

# History of establishing

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Genesis of the creation of Natura 2000 sites, history of the network in Poland

The first EU document concerning the nature protection was the Directive 79/409/EEC on Wild Birds of 2 April 1979, also known as Birds Directive. The directive was numerously amended, therefore in 2009 it has been replaced by a new directive - Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds. Its key objectives are: preservation and protection of all wild bird species naturally occurring in the EU, legal management of trade and use of game birds.

By signing the **Treaty of Athens on 16 April 2003** which was a legal basis for entering the European Union, Poland was obliged to designate Natura 2000 sites. EU regulations essential for creating the Natura 2000 network have been incorporated into the Polish law when the Environmental Protection Act of 16 April 2004 was published (Journal of Laws from 2015, item 1651, amended).

The preparations for implementation of Natura 2000 network in Poland started in the late 1990s. Preliminary analyses concerning the existence of habitats and species requiring protection were carried out. Moreover, negotiations were being held on including the species requiring protection which existed in Poland and were not present in the old Union, consequently not being under protection according to the EU law at that time. Polish side was represented mostly by the researchers from the Institute of Nature Conservation of the Polish Academy of Sciences in Cracow and officials from the Ministry of the Environment.

The experts from the Environmental Information Centre and the Institute of Nature Conservation in Cracow drew up in 2001 **The concept of Natura 2000 network in Poland**. The document contained preliminary identification and description of sites, the list of habitats, species and forms of conservation on the sites recommended for the network, and maps with the localisation of the sites. In this proposition, the sites of high environmental value constituted 13.5% of the territory of Poland.

In 2002-2003 the concept of Natura 2000 network in Poland was developed by National Foundation for Environmental Protection in cooperation with the Institute of Nature Conservation of the Polish Academy of Sciences in Cracow, Ornithology Department of the Polish Academy of Sciences in Gdansk and GRID Centre in Warsaw. The researchers from these institutions received data from Regional Working Groups, specialist groups which consisted mainly of naturalists assigned by regional governors in order to create the concept of the network in particular regions. All the data was gathered in the forms required by the European Commission.

In 2004 public consultations were held during which local governments opposed to the presented ideas. However, in May 2004 the Polish government submitted to the European Commission the concept of Natura 2000 sites and in July 2004 a regulation designating bird refuges was issued.

The diminishing of the Natura 2000 network resulted in dissatisfaction from the experts and NGOs involved in the creation of the network. As a consequence, so called **Shadow List** of Natura 2000 sites was published in December 2004. This document presented a critical review of the accepted projects and proposals to complete the Natura 2000 network in accordance with EU criteria.

European Commission sent a notice to the Polish government concerning insufficient level of Natura 2000 network implementation, followed by the "infringement procedure" in April 2006. In December 2006 the European Commission sent a reasoned opinion on the infringement of the Birds Directive resulting from failure to designate appropriate Special Protection Areas - it was the last step before sending a complaint to the Court of Justice of the European Union in Luxembourg on Polish failure to designate the sufficient number of Special Protection Areas, which was done in December 2007.

The European Commission statement was followed by continuous complementing of the Natura 2000 network in the successive years. At the same time, the Shadow List was being updated as the new data emerged.

Until the end of 2008 the Polish government designated by virtue of a regulation 141 Special Protection Areas and sent to the Commission 364 proposals for Sites of Community Importance. By means of the decisions from November 2007, January and December 2008 the Commission accepted the proposed areas as the Sites of Community Importance.

In 2008 new efforts were taken to enlarge the territory of Sites of Community Importance.

Regional Specialist Groups, consisting of experts, were formed in all provinces in order to prepare the project of network development. On 29 October 2009 the Minister of Environment sent to the Commission the list of 454 new sites and 77 enlargements. As a result, the habitats part of the network reached the number of 823 sites covering 11% of the land territory of Poland. In 24-25 March 2010 bilateral biogeographical seminar took place. The aim of the seminar was to verify the sufficiency of Polish Sites of Community Importance. During the seminar the Poland received congratulations by the Commission on the account of considerable improvements in works, which was the result of General Directorate for Environmental Protection's activities.

Presently Natura 2000 network covers almost 20% of land territory of Poland. It contains **849 Sites of Community Importance ("habitats areas" - future Special Areas of Conservation)** and **145 Special Protection Areas**.

- [The history of marking special protection areas for birds](#)
- [The history of accepting the list of areas of relevance to the Community](#)