

Minister Enestam, EU Environmental Judges Conference 16 September 2006

Esteemed participants in the Environmental Judges Conference!

On behalf of the Finnish Government, it is my pleasure and honour to welcome you to this conference, which is being held in Finland for the first time.

The topic of this conference is the impact of the Natura 2000 Network on environmental permit issues. The application of this subject, which is related to EU's nature conservation directives and Finnish environmental legislation, is current and important throughout Europe. These questions are touched upon in Finnish administration legislation on a daily basis, making the sharing of experiences between EU countries, EC administrative courts and representatives of the European Commission essential. You have already addressed this topic during the meeting yesterday and will continue to discuss it this morning.

You have at your disposal a rather comprehensive response to the questionnaire concerning Finland's Natura 2000 sites, the selection and decision-making procedure that applies to them, the conservation status of the sites and the network's impacts on environmental permit procedures. However, I cannot refrain from commenting on Finland's proposal for the draft and approval phases of the Natura 2000 Network, especially from the Government standpoint.

The EU nature conservation directives, the Bird and Habitats Directives were incorporated into Finnish legislation in conjunction with the reform of the Nature Conservation Act in 1997. Preparation of the Finnish national proposal concerning the Natura 2000- network began at the same time. It is only fair to say that the degree of difficulty of our country's nature conservation jurisprudence simultaneously rose to a much more demanding level in comparison with mere national regulation.

Preparation and decision-making in the Natura 2000-programme was in Finland a laborious process right from the start. Some institutions and organisations in Finland provided our citizens with incorrect information about Natura - even going so far as to scare them. The Finnish Government, which, according to the law, makes decisions about sites to be included in the Natura 2000-network, had to become very well acquainted with the proposals prepared by the Ministry of the Environment. In 1997, a decision was made to appoint a Ministerial Working Group on supplementing the Natura 2000-network comprising of representatives of the government parties. I have personally been a member of this ministerial group throughout the preparation period that began in 1997, first as Minister of the Interior and Minister of Defence, and most recently as Minister of

the Environment. I can fairly say, after participating in this preparation from the perspective of different Government sectors, that I am familiar with the preparation phases of Finland's Natura 2000-network in a better than average manner.

The approval of the Natura 2000-network has taken place by means of five different Government decisions. In particular, the first decision resulted in a large number of appeals to the Supreme Administrative Court. More than 1,600 appeals involving over 5,000 persons were filed concerning this decision. I would like to take this opportunity to focus attention on the role of the Supreme Administrative Court in relation to the Natura 2000-network. The Supreme Administrative Court, like the Government, was forced to stretch its resources to the limit as a result of the Natura appeals. However, decisions concerning this matter were made in a fairly reasonable timeframe in view of the number of appeals. I understand that the Natura-process has been the single most extensive issue related to environmental and nature conservation law in the history of the Supreme Administrative Court.

While the detailed implementation of Natura is still in progress, it is important to inform everyone about that the programme is not to be feared. The regional protection of the Natura 2000-areas is not a so-called complete protection. In fact, the Natura 2000-network is more flexible and enables the use of more implementation methods than our national system for conservation areas. Highlighting the diversity and flexibility of implementation methods has been an important factor in national dialogue and decision-making. All in all, the significance and legal impacts of Natura are fairly well recognised in Finland today. So far, various projects have been planned and implemented without having to apply the compensatory measures referred to in Article 6, Section 4 of the Habitats Directive in a single case. Despite this fact, people are still more suspicious of Natura than of our national conservation programmes.

Thus, we in the Government must concentrate on detailed implementation measures for the protection and management of Natura sites in the future. This means establishing different sites as nature conservation areas in accordance with the national legislation and drafting detailed management and usage plans for these areas. In addition to drafting the management and usage plans required by the Habitats Directive, we also intend to prepare regulations concerning the establishment of about 1,200 new nature conservation areas on state-owned land.

Esteemed participants!

You are also here today to learn about Nuuksio National Park. Nuuksio National Park and its associated municipally-owned forest areas constitute the most important green belt in our capital region - a place that combines conservation, outdoor and other recreational use in an exemplary manner. With its rugged cliffs, lakes, ponds and northern pine forests, the national park is an outstanding example of the diversity of Finnish nature. In EU-terminology, the forest areas represent the 'western taiga' nature type. The national park is an important part of Finland's Natura 2000 Network.

It's possible that you will meet a brown bear or lynx here. However, the mascot of this park - the flying squirrel - is a somewhat smaller but rather exotic creature that is also under the special protection of the EU Habitats Directive. Your walking route in the afternoon will certainly go through good flying squirrel habitats but, as they are nocturnal animals, it may be difficult to see them. But with a bit of luck, you might just be treated to this rare event. In any case, you will have the best expertise at your disposal during the trek today.

I hope that you have enjoyed your time here so far and continue to do so during the informal programme this afternoon. Have a pleasant trek. Thank you!

Jan-Erik Enestam
Minister of the Environment