



9 May 2022

Dear Sir/Madam

## **International Union for Conservation of Nature (IUCN) National Committee UK Protected Areas Working Group response to the Nature Recovery Green Paper**

The mandate and goal of the IUCN National Committee's UK Protected Areas Working Group (PAWG) is to provide independent strategic analysis and advice in support of the aspirations of the UK Government and the Devolved Administrations to protect 30% of the UK's land and 30% of its seas by 2030 (so-called '30 by 30'). We do this using our collective expertise in this subject area and set this out using the various best practice guidelines established under the IUCN's World Commission on Protected Areas (WCPA), as we have done previously through the 'Putting Nature on the Map' project<sup>1</sup>.

We aim to fully support all the UK Governments and Devolved Administrations across the UK in applying the IUCN definitions and guidance on Protected Areas (PAs) and Other Effective area-based Conservation Measures (OECMs), including relevant ways to ensure and demonstrate their effective management. The Group therefore aims to continue to demonstrate leadership in this area of conservation policy and practice, set within the context of IUCN, and be an independent authoritative 'go-to' supportive network. For example, we are now embarking on a review of the Statements of Compliance developed under 'Putting Nature on the Map'. This work will use the IUCN definition of a Protected Area and the assignment of the associated management categories and governance types and consider a similar approach for OECMs.

The Nature Recovery Green Paper, published by Defra on 16 March 2022, includes sections on 'Protecting wildlife sites – on land and at sea' and 'Delivering 30 by 30' in England. PAWG has significant interest in the consultation and the eventual outcomes of any policy changes that impact PAs and the introduction of OECMs. We aim to provide constructive analysis and advice through the consultation period and beyond, working closely with Defra and its statutory agencies.

### **1. The importance of IUCN's global standards and associated guidelines for this consultation**

IUCN is a membership Union composed of both government and civil society organisations, including the UK Government and many other organisations in the UK. It harnesses the experience, resources and reach of its more than 1,400 member organisations and the input of more than 18,000 experts. This diversity and vast expertise makes IUCN the global authority on the status of the natural world and the measures needed to safeguard it. IUCN believes that protected and conserved areas are a foundation of biodiversity conservation. They safeguard nature and cultural resources, improve livelihoods and drive sustainable development.

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<sup>1</sup> <https://iucn-nc.uk/projects/putting-nature-on-the-map/>

The WCPA is an IUCN Commission that comprises a network of 2,500 experts from 140 countries that mobilises action in science, conservation, policy, and engagement to support well managed and connected PAs. It has been developing global standards for PAs (and OECMs) since it was first set up. It does this by publishing international guidelines for PA management categories and governance types and management effectiveness.

IUCN has been keen to promote these guidelines across the globe and PAWG uses this wealth of international advice and guidance to help the UK Government and the Devolved Administrations ensure they remain leaders in PA identification, protection and management. We note that the policy areas within scope of this Green Paper, except for some of those in the marine environment, are devolved in Scotland, Wales and Northern Ireland. Following the UK's departure from the EU, the UK Government is considering changes to the framework for PAs in England. However, in doing this, it is critical that high standards are maintained given that PAs represent a vital tool to help nature's recovery in England. We note both the UK Government and the Devolved Administrations have adopted a suite of PA designations across the UK. However, many sites are in poor condition and the case for improvements is clear. But we must not lose ground nor waste time on needless new bureaucracy or unnecessary changes.

PAWG members believe we have an important and unique role in assessing the UK Government's proposals against international standards. With the IUCN maintaining a key interest in the delivery of 30 by 30 and PA activity in general, we look forward to helping governments across the UK become exemplars of best practice. PAs in England and UK waters are ultimately the responsibility of the UK Government so we do expect investment of adequate public money in their current and future protection and effective management.

## **2. PAWG's prior expectations of the Nature Recovery Green Paper**

Based on our understanding of the current status of PAs in the UK and the guidance offered by the WCPA, PAWG previously set out key steps forward to ensure the UK's PA network(s) are fit for an increasingly uncertain future (see <https://iucnuk.wordpress.com/2022/01/18/seeking-uk-protected-areas-that-are-fit-for-purpose/>). We said it will be important that:

- An adequately resourced monitoring and assessment programme for sites (across all the different designations) is established throughout the UK, to inform and guide the management of the PAs, with annual reporting on progress against a legally binding PA target which grounds the UK Government's (including all the Devolved Administrations) global commitments into domestic delivery;
- Resources must also be urgently made available to improve the quality of existing PAs through their effective management and addressing off-site issues affecting their condition, including the need for adaptive management as a consequence of climate change;
- Recommendations from previous PA reviews for the UK Government and the Devolved Administrations need to be implemented, including for example, ensuring the current insufficiency of the UK Special Protection Area (SPA) network is addressed;
- Individual PAs should be reviewed, and appropriately extended, to better create an ecologically connected network. Such enlargements should include the designation of appropriate 'corridor' areas between sites to enhance the scope for species dispersion and strengthening their populations;
- Reduce the pressures on wildlife by improving the wider environment, in both terrestrial and marine ecosystems, including through buffering wildlife sites; and
- Consideration is given to what constitutes OECMs in a UK context.

### **3. PAWG's response to the consultation**

The UK Government's 25 Year Environment Plan for England expressed an ambition to "protect our most important wildlife sites and species ... and help us to deliver on our ambition to lead international action against the degradation of habitats and loss of species". PAWG strongly supports this statement. We therefore also welcome the UK Government's continued commitment to PAs and 30 by 30 in the Green Paper but are disappointed that (in the case of land) this has not been reflected in the proposal of a legally binding target for PAs in England under the Environment Act 2021.

We welcome the intention to address the issues facing PAs but believe many of the solutions (e.g. management effectiveness) could be delivered through existing mechanisms and improved resourcing. We also believe any reforms must have a strong and fully transparent evidence base.

We believe there is a need to firstly protect what remains and additionally enable nature's recovery. This means improving the current PA system and ensuring that it accommodates dynamic ecological processes, builds resilience to climate change and allows for natural adaptation.

Here, we make a number of recommendations about the protection and management of PAs in England and delivery of 30 by 30 but look forward to providing further advice and support to Defra and its statutory agencies beyond the deadline for this response:

#### ***Recommendation 1: the UK Government should focus on Protected Area Management Effectiveness (PAME) as a priority***

The success of PAs as a tool for conservation is based on the effectiveness of the management to protect the values that they contain. PAWG believes that ineffective management and/or neglect are the most significant issues limiting the success of PAs in England and the focus of the UK Government's efforts should be to ensure that management effectiveness, and its resourcing, is made a priority. Guidance on evaluating the effectiveness of the PA networks can be found elsewhere<sup>2</sup>. We look forward to continuing conversations with Defra and its statutory agencies on how best to evaluate effectiveness and ensure the PA network is performing as required if the UK Government's commitments are to be met.

#### ***Recommendation 2: the UK Government should seek to attain high standards for protection across PA networks***

In the Foreword to the Green Paper (paragraph 4) it says "*Our environmental regulatory landscape for protected sites and species has become too complex. For example, the current landscape is a muddle of different types of site designations, grown up over decades, often seeking to achieve the same thing and quite often overlapping for largely technocratic reasons*", in paragraph 7 "*Alongside this, very few members of the public are likely to know what these terms mean, or why these sites are worth protecting*" and in paragraph 8 "*We want to simplify and streamline environmental regulation, with a focus on delivering the legally binding targets now enshrined in the Environment Act.*" It is clear that the current approach to protection could be improved but PAWG recognises that, given that wildlife continues to decline, we need to urgently address nature recovery in England. We have just eight years to deliver on 30 by 30.

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<sup>2</sup> Hockings, et. al. (2006) *Evaluating effectiveness: a framework for assessing management effectiveness of protected areas. 2<sup>nd</sup> edition.* IUCN, Gland, Switzerland and Cambridge, UK

PAWG believes we need to level up protection across the existing PAs network, attaining the highest standards of protection as defined by the IUCN, and build from there. This level of protection must meet at least the protection currently afforded by the Habitats Regulations. We see little net value in the fundamental redesign proposed in the Green Paper – which will be costly of resources and organisational energy - and believe the focus of effort needs to be on Protected Area Management Effectiveness (PAME) as set out above.

***Recommendation 3: the UK Government should create additional PAs where evidence and advice demonstrates qualification***

IUCN has set out guidance on how to identify PAs<sup>3</sup>. PAWG believes it is imperative that the 30% of land protected encompasses areas of highest value for nature, including those not yet identified or protected. The Green Paper does not show how additional areas will be selected and we would like to see reference to existing processes for site selection, e.g. the SSSI series Review and the last two UK SPA Reviews.

***Recommendation 4: the UK Government needs to make it clear that it needs to protect and manage PAs in the 30 by 30 network***

The Green Paper states, “Areas contributing to 30 by 30 must:

- *have a clear purpose of conserving biodiversity (although this may not be their primary purpose)*
- *have long-term protection and/or management in place that works against adverse pressures on the area’s biodiversity objectives, or actively results in improved outcomes for biodiversity*
- *deliver the appropriate and necessary biodiversity outcomes. These will be measurable, monitored and can be used to assess the ongoing improvement in these areas”*

PAWG expect to see all PAs protected *and* managed effectively. We understand that the ‘and/or’ statement in the second paragraph is included to address OECMs which are not ‘protected’ but we would like to see a clear statement that this is the case.

***Recommendation 5: the UK Government should formally recognise that not all areas within existing PAs (especially within National Parks and Areas of Outstanding Natural Beauty (AONBs)) can count as part of 30 by 30 based on the proposed principles set out above***

PAWG welcomes the recognition that some PAs (primarily National Parks and AONBs) cannot count as PAs in their entirety and there may be other examples across the PA network. We believe only areas which meet the IUCN’s definitions of PAs and OECMs and that are being managed effectively can count in the 30 by 30 assessment.

***Recommendation 6: the UK Government needs to identify OECMs carefully***

There are currently no officially recognised OECMs in England and they must be identified and designed to deliver effective conservation. Guidance on their use can be found elsewhere<sup>4</sup>. PAWG welcomes the UK Government’s commitment to ‘develop a framework based around a set of criteria to assess whether protected areas and any ‘other effective area-based conservation measures’ (OECMs) are contributing to nature recovery’ and looks forward to helping the UK Government, the Devolved Administrations, and their statutory

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<sup>3</sup> Dudley, N. (2008) *Guidelines for applying protected area management categories*. Gland, Switzerland: IUCN

<sup>4</sup> IUCN-WCPA Taskforce of OECMs (2019) *Recognising and reporting other effective area-based conservation measures*. Gland, Switzerland: IUCN

agencies to develop these criteria in line with this guidance and to interpret and operationalise the CBD decision on OECMs (CBD/COP/DEC/14/8).

***Recommendation 7: the UK Government to recognise a wider ambition of nature's recovery beyond 30 by 30***

We will not secure nature's recovery by only focusing on the 30%. In order fully contribute to nature's recovery, we need other measures operating in parallel outside PAs and OECMs (e.g. policies, strategies, regulation, enforcement, better practice on the ground) and for all land and sea to be managed in a way that enables vast improvements in the ecological status of the wider landscape/seascape. The underpinning pressures having a negative impact on nature must be fully addressed. Despite some reassurances about OECMs outside the PA network, PAWG is concerned about the unintended consequences of 30 by 30, for example, there is the potential for a significant increase in built infrastructure development in non-30% areas or inappropriate conifer planting on uplands. The PA network is critical to nature's recovery but measures outside the network, including OECMs, will be essential to secure nature's recovery. Clarifying how the full range of measures available will deliver nature's recovery should be an ambition for the outcomes of the Green Paper.

***Recommendation 8: the UK Government should avoid adopting potentially harmful measures prior to conclusions of the consultation***

In the Introduction to the Green Paper, it says, *"This green paper outlines some key remaining areas where change is required to meet our nature recovery ambition. In particular, it seeks to do this by proposing changes to EU-derived domestic legislation to ensure that the new framework we have established works as intended, where we seek to:*

- *designate for nature's recovery, not just to protect what is already there, and help to address the drivers of nature's decline including habitat deterioration, loss and fragmentation, soil health, pollution, and the impact of non-native invasive species*
  - *place science above process in determining conservation outcomes*
  - *make space for calibrated judgements to be exercised on a case-by-case basis.*
- (Page 6, para 6)

*We have just 8 years to halt nature's decline, and so we aren't waiting for the conclusions from this consultation to be implemented in order to put the other necessary measures in place to put us on the right trajectory."* (Page 7, paragraph 8)

PAWG is unsure what this final paragraph refers to. We recognise positive intent throughout the consultation document, and support immediate action to secure the monitoring and effective management of PAs and to progress expansion of the network. However, we urge the UK Government (across all its departments and statutory agencies) not to take any premature action to change the PA framework that would compromise the UK's standing as a leader in the establishment and governance of international standards across the UK, the UK's Overseas Territories and Crown Dependencies.

We hope this response provides some useful advice and recommendations on how we can ensure the Protected Area networks of the UK can be protected and managed effectively to help secure nature's recovery through the protection of 30% of the UK's land and 30% of its seas by 2030. We look forward to supporting the UK's international leadership in this field, demonstrating best practice to others across the globe.

Yours faithfully

A handwritten signature in black ink that reads "James A. Robinson". The signature is written in a cursive style with a large initial 'J'.

**Dr. James A. Robinson**, Chair of the IUCN National Committee UK's Protected Areas Working Group

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