



“The maritime dimension of the Birds and Habitats Directive”

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What the EU has asked for:

- ▶ A coherent European network for protection of habitats and species/birds

What has been delivered up until now:

- ▶ An incoherent, poorly implemented patchwork of national areas with no, little or disproportionate, misanthropic measures

This is especially true for marine areas

General problems

- ▶ Lack of basic knowledge on habitats and populations
- ▶ Technical problems of collecting sufficient data on habitats & populations/lack of money for monitoring
- ▶ No legal rights for public/stakeholder to control standard data sheets on designated areas
- ▶ Political promises to safeguard existing uses of designated areas (“Verschlechterungsverbot“)

What we observe in designated marine areas:

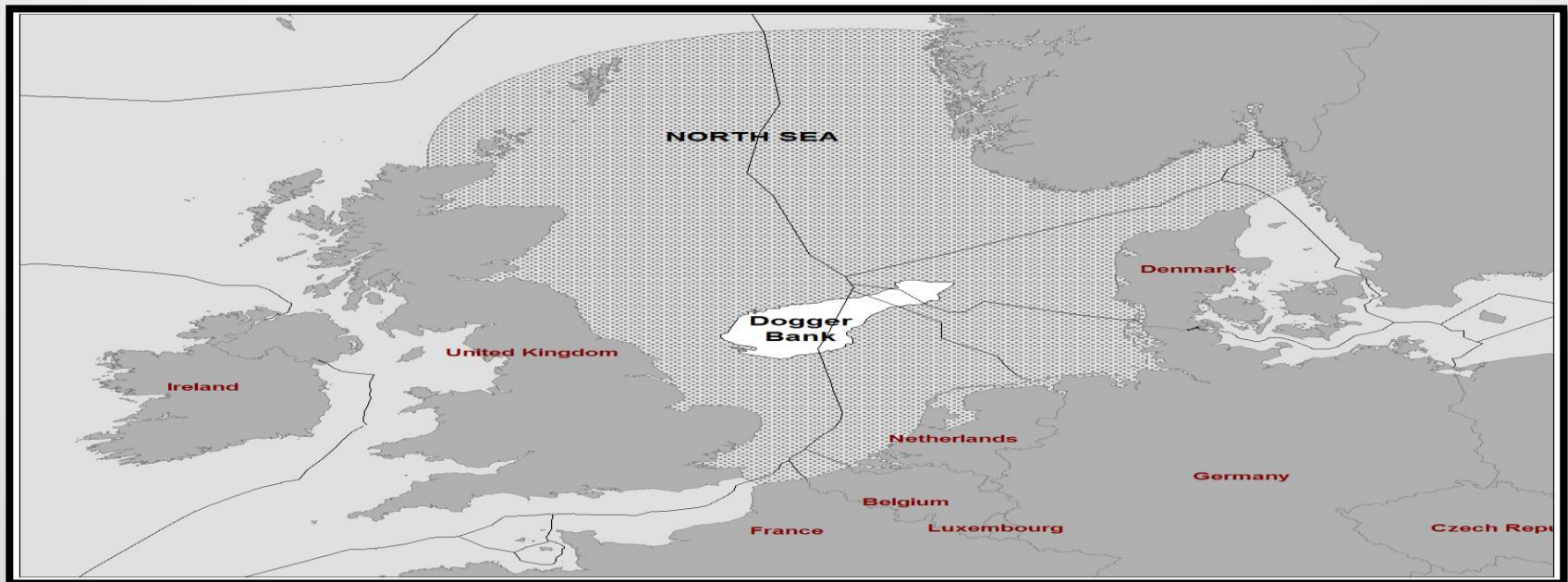
- ▶ Weak descriptions of criteria for identification and evaluation (conservation status) of habitats & species
- ▶ Different designation practise even in neighbouring MS (“A reef in Germany is not a reef in NL“specific NL “Doggerbank habitat“)
- ▶ Obviously arbitrary fixing of conservation status
- ▶ What is irreversible damage (that legal frameworks request!) as a reason to exclude fisheries? Threshold values in biological data on species richness/loss , population size, balance economic/cultural aspects etc.
- ▶ Disproportionate restrictions without scientific evidence
- ▶ Unfair competition and no level playing field

Example Doggerbank

▶ 1 Sandbank

4 MS share

- 3 MS designated their area with poor data
 - 1MS allows construction of windfarms
 - 2 MS want to close relevant parts for mobile bottom contacting fisheries
- 1 MS continues fisheries without measures



What we ask for

- ▶ Revision of Directive in fitness check
- ▶ Merge Habitat & Bird Directive
- ▶ Clarify indefinite legal concepts and terms
- ▶ Create clear rules for fixing conservation status and impact assessments with “significant impact” as defined in Annex 1 EU-Regulation 35/2004 (coherence with WFD, MSFD) and economic/cultural aspects

Overall principle:

- ▶ No restrictions without real risks
- ▶ and measurable benefit for nature (“no improvement – no measures”)
- ▶ No arbitrary action of national administrations in the name of EU



THANK YOU !



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