

Thoughts about cross-border coordination concerning the designation of Natura 2000 sites: The Polish perspective

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1 Introduction – simple questions and simple answers ...

Do we need cross-border cooperation and coordination in the designation and management of Natura 2000 sites? Are we able to do it? Are our institutions, rules and structures of decision-making processes comparable? These are the types of problems we want to touch upon in this short article. The answer to the first question appears to be simple. Of course, we really need cross-border cooperation and coordination. We need cooperation to create a set of rules for preparing management plans, to work out rules for conflict resolution, to share experiences so that we can learn from each others successes and failures. The answer to the other questions appears to be more difficult.

In the following section this contribution takes stock of the present state of cooperation. Section three deals with the current problems of cooperation and possible common actions. In the last section the tasks of the Polish side are highlighted and a short summary is given.

2 Present cross-border cooperation in relation to Natura 2000

The history of cross-border cooperation in relation to Natura 2000 between the Czech Republic, Germany and Poland is not very long. Currently the cooperation is pursued on three different levels. We would like to briefly describe some of the activities undertaken. Each type of activity involves different categories of actors and different decision-making patterns.

2.1 Cooperation on international level

On the international level the following two examples of cooperation can be given. Firstly, under the sponsorship of the Polish and German Ministries of Environment, a Nature Protection Working Group has been operating for several years. The Polish side is represented by officials from the government (the Ministry of Environment) and by self-governmental bodies from three border provinces. The German side is represented by officials from three federal states (Länder) and the Federal Ministry of Environment.

Secondly, since 1999 the International Commission for Protection of the Odra River against Pollution (Internationale Kommission zum Schutz der Oder gegen Verunreinigung) has been functioning. It is based on an agreement between the governments of Germany, Poland and the Czech Republic. One of the Commission's working groups was the "Ecology" Working Group V, whose main task was "Indication of areas and objects demanding protection, especially areas deserving inclusion in the Natura 2000 network". The group started studies on cross-border coordination of the Natura 2000 sites (common nomenclature, vocabulary, lists of species and habitats proposed to be monitored). The Ecology Group, however, was cancelled during the reorganization at the beginning of 2003 and transformed into the group "Biological and hydrological aspects". The study on the designation of Natura 2000 sites was cancelled, while the status of biologists working in the Ecology Group (except one)

changed from “members” to “experts”; this means that they now are not invited to participate in meetings of the working group.

The actors on the international level are officials from governmental institutions and experts hired by the government. However, the dependence of officials and experts on higher levels of administration results in lengthy decision-making processes. The preparation of documents takes months, which weakens the ultimate result. The path from the first concept (idea) to the final report is too long to be effective in practice. There are no special working groups of experts or scientists to help to solve the problems more quickly.

2.2 Cooperation on provincial (Land-Kraj-Voivodeship) level

For example, on the level of the Lower Silesian province (south-western Poland), cooperation between officials is complicated, since the province governor (Voivode) is responsible for nature protection, while for international cooperation responsibility lies with the head of the provincial self-government (Marszałek). The head of the province self-government has signed an agreement (treaty) on cooperation, including environmental protection with the German federal states of Saxony and Brandenburg, and with three out of four Czech provinces (Kraj) bordering Lower Silesia. The cooperation with Saxony is fruitful, but real cooperation with the Czech provinces has not started yet.

Concerning the actors involved, in our opinion, the basic problem is partial duplication of the official structures in Poland. Also, the position of the administrative structures in the three countries is different. In Germany the Länder Government has got far-reaching independence and can take many important decisions (e.g. selection of Natura 2000 sites). A Voivode in Poland is dependent on the central Government, and many of the decisions pertaining to nature protection need approval of the Ministry of Environment. A Voivodeship's position in the designation of Natura 2000 sites is weak, so, without special structures, the procedures for international cooperation and coordination of nature conservation on the Land-Kraj-Voivodeship level are doubtful.

In Poland, the coordination and decision-making process is centralized (strong vertical and poor horizontal coordination). In the Czech Republic the coordination is also vertical, but the position of the nature protection administration is much stronger. The coordination in Germany is both vertical and horizontal, and the responsibility of officials for specific tasks is clearly defined.

2.3 Semi-formal cooperation

In the field of semi-formal cross-border cooperation many good examples can be given. Of course, the list of activities mentioned is not complete. Since 1997 the non-governmental organization (NGO) called “Lower Silesian Foundation of Eco-Development” has been coordinating the campaign “Czas na Odrę” (Time for the Odra River), in which NGO's from Poland, Germany and the Czech Republic take part. The aim of this campaign is to save and protect the nature in the Odra River valley. A corresponding campaign at the German side – “Zeit für die Oder” – is coordinated by the German NGO BUND, which publishes the magazine “Oder-Rundbrief” (The Odra News) in Polish and German at irregular intervals.

The results of one of the first cross-border actions, named “Zielona Wstęga (Green Belt) Odra-Nysa”, were published in 1999. This project was run by WWF Potsdam. Scientists from Poland and Germany made an inventory of landscape and nature, identified socio-economic problems, and studied the sources and the scale of threats to nature. A Polish NGO – “Lubuski Klub Przyrodników” (Lubuski Nature Club) – prepared most of the inventories of habitats and of selected species of flora and fauna.

A very important paper covering parts of Poland, Germany and the Czech Republic is the “Oder-Auen-Atlas” (Atlas of Odra floodplains) which was published in 2001. It was coordinated by the “WWF

Auen-Institut” Rastatt in close cooperation with the Protected Landscape Area “CHKO Poodri” in the Czech Republic and with Polish scientists.

Some elements of nature protection are included in activities of the Euroregion Neisse – Nisa – Nysa. They cover the south-western part of the Lower Silesian province and the neighbouring areas in Germany and the Czech Republic. Since 1998 the annual “Przyroda Sudetów Zachodnich” (The Nature of the West Sudety) has been edited by the Nature Museum in Jelenia Góra and the NGO “West Sudete Nature Society”. The journal presents papers of Polish, German and Czech naturalists.

An interesting programme for the protection of bats hibernating in caves and galleries was run by Polish NGO’s – the Polish Society of Wildlife Friends “pro Natura” and the “Salamandra” – in cooperation with Euro-Natur and NATO. Entries to caves and galleries have been closed by means of metal bars. Moreover, for a few years the Polish NGO “Lubuski Nature Club” has been organizing meetings of Polish and German ornithologists.

Good cooperation exists between Polish and Czech National Parks on both sides of the Karkonosze Mountains. One of its results is the publication “Atlas of breeding birds of the Karkonosze Mountains”. Presently another book on nature and nature protection on both sides of the Karkonosze Mountains is in preparation. Cooperation between the Stołowe Mountains National Park and the Protected Landscape Area “CHKO Broumovsko” almost has the character of private meetings and consultations of staff members. Good cooperation exists also between the Lower Odra National Park in Germany and the Landscape Parks in the West Pomeranian province in Poland.

Currently a pilot research programme for the Nysa Łużycka (Neisse) River catchment area is being implemented. It is run by the RZGW (Regional Water Authorities) in Wrocław. Part of this research is focused on fishes and invertebrates.

Many different actors are involved in the semi-formal cross-border cooperation, including NGO’s as well as institutions (official research institutes). Regarding the structure of coordination and decision-making process, coordination is mainly horizontal. The decision-making process is quick and focused on specific tasks (scientific research, permanent exchange of information, common programmes of sustainable development, and highly specialized tasks of fauna species protection).

Especially the semi-formal activities create a very good base for future cooperation in designation and functioning of the Natura 2000 network, and give much more chance of success than the formal activities mentioned.

3 Current problems of cooperation and possible common actions

It is a pity that the Natura 2000 sites lack transboundary compatibility. This is a result of the lack of continuous cooperation between Germany and Poland, as well as between the Czech Republic and Poland during the process of site selection. The main problems responsible for that situation are:

- total lack of international cooperation on the international and provincial levels;
- incompatible official procedures for designating Natura 2000 sites;
- different roles of NGO’s in the process of designation;
- different level of accuracy of the habitats and species inventories for neighbouring countries.

3.1 Possible common actions

The NGO’s do not have the possibility to really influence international and provincial actors involved in the process. However, as we are trying to demonstrate, cooperation and coordination between NGO’s

and independent expert groups is effective and has yielded good results in the past. This cooperation should be continued at least in the corridor of provinces (Voivodeship in Poland, Land in Germany and Kraj in the Czech Republic) along our common borders. Therefore, the authors recommend to carry out the following joint tasks:

- establishing an institution which could be a place for the exchange of information and would create both rules and recommendations for the management of Natura 2000 sites;
- comparing the numbers and condition of the most endangered habitats and species between the three countries, and intensifying the protection of threatened species, for example by designating additional Natura 2000 sites in that country where they are in the best condition;
- projects of common financing;
- preparing common opinions on the projects for the Odra River engineering works, especially those involved with flood-control and improving navigation;
- common restoration of typical for river valley habitats in the Odra and Nysa Łużycka valleys;
- common protection of habitats typical of the Polish and Czech Sudete and Beskid Mountains, particularly those which stretch across the borders in the sub-alpine zone;
- common monitoring of rare birds of prey;
- common education of our societies and governmental representatives;
- restoring of ecological corridors in the interstate border areas.

The ability to cooperate in preparing management plans, in planning common monitoring schemes and in solving problems connected with management of the Natura 2000 sites is of utmost importance.

3.2 Preparation of management plans

The main issues taken into consideration while preparing management plans are the predicted impact of human activities on Natura 2000 sites and proposed changes regarding the way they are managed and financed. We need cooperation and exchange of experience, especially in the following range of activities.

In the realm of forest management:

- Identification of appropriate felling methods (group felling, shelter wood felling, strip felling, clear cutting) in different types of forest in order to obtain their ecological functions;
- how to modify the felling age of different species of trees;
- how to adapt the restocking of forest to the demands of nature conservation and how to enhance natural restocking;
- preparation of methodological instructions for forest management focused on the conservation of protected plant and animal species;
- permissible level of losses (especially those caused by game animals) in a forest stand, particularly in young generations of trees; if and when fencing is a good solution;
- number of dead, dying and hollow trees to be left per hectare;
- acceptable level of modification of the forest management by owners or managers in different countries;
- methods for calculating compensation for smaller production of timber, or for greater costs of managing the Natura 2000 sites; sources of financial support (in Poland almost all Natura 2000 sites on forest land are owned by the State).

In the realm of water economy: Minimization of losses in nature due to water economy,

- caused by river engineering works, cutting of alluvial forest and filling ox-bows with soil, i.e. unification of river beds as well as lowering of the water table in the river and in the river valley,
- resulting from functioning of water reservoirs, i.e. changes in water regime (flow) in an annual cycle, reduction of the fluctuations in water level, and decreasing the frequency of inundation of river valleys, and
- protection and restoration of alluvial and riparian forest within the embankments and in areas without embankments which are still regularly flooded.

In the realm of agriculture:

- Changes in the dates and in the frequency of mowing;
- extensive instead of intensive usage of meadows;
- transformation of dry meadows into wet and semi-wet meadows;
- changes in the range of restoration activities in agricultural drainage systems.

In the realm of fishpond management:

- Reconciliation of fishpond economy with nature protection, particularly with the conservation of birds. We have got good experience with this kind of sustainable development in the province of Lower Silesia at the “Stawy Milickie” (The Milicz Fishponds) nature reserve.

In the realm of tourism:

- Rules of availability of the Natura 2000 sites to tourists.

Others areas:

- Principles of accessibility to information on very rare and endangered species and habitats;
- rules of dealing with alien species;
- restoring and protecting ecological corridors that connect neighbouring countries.

3.3 Monitoring and management

We especially need cooperation and coordination for the comparison of results (impact on nature) of different management methods. Monitoring of habitats and endangered plants is of high importance. Some of the proposed habitats and species designated to be commonly monitored are listed in tables 1 and 2 (see annex). However, this kind of cooperation would fail without a special coordination body.

In the light of the present, newly issued Polish Nature Protection Law, the officials responsible for management of the Natura 2000 sites shall be the managers of the already existing national parks and landscape parks, assisted only by a small number of workers to undertake the new duties. Such a situation would have a very negative impact on the effectiveness of the management of Natura 2000 sites, as the state administration for nature protection is already overloaded with obligations. The best way to solve this problem would be to establish a special Foundation, which in its statutes would have the responsibility for all tasks connected with the management of sites to be protected in the future. It is a pity that none of the Polish officials supports this remedy.

4 Current tasks of the Polish side and summary

Before the Polish side is ready for effective cooperation in the process of designation, management and monitoring of Natura 2000 sites, we should finish some tasks. The most important are:

- Completing the inventory of nature. Contrary to the statement of some officials, Poland does not have a complete nature inventory, so it is difficult to properly designate Natura 2000 sites.
- Carrying out a broad educational action concerning the EU Water Framework Directive, since presently most of the water administrations think that purification of water is the only important task mentioned in this document. We should point out that protection of aquatic ecosystems and ecosystems depending on water is also a major obligation included in the EU Water Framework Directive.
- Undertaking a broad educational action on the role and importance of nature conservation since presently our society and government representatives on different levels of administration almost exclusively take into account the technical aspects of the needs for environmental protection, i.e. building of wastewater treatment plants, filters on chimneys etc.

In summing up, it can be stated that we need cooperation in designating Natura 2000 sites, creating a set of rules for preparing management plans and in working out rules for resolving possible conflicts. There is almost no cooperation on the State level. The best cooperation exists on the level of NGO's and between experts. Creating additional transboundary forums or institutions would be a very good solution.

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Annex

Natura 2000 code	Type of habitat	Especially on border ...	
		CZ / PL	D / PL
1150	* Coastal lagoons WWF		X
1230	Vegetated sea cliffs of the Atlantic and Baltic coasts WWF		X
2120	Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) WWF		X
2130	*Fixed coastal dunes with herbaceous vegetation (grey dunes)		X
2330	Inland dunes with open <i>Corynephorus</i> and <i>Agrostis</i> grasslands	x	X
3110	Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>)	x	X
3260	Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation	X	X
6110	* Rupicolous calcareous or basophilic grasslands of the <i>Alyso-Sedion albi</i>	X	X
6190	Rupicolous pannonic grasslands (<i>Stipo-Festucetalia pallentis</i>)	X	x
6230	* Species-rich <i>Nardus</i> grasslands, on siliceous substrates in mountain areas	X	X
6410	<i>Molinia</i> meadows on calcareous, peaty or clay-silt-laden soils (<i>Molinion caeruleae</i>)	X	X
6440	Alluvial meadows of river valleys of the <i>Cnidion dubii</i>	X	x
6520	Mountain hay meadows	X	
7110	* Active raised bogs WWF	X	X
7140	Transition mires and quaking bogs WWF	X	X
8160	* Medio-European calcareous scree of hill and montane levels	X	x
8230	Siliceous rock with pioneer vegetation of the <i>Sedo-Scleranthion</i> or of the <i>Sedo albi-Veronicion dillenii</i>	X	X
9140	Medio-European subalpine beech woods with <i>Acer</i> and <i>Rumex arifolius</i>	X	
9150	Medio-European limestone beech forests of the <i>Cephalanthero-Fagion</i>	X	X
9180	* <i>Tilio-Acerion</i> forests of slopes, screes and ravines WWF	X	X
91E0	* Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>) WWF	X	X
91F0	Riparian mixed forests of <i>Quercus robur</i> , <i>Ulmus laevis</i> and <i>Ulmus minor</i> , <i>Fraxinus excelsior</i> or <i>Fraxinus angustifolia</i> , along great rivers (<i>Ulmenion minoris</i>) WWF	X	X
9410	Acidophilous <i>Picea</i> forests of the montane to alpine levels (<i>Vaccinio-Piceetea</i>) WWF	X	

Explanations:

* – Priority habitats of annex I of the Habitats Directive

WWF – Included in the "List of habitats and species focal for implementation of the Natura 2000 network in Candidate Counties" prepared by WWF in 2003

X – Cross-border coordination very important

x – Cross-border coordination important

Table 1: List of habitats, included in annex I of the 92/43/EEC Directive, proposed for cross-border monitoring of the Natura 2000 network implementation

Name	Category	Especially on border ...	
		CzR / PL	G / PL
<i>Apium repens</i>	P		X
<i>Liparis loeseli</i>	P	x	X
<i>Trichomanes speciosum</i>	P	X	X
<i>Pedicularis sudetica</i>	P	X	
<i>Campanula corcontica</i>	P	X	
<i>Galium sudeticum</i>	P	X	
<i>Cerambyx cerdo</i>	I	x	X
<i>Euphydras aurinia</i>	I	X	X
<i>Euphydras maturna</i>	I	X	X
<i>Maculinea nausithous</i>	I	X	X
* <i>Osmoderma eremita</i>	I	X	X
<i>Lucanus cervus</i>	I	X	X
<i>Lycaena dispar</i>	I	X	X
<i>Vertigo angustior</i>	I	?	X
<i>Bombina bombina</i>	A	X	X
<i>Bombina variegata</i>	A	X	X
<i>Triturus cristatus</i>	A	X	X
<i>Triturus montandonii</i>	A	X	
<i>Barbastella barbastellus</i>	M	X	X
<i>Myotis myotis</i>	M	X	X
<i>Myotis bechsteinii</i>	M	X	X
<i>Rhinolophus hipposideros</i>	M	X	
<i>Rhinolophus pherusequinum</i>	M	X	
<i>Lutra lutra</i>	M	X	X
<i>Castor fiber</i>	M	X	X

Explanations:

P – Plant

I – Invertebrates

A – Amphibians

M – Mammals

* – Priority habitats of annex I of the Habitats Directive

X – Cross-border coordination very important

x – Cross-border coordination important

Table 2: List of species, included in annex II of the 92/43/EEC Directive, proposed for cross-border monitoring of the Natura 2000 network implementation