral, including or excluding African countries, ….?). As a consequence it is highly recommended that the data for existing N2000 sites will be taken in to account when Emerald sites are to be evaluated. 2. … only include sites at the level of Contracting Parties and other European states eligible for setting up the Emerald Network 3 = OK

Annex III of the Habitat Directive provides "criteria" for the two following stage :

     i. selecting eligible sites **at national level** (Annex III, stage 1)
     ii. assessing the Community importance of sites **at EU or biogeographical level** (Annex III, stage 2), which will be obviously useful for establishing the Community List.

However, Annex III stage 2 does not include criteria strictly speaking, but rather lists site attributes related to the pSCI which must be considered when assessing them at supra national level. The ETC/NC has developed some additional specifications to facilitate their application in a practical way based on the content of pSCI datasheets, as well as on the reference data available through the "NatRef" EUNIS' module.

This paper sets out a process to be applied in the preparation of the EU list of SCIs. This is focused primarily at the level of the individual biogeographical regions and it is recognised throughout that some flexibility of approach will be required to take account of the ecological character of the habitats and species (including aspects such as abundance, distribution and ecological requirements for their continued survival), their conservation requirements and the varying level of current scientific knowledge.

Phase 1. Analysis of representation of a habitat type or of a species

The contribution towards favourable conservation status for a given species or habitat type through the designation of a given list of SACs will not only depend on the intrinsic quality of those sites, but also on the intensity of the current or proposed conservation measures for each habitat or species including actions outside designated areas.

The expected assessment must be based on the intrinsic value of the proposed sites for each species and habitat type, taking into account their potential contribution to the defined conservation goal.

It is clear that the factors relevant to assessment of "conservation value" for each species and habitat type will vary very significantly from one case to another, depending on different factors. A scientific-based description of such requirements is highly desirable. It would not be realistic to try to establish one single quantitative criterion equally valid for all habitats and species in all situations.

The expected assessment of site lists for the biogeographical region must be based on a case-by-case discussion, taking into account additional information on

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This documents refers to stage 2 of annex III of the habitats directive, but for the establishment of the list of Areas of Special Conservation Interest (ASCI's)

"…. Biogeographical level within sub-regions…."

different parameters related to each species and habitat type.

Two requirements can be expected to be met by a representative list of sites to be considered as sufficient to enable a favourable conservation status for a given species or habitat type at biogeographical level:

- it should be well-adapted to the specific conservation needs, in particular to those related to the distribution patterns (endemicity, degree of isolation/fragmentation, historical trends) and to the human pressures, threats, vulnerability, etc. of the considered species or habitat type; and

- it should reflect the ecological (and in the case of species genetic) variation of the habitat or species within the biogeographical region.

In order to make the expected assessment easier in the short available period of time available, a preliminary "pre-selection" phase has been envisaged before dealing with the case-by-case analysis for each habitat or species.

Preselection phase

The following procedure is not proposed as a strict numerical mechanism for deciding, on the basis of a predetermined percentage, about the sufficient or insufficient level of representation of each one of the habitat types and species in the whole of pSCI for a biogeographical region. Rather it is proposed as a mechanism for selecting those habitats or species where further scrutiny of the national site lists may be appropriate.

1.- Well represented elements

> *Species or habitat types for which the whole of the proposed sites for a biogeographical region host more than 60% of the total population (or area) in the same region will be considered as **a low priority for case by case scrutiny**.*

60% is an arbitrary limit. However, this percentage has been chosen on the hypothesis that in many cases, it is likely to cover the two mentioned requirements of distribution and variation in relation to any species or habitat type. In practice, the implementation of the appropriate conservation measures in a sample of designated sites covering 60% of the population of a given species (or 60% of the area of distribution of a given

Such a "preselection phase" should be used as much as possible under the Emerald process to simplify the work

habitat type) should ensure in most of cases the maintenance of *favourable conservation status* as defined in the Habitat Directive.

However exceptions to this general rule could be identified on a scientific basis, as for example habitats or species found only in one very restricted geographical area or where the habitat or species is rare and recent decline means that an increase of the resource is required to maintain favourable conservation status. In this case, the habitats and species would be submitted to case-by-case analysis.

2.- Elements requiring priority scrutiny

> *Species or habitat types for which the whole of the proposed sites for a biogeographical region host less than 20% of the total population (or geographic distribution surface) in the same region will be **a priority for further scrutiny**.*

20% is also arbitrary. For certain aquatic species covered by Article 4.1, priority habitats and species affected by Article 4.2 and a number of habitats and species which are widespread, extensive and show a limited range of ecological or genetic variation less than 20% of the resource within the SCI series could be judged as adequate.

3. Case-by-case discussion

> *Species and habitat types for which the whole of the proposed sites for a biogeographical region hosts between 20% and 60% of the total species population (or habitat area) in the same region will be submitted to an individual analysis.*

This analysis of each biogeographical region will involve:

• comparison between the geographical distribution of the sites submitted by the member states for a given habitat type or species and its known distribution patterns;
• comparison between the range of habitat or species variation of the whole of pSCI series relative to the described ecological and genetic variations of the habitats or species;
• an assessment of the trends of distribution and abundance of the habitats and species related to natural and anthropogenic factors;

Analysis within the Emerald process should be done within the parts of the biogeographical regions within the "sub-regions" referred to, but taking in to account the existing sites of the whole of this biogeographical region. (e.g. Mediterranean area within the West-Balkan countries).

For some countries most of data needed for this assessment are or will be available from the inventories carried out under the LIFE programme. For the rest, the EUNIS' "NatRef" module (supplied by the EIONET National Reference Centres and other relevant sources) is supposed to provide the mentioned reference data. The analysis will also be supported by a check of the scientific literature and advice of experts.

The need for this type of "background data" was already taken in to account for the West-Balkan countries under the CARDS program. Countries were asked to submit also relevant data on distribution and abundance for the species and habitats concerned.

Suggestion 3:
Develop together with EEA and ETC/BD a strategy to ensure the availability or to collect, if necessary, background data on species and habitats for the evaluation of the Emerald sites. The EUNIS information system can be the tool for this.

Phase 2. Interpretation of criteria for the selection of SCIs from the national lists of sites

As mentioned above, Annex III-2 specifies the site attributes to be considered for assessing their Community importance at EU or biogeographical level of sites submitted by the Member States. Some of these attributes are related to the national assessment of pSCI for each habitat type and species, and the relative importance of the sites themselves at national level.

The following proposed criteria for identifying the pSCI to be included in the Community List do not involve any modification of Annex III-2, but an interpretation of the criteria in practical terms compatible with the detail of the data fields in the Natura 2000 datasheets.

The Emerald Standard Data Form is a perfect mirror of the NATURA2000 SDF and the criteria data mentioned here are exactly the same

These criteria are suggested for "undivided" pSCI's. In the case of fragmented pSCI (distinct and separate sub-sites), the application of these criteria may require adjustment on a case by case basis.

1. "Priority" criterion

Resolution 4 and 6 do not strictly include the term "priority species or habitat", but it is clear that such a term is equally useful for those species or habitats when evaluating Emerald sites

> *pSCI qualifying at a national level for at least one priority habitat type or species.*

As indicated in the Habitat Directive, these pSCI will be automatically included in the Community List. However, in some cases the priority habitat or species will be of

low intrinsic value due to i) a poor representation of typical features, small area of poor development and conservation of structure and function in the priority habitats or ii) a small or transient population or poor development of features required by the species for survival.

In these cases automatic selection may not be appropriate. In such cases, the limits of the pSCI could be revised.

2. "Uniqueness" criterion

pSCI containing the only significant example of a non priority habitat type or species on a Member State's list.

3. "High-quality" criterion

pSCI having a high national value for at least one non-priority habitat type or species.

"To have a high national value" for a given habitat type means that the concerned pSCI has been globally assessed as **A** (excellent value) and:

- the representativity, the relative surface and the conservation status values have been assessed with an "**A**"; or
- the representativity and the relative surface values have been assessed with an "**A**", and the conservation status value with a "**B**"; or
- the representativity value has been assessed with a "**B**", and the relative surface and the conservation status with an "**A**".

The application of the "high quality" criterion for habitats is reflected in the following table:

Option Parameters	1	2	3
Global assessment	A	A	A
Representativity	A	A	B
Relative surface	A	A	A
Canservation status	A	B	A

For special cases of underground or very steep slopped habitats (ie cliffs, ravines etc) the estimation of the area could prove difficult. A case by case evaluation of the "high

quality" criterion should be made then.

"To have a high national value" for a given species means that the concerned pSCI has been globally assessed as **A** (excellent value) and at least one of both, population and conservation values has been also assessed with an "**A**". There is likely to be variation between Member States in the scoring allocated to sites of similar quality given the subjective nature of many of the assessment required. Some sites scored below these thresholds by Member States may therefore merit selection.

The application of the "high quality" criterion for species is reflected in the following table:

Option Parameters	1	2	3
Global assessment	A	A	A
Conservation	A	B	A
Population	B	A	A

4. "High-diversity" criterion

pSCI containing a significant number of non-priority habitat types and/or species, even if their respective national values have not been considered as high under the high quality criterion.

Since there is considerable variation in the variation in the diversity of habitat types in Annex I and species in Annex II present in each biogeographical region, this "significant number" can not be established at EU level and must be established on a case by case basis at the level of the biogeographical region.

5. "Network coherence" criterion

pSCI playing a relevant role to ensure the coherence (as well structural as functional) of the Natura 2000 Network.

"To play a relevant role" means to be included in at least one of the following categories:

- pSCI situated in a migration route of one or more species in Annex II and identified as indispensable for its maintaining in a favourable conservation

status;

- pSCI representing a "relic" localisation for habitat type or species
- pSCI acting as "ecological corridors" between other identified SCI hosting priority species which are now endangered due to their fragmentation;
- sets of pSCI covering a continuous ecosystem situated on both sides of one or more internal Community frontiers;
- pSCI bordering a major protected area situated outside of EU borders;
- pSCI where the proposed restoration measures for at least one priority habitat or species have been identified by a Member State as indispensable to maintain a favourable conservation status, at biogeographical level, for at least one priority habitat type or species.

6. "Safeguard clause" criterion

When a site, according to the five first criteria, is not considered as of community interest, it is necessary to check if its elimination do not jeopardize the evaluation as sufficiently represented for the habitat type or/and species existing on that site.