

Vlaamse
Vereniging voor
Omgevingsrecht

VVOR

20 years of Habitats Directive:
European Wildlife's Best Hope?

International Conference
Antwerp, 12-13 December 2012

In collaboration with ARGUS



Co-organisation of:



Photo by Kris Decler



20 years of Habitats Directive: European Wildlife's Best Hope?

The Habitats Directive forms the cornerstone of Europe's nature conservation policy. It is built around two pillars: the Natura 2000 network of protected sites and the strict system of species protection. More than 18% of the surface of the EU is a part of the Natura 2000 network whereas over hundreds of animal and plant species are protected by the provisions of article 12 and 16 of the Habitats Directive. Yet, at its 20th Birthday, there seems little to no reason to cheer. At present only 17% of the protected habitats and species are in a favourable conservation status. According to IUCN Red List, 10 to 60 % of animal species, depending on the monitored groups, are threatened in Europe. This conference aims at assessing the strengths and weaknesses of the Habitats Directive in the light of the European 'no net loss' approach. In this respect focus will not only rest on the existing threats to biodiversity (e.g. nitrogen deposit) but also on new challenges, such as climate change and invasive alien species. Is the Habitats Directive robust enough to tackle these new and existing threats or do we need other or better legal instruments ?

Although the conference will mainly be dedicated to legal issues, it will not lose sight of the broader, more multidisciplinary ecological context. On day one of the conference there will be a particular emphasis on the legal regime attached to the Natura 2000 network, the strict prescriptions for species protection and the relationship between the Habitats Directive and some transversal issues, such as ecological damage and transboundary nature conservation. Day two will kick off with two parallel sessions. The first parallel session will be dedicated to science-policy issues whereas the second will tackle nature conservation in the marine environment. During the afternoon session, the lack of integration of nature conservation in other European policy areas will be looked into in more detail. The conference will conclude with some reflections on new possible legal instruments for halting the loss of biodiversity.



Photo by Kris Decler

Organisation

12-13 December 2012

Antwerp, KBC-building

This conference is co-organised by the Université Catholique de Louvain (Séminaire de droit de l'urbanisme et de l'environnement (SERES) and Biodiversity Research Centre (BDIV)), Ghent University (Centrum voor Milieu- en Energierecht (CMR) of the Department of Public Law and the Department of Public International Law), Facultés Universitaires Saint-Louis (Centre d'Etude du Droit de l'Environnement (CEDRE)), The Flemish Environmental Law Association (VVOR) and ARGUS-het milieupunt van KBC en CERA.

Scientific Committee

Charles-Hubert Born, Professor at Université Catholique de Louvain

An Cliquet, Professor at Ghent University

Isabelle Larmuseau, President of VVOR

Delphine Misonne, Guest Professor at Facultés Universitaires Saint-Louis

Hendrik Schoukens, Research assistant at Ghent University

Helga Van der Veken, Director of ARGUS-het milieupunt van KBC en CERA

Geert Van Hoorick, Professor at Ghent University

Supporting Organisations

VVOR, ARGUS-het milieupunt van KBC en CERA

UCL, UGent, FUSL, Observatoire Juridique Natura 2000

Nederlandse Vereniging voor Milieurecht (VMR)

United Kingdom Environmental Law Association (UKELA)

Environmental Law Network International (ELNI)

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vvor

I. Back to the roots: the ecological origins of the Habitats Directive

- 09h00 **Introduction**
[EU] Janez Potočnik, Commissioner for the Environment (*)
- 09h10 **Global objectives and scope of the Habitats Directive: what does the obligation of result mean in practice?**
[FR] Marc Clément, Administrative court of appeal of Lyon
- 9h40 **The added value of the Habitats Directive: is biodiversity in a better conservation status since the Habitats Directive has entered into force?**
[EU] Carlos Romao, European Environmental Agency
- 10h10 **Questions**
- 10h20 **Coffee break**
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II. Natura 2000: protecting and enhancing the world's biggest ecological network

- 10h40 **Sites selection, designation and evolution: how coherent is the Natura 2000 network?**
[NL] Hans Woldendorp, Dutch Ministry of Environment and Infrastructure
- 11h00 **Conservation objectives and site's management planning: is there a need for an integrated, ecosystem approach?** [FR] Lucile Stahl, Institut de droit de l'environnement de l'Université Lyon 3
- 11h20 **Questions**
- 11h30 **Instruments for sites active management of Natura 2000 sites: balancing between stakeholders and nature conservation?**
[ES] Agustin Garcia Ureta, Universidad del País Vasco
- 11h50 **Existing activities and projects in Natura 2000 sites: legal certainty versus nature conservation?**
[BE] Hendrik Schoukens, Ghent University
- 12h10 **Questions**
- 12h20 **Lunch**
- 13h30 **Appropriate Impact Assessment: the key to effective integration of nature conservation issues into land use planning ?**
[BE] Francis Haumont, Université Catholique de Louvain

13h50 **Compensatory measures under art. 6 (4) of the Habitats Directive: no net loss for Natura 2000?**
[GB] Donald McGillivray, Kent Law School

14h10 **Questions**

III. Species protection: the “forgotten part” of the Habitats Directive

14h20 **Species protection under European law: how strict is strict?**
[NL] Kees Bastmeijer, Tilburg University

14h40 **The impact of species protection on land use planning: towards a more proactive approach?**
[EU] Christoph Sobota, European Court of Justice (*)

15h00 **Trade in wild species: the difficult relationship between nature conservation and the free movement of goods**
[BE] Nicolas De Sadeleer, Facultés Universitaires St.-Louis

15h20 **Questions**

15h40 **Coffee break**

IV. Transversal issues: the Habitats Directive and its neighbours

16h00 **Liability for ecological damage: the added value of the Environmental Damage Directive for nature conservation?**
[GB] Valerie Fogleman, Stevens & Bolton LLP

16h20 **Property rights vs. nature conservation: an never-ending battle?**
[DE] Gerd Winter, University of Bremen

16h40 **Questions**

16h50 **The enforcement challenge : how to fill the gap between theory and practice?**
[DE] Ludwig Kramer, College of Brugge, Client Earth

17h10 **Transboundary nature conservation: are there no boundaries within the Natura 2000 network?**
[PT] Alexandra Aragão, Universidade de Coimbra

17h30 **Questions**

18h00 **Conference dinner**

(*) to be confirmed



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**V. Science-policy and nature conservation:
best friends forever? (Parallel Session 1)**

09h00 **Restoring nature in the EU: the only way is up?**
[BE] An Cliquet, Ghent University

09h20 **Connectivity: is Natura 2000 only an ecological network on paper?**
[NL] Jonathan Verschuuren, Tilburg University

09h40 **Questions**

09h50 **Habitats Directive and climate change: can the law really tackle ecological dynamics?**
[NL] Arie Trouwborst, Tilburg University

10h10 **Invasive alien species prevention, control and eradication: mission impossible?**
[BE] Delphine Misonne, Facultés Universitaires St.-Louis

10h30 **Questions**

10h40 **Coffee break**

11h00 **Monitoring biodiversity: how to integrate science into decision making?**
[BE] Gerald Louette, Flemish Research Institute for Nature and Forest

11h20 **Scientific uncertainty, precaution and adaptive management: how to cope with the unknown ?**
[FR] Eve Truilhe-Marengo, CNRS/Université Paul Cézanne Aix-Marseille III

11h40 **Coexistence between humans and large carnivores: rewilding Europe?**
[SE] Jan Darpö, Uppsala University

12h00 **Questions**

12h15 **Lunch**

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V. Nature conservation@sea: a brave new world? (Parallel Session 2)

09h00	Maritime spatial planning: will there still be some space left for nature? [BE] Frank Maes, Ghent University
09h20	Natura 2000@sea: towards a well-managed marine ecological network? [NL] Thomas Rammelt, Stichting de Noordzee
09h40	Questions
09h50	Natura 2000 and fisheries: a question of competence or willingness? [NL] Harm Dotinga, Utrecht University
10h10	Harbours and Natura 2000: new avenues for both sides? [NL] Frank Neumann, Institute for Infrastructure, Environment and Innovation
10h30	Questions
10h40	Coffee break
11h00	Marine species protection and management: who will save our dolphins? [GB] Sandy Luk, Client Earth
11h20	Enforcement@sea: expect the unexpected? [BE] Philippe Vincent, Université de Liège
11h40	Marine nature conservation law in its broader context: connecting national, EU and international legal orders ? [NL] Marleen van Rijswick, Universiteit van Utrecht
12h00	Questions
12h15	Lunch

VI. The integration of nature conservation in other policy areas: 20 years of solitude?

13h30	Nature conservation, agriculture and forestry: how to really green the CAP? [FR] Isabelle Doussan, Université de Nice-Sophia Antipolis
13h50	Nature conservation and water management: one battle? [BE] Peter De Smedt, LDR Advocaten - Ghent University
14h10	Questions
14h20	Nitrogen deposition and Natura 2000: what can we learn from the Dutch approach? [BE] Chris Backes, Maastricht University
14h40	Nature outside protected areas: an outlaw waiting to be saved? [BE] Geert Van Hoorick, Ghent University
15h00	Questions
15h10	Coffee break

VII. New approaches to nature conservation: a quick glance at the future?

15h30	Ecosystem services for nature conservation: what is the real value of nature? [BE] Kathleen Mertens, Hasselt University
15h50	Green Infrastructure and integrated planning: towards a broader and integrated conservation strategy ? [BE] Charles-Hubert Born, Université Catholique de Louvain
16h10	Questions
16h20	Temporary nature: is European conservation law ready for it? [BE] Hendrik Schoukens, Ghent University
16h40	Habitat banking: will the markets save our species? [DE] Moritz Reese, Helmholtz Centre for Environmental Research, Leipzig
17h00	Questions
17h20	General conclusions [EU] Stefan Leiner, European Commission

(*) to be confirmed

Practical

Antwerp, 12-13 December 2012

Location

KBC-building
Auditorium 3th floor
Schoenmarkt 35
B-2000 Antwerpen
(15 minutes walk from Antwerpen-Centraal railway station)

Interested in becoming a member of VVOR?

Individual membership: € 150 per year

Corporate membership: € 400 per year

More information and application:

www.omgevingsrecht.be



vzw VVOR

Flemish Environmental Law Association

Kortrijksesteenweg 1007 - 9000 Gent

E-mail info@omgevingsrecht.be

Website www.omgevingsrecht.be

Participation

Members 100 € / day – 150 € / 2 days
of the supporting organizations

Non-members 125 € / day – 200 € / 2 days

Students 25 € / day – 40 € / 2 days

Incl. coffee breaks and lunches, excl. conference dinner (30 €) and
excl. conference book (50 €)

Early bird Registration before october 21th 2012

Members 75 € / day – 125 € / 2 days

Non-members 100 € / day – 175 € / 2 days

Revenues of the conference
will go to the project
'Boom doet leven'
www.boomdoetleven.be



Registration: www.omgevingsrecht.be