

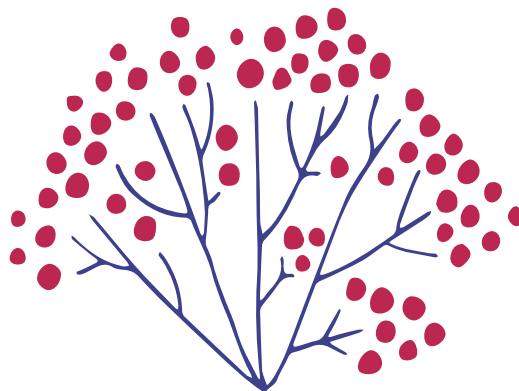
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Protect, recover and renew biodiversity and ecosystems

3.1 Protect Ireland's biodiversity by ensuring existing laws are enforced

3.2 Ensure meaningful protections for habitats and species

3.3 Accelerate action in marine areas



3.1 Protect Ireland's biodiversity by ensuring existing laws are enforced

The biggest transgressor of environmental law in Ireland is the State. Non-compliance is rife at all levels of society, from Government non-compliance with EU laws down to local wildlife crime by individuals.

There are currently 14 open infringement cases against Ireland involving environmental law, ranging from implementation of the Environmental Impact Assessment Directive to the Habitats Directive. We are failing to reach legally binding targets agreed as part of the Water Framework Directive, the Marine Strategy Framework Directive and the Common Fisheries Policy. These infringements are costly - for example, the State was fined €15 million by the EU Court of Justice for failing to ensure that the environmental impact assessment for Ireland's largest wind farm at Derrybrien.

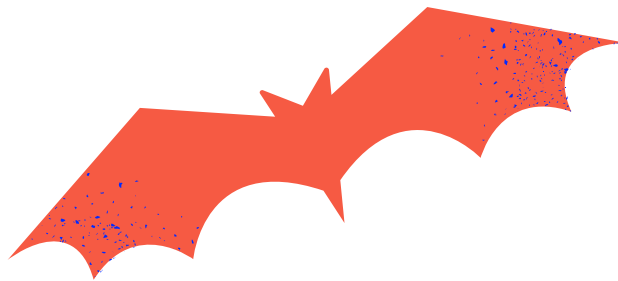
Leadership in biodiversity action can emerge at every level of society - but the State must lead by example. Environmental legislation at the EU level must be matched by political will for implementation at national level. For example, the 2018 consultation on inshore trawling was a missed opportunity. It would have been the biggest advance in marine conservation in recent history, but the decision was challenged and overturned in the High Court.

Furthermore, the proposed Wildlife Amendment Bill, if passed, could result in the de-designation of blanket and midland bog Natural Heritage Areas (NHAs) to allow for the termination of turf cutting in bogs in

Special Areas of Conservation. Instead, the Government should implement bog restoration in NHAs and cease turf cutting. In addition, there are several proposed amendments which are equally destructive to NHAs.

There has been some positive work on wildlife crime. For example, in 2018, the National Parks & Wildlife Service ([NPWS](#)) established an internal Wildlife Crime Group and a Wildlife Crime workshop and conference was organised. The NBS provided [CITES](#) training to staff and Zoo licensing inspectors are to provide a CITES and Bird of Prey training course to staff in the Department of Housing, Local Government and Heritage. There continues to be ongoing and more formalised interaction between NPWS and other Government Departments and An Garda Síochána in relation to wildlife crime e.g. [RAPTOR](#), and the Minister for Heritage recently committed to establishing a dedicated wildlife crime unit in the NPWS. The National Biodiversity Forum recommends continued monitoring of progress in wildlife crime detection and enforcement to determine if these measures are having an impact.

As described elsewhere in this report, [EIP](#) projects such as the [Hen Harrier Project](#), the [Pearl Mussel Project](#) and the [Burren programme](#) have all delivered benefits for biodiversity. It is positive that ecosystem services and restoration are included in the specification of Objectives 4 and 5 of the National Biodiversity Action Plan, as this framing ties in with the International [Decade of Restoration](#).



3.2 Ensure meaningful protections for habitats and species

There are some positives to note in this area: the Interim Review of the current National Biodiversity Action Plan (NBAP) indicates that some progress has been made against most conservation actions, although it is not possible to quantify the progress made, or the impact of these actions. The [All-Ireland Pollinator Plan](#), for example, has delivered 96% of its actions. The Prioritised Action Framework for [Natura 2000](#) sites has been drafted, albeit without consultation with the National Biodiversity Forum. Initiatives such as the Curlew Task Force were successful, although 2019 recommendations to the Minister have yet to be acted upon and must now be implemented to save this critically endangered species.

At present, however, Ireland offers little more than paper protection for its designated areas. While designation provides some protection from direct threats such as inappropriate land use or development, protected areas are supposed to be the national jewels in the crown of our land and marine areas, but they are inadequately managed and in poor condition, with few exceptions.

Protected areas must be expanded such that the protected landscape area is sufficient to support the ecosystem services within the area and that population sizes are sufficiently high to ensure sustainability. In addition, as climate change moves species and habitats northwards with increasing temperatures, more protected areas and more linkages between them through green corridors are necessary to avoid the situation of such areas becoming isolated 'islands' which gradually shrink as the climate changes.

Ecosystems and their services, especially water quality, carbon storage and nutrient recycling, must also be protected. Protections should also be extended to under-protected species such as breeding wading birds, seabirds, marine fish, and invertebrates.

The EU Biodiversity Strategy sets out a target of protecting 30% of terrestrial areas by 2030. The Forum calls on the Government to be innovative in pursuing this target to ensure that these protections actually deliver positive outcomes for biodiversity.

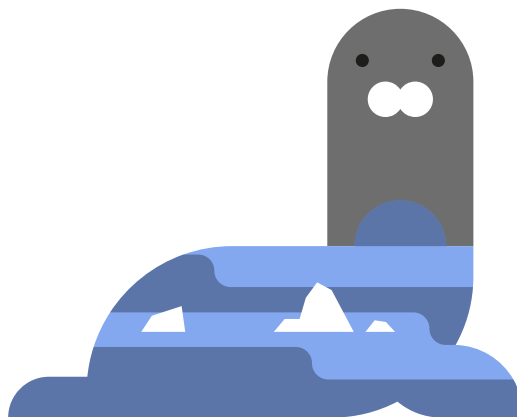
There are three ways in which this can be achieved: 1) complete and implement action plans for existing protected areas and species, 2) make space for nature on all farms, 3) increase local connection to nature reserves.

1) All outstanding or overdue conservation actions in Ireland must be completed. For example, the Hen Harrier threat response plan still has not been published. Management activities for land and species that are not protected must also be improved. Areas that are currently degraded, but which have high potential biodiversity value can also be considered for achieving the target. For example, Coillte legacy plantations, worked out Bord na Móna bogs and the [Natural Heritage Area](#) network all present opportunities to enhance biodiversity. Such actions would align with the EU's strategy to restore damaged ecosystems, and the UN's International [Decade of Restoration](#).

2) The Government must make space for nature on all farms. New EU targets aim for 10% of agricultural area to have high-diversity landscape features such as hedges and ponds. The National Biodiversity Forum urges the government to set this as a target for all farm types. This target is highlighted in the [EU Biodiversity Strategy 2030](#) which is to work in tandem with the [Farm to Fork Strategy](#) and the [CAP](#) post 2020. If all landscape features in the country were protected via a legal designation or incentives to meet this 10% high diversity landscape features target, Ireland would advance towards the overall EU target of 30% protected lands. Farmers tasked with maintaining and managing protected areas are significantly under-resourced.

3) The Government can facilitate the involvement of private individuals and community groups who may want to have land in their locality designated or managed for biodiversity – see for example the [Land for Nature](#) initiative. In the UK, local authorities can designate land in their jurisdiction, but there is no mechanism for this in Ireland. These issues need to be rectified.

Further protections for biodiversity must be developed in meaningful consultation with current land owners, managers and fishers as well as wider society to ensure that wellbeing and livelihoods can be maintained and conflicts are minimised.



3.3 Accelerate action in marine areas

There are some positives to note in the field of biodiversity and the marine. There has been some improvement in wastewater treatment infrastructure and some progress on consultation on a process for designating Marine Protected Areas (MPAs). The Forum welcomes the report of the MPA Advisory Group, commissioned by the Department of Housing, Local Government and Heritage. Consultation on the (since-overturned) ban on trawling by over-18m boats within 6 nautical miles of the coast attracted a lot of support, showing a high level of public engagement on marine issues.

We also welcome the commitment in the Programme for Government to meet the target of 10% Marine Protected Areas as soon as is practicable and to achieve 30% coverage by 2030. We support the principle that a consultative participatory process is required to achieve this, guided by the best available evidence to select and properly manage the most suitable sites to meet national and international objectives. It is

critical that this work is properly integrated with marine spatial planning to achieve good environmental status under the [EU Marine Strategy Framework Directive](#) and that it is properly resourced.

However, the pace of progress has been far too slow. Marine areas must become a higher priority in national biodiversity policies. For example, the NBAP set out a commitment to protect 10% of Ireland's maritime area by 2020, but we are currently at less than 2.5%. The marine unit in NPWS is sorely under-resourced with only a small team staff working on the marine environment.

The Government must invest in the effective management of Special Protection Areas and Special Areas of Conservation for species listed under the [Birds and Habitats Directives](#) and should designate areas for currently under-represented taxa and habitats. Moreover, protection must be provided for important species, habitats, ecosystems and biocultural heritage for which there is currently no legal basis for protection, including many species prioritised under [OSPAR](#) or on [IUCN Red Lists](#). For example, only a small proportion of Ireland's 400 marine fish species are assessed or protected, including for commercial fisheries management, but 70 are listed on European or Irish Red Lists, including the critically endangered porbeagle, angel shark and white skate. Some of these may require interim spatial protection before new national MPA designations can come into force.

The Government must invest in action plans to achieve 'Good Environmental Status' for the marine environment under Section 5.1 of the EU's [Marine Strategy Framework Directive](#). The status should aim for 'fully documented and managed fisheries' at all scales and locations. Real time monitoring of commercial and recreational fisheries to include spatial, temporal and permanent closures (no-take zones) should be promoted.

Finally, the Wildlife Act does not currently list any marine fish or invertebrate for protection - this must be addressed. The targeting of species of high conservation value in the marine environment must be
