

Special Report

Is EU support for preventing and restoring damage to forests caused by fire and natural disasters well managed?



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Special Report**Is EU support for preventing and restoring damage to forests caused by fire and natural disasters well managed?**

(pursuant to Article 287(4), second subparagraph, TFEU)

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Abbreviations and glossary

Axis: A coherent group of measures with specific goals contributing to one or more of the objectives of the support for rural development. In the period 2007–13, measure 226 was part of Axis 2, which aims at improving the environment and the countryside.

CAP: common agricultural policy

CMEF: common monitoring and evaluation framework

EAFRD: European Agricultural Fund for Rural Development. The EAFRD is the main financial instrument of the rural development (RD) policy. The EAFRD is, along with the European Agricultural Guarantee Fund (EAGF), one of the two financial instruments of the CAP.

EFFIS: European Forest Fire Information System. A database set up by the European Commission that contains information relevant to monitor the occurrence and impact of forest fires at EU level. The data serves to produce an annual report on forest fires in Europe and neighbouring countries.

EU: European Union

Forest: An area of land spanning more than 0,5 hectares with trees higher than 5 metres and a canopy cover of more than 10 %, or trees able to reach those thresholds in situ. It does not include land that is predominantly under agricultural or urban land use¹.

Measure: The basic unit of programme management, consisting of a set of similar operations financed through a precisely defined budget.

Measure 226: EAFRD support for restoring forestry potential and introducing prevention actions².

Natural disaster: A naturally occurring event of a biotic or abiotic nature that leads to important disturbances in forest structures, eventually causing important environmental and economic damage.

Need: An opportunity or difficulty relevant for concerned groups or regions, which the public intervention aims to address.

Operation: Project selected according to criteria and implemented by the beneficiary, including a number of actions related to the objectives of the support.

1 Article 30 of Commission Regulation (EC) No 1974/2006 of 15 December 2006 laying down detailed rules for the application of Council Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 368, 23.12.2006, p. 15).

2 Article 48 of Council Regulation (EC) No 1698/2005 of 20 September 2005 on support for rural development by the EAFRD (OJ L 277, 21.10.2005, p. 1).

Other wooded land: Land of more than 0,5 hectares not classified as a forest. It has a canopy cover of 5 to 10 %, or a cover of trees shrubs and bushes above 10 %. It does not include land that is predominantly under agricultural or urban land use.

RD: rural development

RDP: Rural development programme. A document prepared by a Member State or region, and approved by the Commission, to plan the implementation of the RD policy.

I European forests are threatened by fire, which is generally due to intentional or negligent human action, and by natural disasters including abiotic (e.g. windstorms, droughts, floods, avalanches, etc.) or biotic (pests, diseases) calamities.

II The Court examined whether the EAFRD support for restoring forestry potential in forests damaged by natural disasters and fire and for introducing preventive actions ('measure 226') had been well managed and achieved intended results in a cost-effective way. This measure was available in the programming period 2007–13 under Axis 2, which targeted the sustainable use of forestry land as a way to improve the environment and the countryside in the EU. At the end of 2012 the total EAFRD support programmed for measure 226 amounted to 1,55 billion euro for the period 2007–13.

III The Court's audit covered the Commission and selected Member States (Austria, France (Aquitaine), Italy (Basilicata), Spain (Andalusia) and Slovakia). These Member States together accounted for more than 85 % of the total expenditure declared as of 31 December 2012. Most of the support (80 %) was for preventive actions, mainly against fire.

IV The Court concludes that the support was not sufficiently well managed and that the Commission and the Member States cannot demonstrate that the intended results were achieved in a cost-effective way.

V Preventive actions were not sufficiently targeted. The Court noted that while measure 226 targets forests at medium to high risk of fire, there is no common EU definition or criteria to identify them. Selection procedures in the Member States were deficient in different respects, lacking explicit selection criteria or an effective evaluation of proposed actions or neglecting some areas of risk. The environmental objectives were insufficiently prioritised at the selection stage and sometimes overlooked during the implementation.

VI The audit found actions which were not appropriate to achieve the objectives of the measure. Even though by their nature (firebreaks, thinning, clearing, etc.) many of the co-financed actions reviewed generally contributed to the objectives of the support, the Court found cases not related to natural disasters or fire, but motivated by other economic or environmental objectives. For some types of the implemented operations key eligibility requirements could not be verified due to lack of documentation. The Court also found cases of forest roads used for the economic exploitation of the forests where the particular benefit for fire prevention was not demonstrated. The high density of the roads constructed could also have negative environmental effects.

VII The cost-effectiveness of the actions financed was not adequately ensured. The Court found cases where the ceiling of public support was frequently modified without justification, where standard costs in a region were significantly higher than in another for similar actions and where manual work was prioritised rather than using machines, resulting in higher costs. There were also situations presenting risks of excessive public support when already completed projects were selected, where beneficiaries were able to finance operations on their own and where support went to agricultural parcels.

VIII

Finally, the monitoring tools in place did not allow the Commission and the Member States to adequately assess the efficiency and effectiveness of the measure. In particular, the performance indicators established in the common monitoring and evaluation framework (CMEF) were insufficient and the evaluations available were of limited usefulness. It was not possible to draw conclusions on the effectiveness of the preventive actions because it had not been measured. The weaknesses identified are likely to persist in the period 2014–20 since the new proposed monitoring tools have not improved the monitoring framework for this specific support.

IX

With regard to the above conclusions and taking into account that the audited support is maintained in the programming period 2014–20, the Court recommends that:

— Member States should:

- (a) select the prevention actions based on explicit criteria aligned with the needs and after a thorough and documented evaluation process;
- (b) enhance the environmental protective impact of the support by prioritising the actions in the most environmentally valuable forests such as Natura 2000 forest areas;
- (c) ensure that only actions linked to natural disasters or fire are supported;
- (d) establish a control system which can ensure effective verification of compliance with the terms under which support is granted, and maintenance of appropriate documents or information;
- (e) pay greater attention to environmental considerations related to the actions supported, in particular by establishing appropriate safeguards to prevent environmental counter-effects;

- (f) ensure that the standard costs established for the actions supported are reasonable;
- (g) justify the ceiling for support — and any change to it — on the basis of the costs normally incurred by the beneficiaries;
- (h) require beneficiaries to clearly demonstrate their need for the support under measure 226;
- (i) report on the effects of the actions carried out in terms of reduction of the number of fires/or natural disasters and of the area damaged.

— The Commission should:

- (a) verify, during the approval of the Member States' RDPs concerning the period 2014–20, that the needs for preventive actions in the forest areas where public support is envisaged are adequately described and justified;
- (b) set out common basic criteria to differentiate forest areas to be classified as low, medium and high fire risk;
- (c) verify that the Member States have established an appropriate control system;
- (d) clarify requirements for the actions to be supported under measure 226 to ensure that they contribute significantly to the prevention of fire and natural disasters, in particular when they are part of a profitable economic activity and as such could also be financed under Axis 1;
- (e) improve its monitoring of the measure to ensure that the Member States implement it in line with the specific objectives set.

The protective function of forests

01

In the EU the total area of forests and other wooded land accounts for about 180 million hectares, which is about 42,4 % of the total EU land area and more than the land area used for agricultural purposes (about 174 million hectares)³. Forests are multifunctional, serving economic, social and environmental purposes. The socioeconomic importance of forests is high: wood production and processing contributes to rural development and provides millions of jobs, often in medium and small rural enterprises⁴.

02

For several decades, environmental forest functions have attracted increasing attention mainly in relation to the protection of biodiversity and, more recently, in the context of climate change. Forests play an important protective function⁵:

- (a) *Forests protect settlements and infrastructure.* Many mountain areas in Europe would be uninhabitable without forests that protect roads, railways, cultivated areas and even entire settlements from damage or destruction through landslides, mudflows, rock falls and avalanches.
- (b) *Forests protect soil.* Forest areas play an important role in preserving landscapes and soil fertility. Forests prevent soil erosion and desertification especially in mountainous or semi-arid areas, mostly by limiting run-off and lowering wind speed.
- (c) *Forests regulate freshwater supplies.* Forests play a major role in the storage, purification and release of water to surface water bodies and subsurface aquifers. Their purification role includes breaking down or absorbing most air pollutants carried by rain.
- (d) *Forests conserve biodiversity.* Forests are a key component of European nature and they are home to the largest number of vertebrates on the continent. Thousands of species of insects and invertebrates as well as many plants are also confined to forest habitats.
- (e) *Forests as sinks of carbon.* Forests are an essential link in the global carbon cycle because of their capacity to remove carbon dioxide (CO₂) from the atmosphere and to store it in their biomass and soil.

3 'Agriculture, forestry and fishery statistics', *Eurostat Pocketbooks*, 2013. Save as otherwise indicated, the term 'forest' is intended in this special report as referring also to other wooded areas.

4 COM(2013) 659 final of 20 September 2013 'A new EU forest strategy: for forests and the forest-based sector'.

5 COM(2010) 66 final of 1 March 2010 'Green Paper on forest protection and Information in the EU: preparing forests for climate change'.

Fire and natural disasters

03

European forests are threatened by fire, which is generally due to intentional or negligent human action, and by natural disasters including abiotic (windstorms, droughts, floods, avalanches, etc.) or biotic (pests, diseases) calamities.

Fire

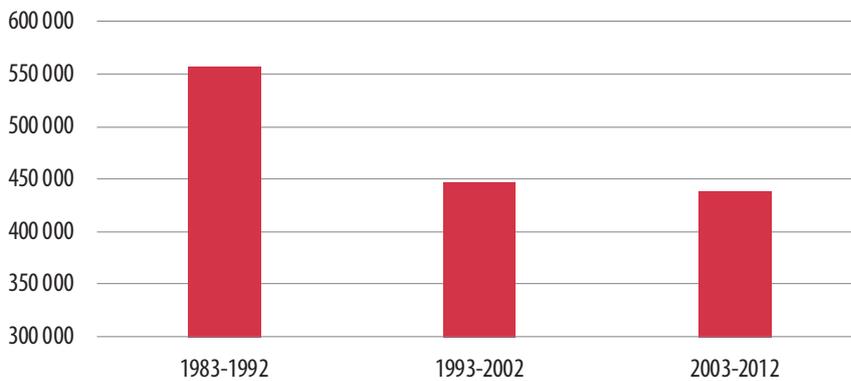
04

In the period 1983–2012 fires burned on average 480 000 ha⁶ of forest area in the EU every year. The average burnt area was significantly higher during the period 1983–92 than in the following decades, during which the improvement of forest fire fighting means in the Member States played an important role (see **Graph 1**)⁷.

- 6 EFFIS statistics on burnt areas for the period 1980–2012. The average value is based on information from 20 EU Member States. No information was available for Belgium, Denmark, Ireland, Luxembourg, Malta, the Netherlands or the United Kingdom.
- 7 Joint report of the JRC and the Directorate-General for the Environment, *Forest Fires in Europe, the Middle East and North Africa*, 2012. The statistical data reported covers 19 Member States. Data relate to the period 1980–2012 for southern Member States (Greece, Spain, France, Italy and Portugal). For all the rest (Bulgaria, Czech Republic, Germany, Estonia, Cyprus, Latvia, Hungary, Austria, Poland, Romania, Slovakia, Finland and Sweden), data are reported for the period 1990–2012.

Graph 1

Average burnt area (ha) per year from 1983 to 2012



Source: Joint report of the Joint Research Centre (JRC) and the Directorate-General for the Environment, *Forest Fires in Europe, the Middle East and North Africa*, 2012.

05

Over 95 % of these fires are caused by humans, either deliberately or by negligence (for example, fires associated with agricultural practices, such as straw or shrub burning, forest debris burning or pasture renewals, cigarettes). About 85 % of the total area burned by forest fires is located in the Mediterranean region and Portugal. Recent forest fires resulted in large burnt areas in Portugal in 2003 and 2005, in Greece in 2007 and in Spain in 2006. Seriously affected forests face a major challenge to recover pre-fire condition, in particular with regard to biodiversity. The environmental impact of forest fires is not limited to loss of biodiversity and damage to ecosystems. They also result in emissions of particles and gases (including CO₂) into the atmosphere, outflow of mineral nutrients, destruction of the organic layer of the soil and changes in the water infiltration rates in the soil, which make burnt areas prone to erosion, soil loss and landslides. Recurrent forest fires combined with droughts may also lead to desertification⁸.

Other types of disasters**06**

In the period from 1950 to 2009 wind storms were the most damaging causes in Europe. Storm losses exceeded 50 % of all abiotic types of forest-related damage⁹. The most destructive storms in the most recent period happened in 1999, 2005, 2007 and 2009. The storms of 1999 ('Lothar' and 'Martin') brought the most catastrophic damage to France and central Europe with nearly 200 million m³ of damaged wood.

In January 2005 the storm 'Gudrun' swept through southern Sweden and produced 66 million m³ of storm-damaged wood (roughly equivalent to the yearly timber harvest in Sweden). In January 2007, the storm 'Kyrill' caused extensive damage in central Europe, including a forest loss of 45 million m³ (of which 16 million m³ in Germany) of standing timber. In January 2009 the storm 'Klaus' levelled enormous areas of plantation forest in France (37 million m³, mainly maritime pine), Spain and Italy¹⁰. Besides the negative environmental impacts, there are social (deaths) and economic (depressed timber prices) consequences linked to releasing on to the market such huge quantities of damaged timber¹¹.

07

More frequent and severe droughts affect large areas of Europe, causing water scarcity and increased pressure on water resources. On the other hand, several major flood disasters occurred in Europe in the last few years. Such disasters also damage forests, although to a more limited extent than fire, storms and biotic agents like insects (e.g. bark beetles), diseases or wildlife and uncontrolled grazing¹².

- 8 EEA Report No 3/2008 'European forests — ecosystem conditions and sustainable use', p. 51.
- 9 COM(2010) 66 final, p. 12; EEA Technical Report No 13/2010 'Mapping the impacts of natural hazards and technological accidents in Europe', p. 25.
- 10 EEA Technical Report No 13/2010 'Mapping the impacts of natural hazards and technological accidents in Europe', pp. 33–40. EFI report from STORMS Workshop on 'Policies for forest storm damages mitigation and restoration', 1 July 2010, Brussels, p. 20.
- 11 COM(2010) 66 final, p. 12.
- 12 EEA Technical Report No 3/2008 'European forests — ecosystem conditions and sustainable use', pp. 53–4; in 2005 in Sweden around 2 900 000 hectares of damage, largely of young pines (*Pinus sylvestris*) caused by browsing moose (*Alces alces*) and in southern Italy almost 500 000 hectares of damage due to extensive grazing by livestock.
- 13 Council Regulation (EEC) No 3529/1986 of 17 November 1986 on protection of the Community's forests against fire (OJ L 326, 21.11.1986, p. 5) and Council Regulation (EEC) No 2158/92 of 23 July 1992 on protection of the Community's forests against fire (OJ L 217, 31.7.1992, p. 3).
- 14 Article 30 of Council Regulation (EC) No 1257/99 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations (OJ L 160, 26.6.1999, p. 80).

Introduction

The rural development policy: a key instrument for the protection of EU forests

08

The EU has a long history of contributing to forest protection, in particular with regard to fire prevention. In the period 1986 to 2002 EU forests benefited from specific regulations devoted to forest fire prevention¹³ and since 2000 forest protection has been included in the rural development (RD) policy¹⁴.

09

The RD policy for the programming period 2007–13 focused on three core objectives¹⁵ to be achieved by a series of measures grouped, for each objective, in a ‘thematic axis’ financially supported through the EAFRD¹⁶:

- (a) improving the competitiveness of the agricultural and forestry sector (Axis 1);
- (b) improving the environment and the countryside (Axis 2);
- (c) improving the quality of life in rural areas and encouraging diversification of the rural economy (Axis 3).

10

In the period 2007–13, one forestry-specific measure (measure 122: ‘Improvement of the economic value of forests’) was covered by Axis 1¹⁷ and various others by Axis 2¹⁸.

The RD support for restoring forestry potential and introducing preventive actions (measure 226)

11

In the period 2007–13 EAFRD support for restoring forest damaged by natural disasters and fire, as well as for introducing preventive actions, was available through measure 226 ‘Restoring forestry potential and introducing preventive actions’ under Axis 2. This measure has been included in 58 rural development programmes (RDPs) drawn up by 16 Member States¹⁹.

12

At the end of 2012 the total EAFRD support planned for actions under measure 226 was around 1,55 billion euro. EAFRD support covers a part of the total public support paid to beneficiaries by the national administration responsible. The EAFRD co-financing rate is set in each RDP. The total public support may cover up to 100 % of the eligible costs incurred by the beneficiaries of the measure.

15 Article 4 of Council Regulation (EC) No 1698/2005.

16 For the period 2014–20, the grouping of measures in axes has been abandoned. In this period each measure financed by the EAFRD will have to be programmed so as to contribute to the achievement of one or more of the following six ‘Union priorities’ (Article 5 of Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the EAFRD and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487)):

- (1) fostering knowledge transfer and innovation;
- (2) competitiveness of all types of agriculture and farm viability;
- (3) food chain organisation and risk management;
- (4) restoring, preserving and enhancing ecosystems;
- (5) resource efficiency and transition to a low-carbon and climate-resilient economy;
- (6) social inclusion, poverty reduction and economic development.

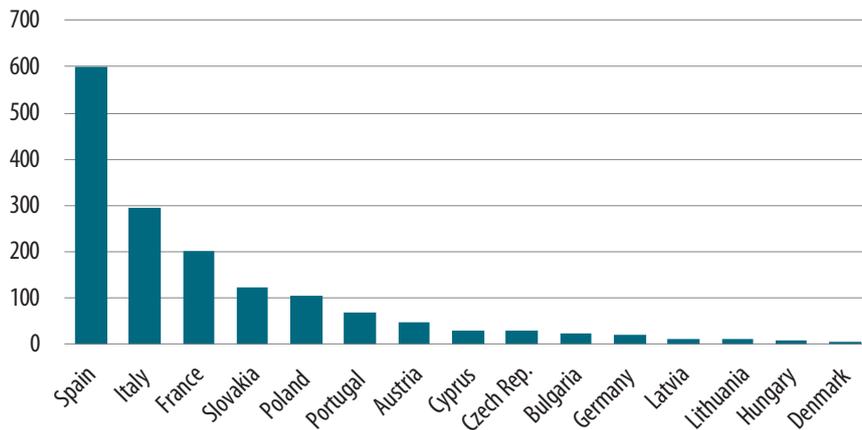
17 This measure is the subject of the European Court of Auditors Special Report No 8/2013 ‘Support for the improvement of the economic value of forests from the European Agricultural Fund for Rural Development’ (<http://eca.europa.eu>).

18 Forestry measures under Axis 2: 221 — First afforestation of agricultural land; 222 — First establishment of agroforestry systems on agricultural land; 223 — First afforestation of non-agricultural land; 224 — Natura 2000 payments; 225 — Forest environmental payments; 226 — Restoring forestry potential and introducing preventive actions; 227 — Non-productive investments.

19 Bulgaria, the Czech Republic, Denmark, Germany (5), Greece, Spain (17), France (3), Italy (20), Cyprus, Latvia, Lithuania, Hungary, Austria, Poland, Portugal (3) and Slovakia.

Graph 2

Planned EAFRD support under measure 226 for the period 2007–13 (million euro)



Source: European Commission.

20 Article 48 of Regulation (EC) No 1698/2005 and Article 33 of Regulation (EC) No 1974/2006.

13

EAFRD payments under the measure amounted to around 860 million euro as of 31 December 2012. Most of the support (80%) was for preventive actions, mainly fire prevention activities (see *Annex I* for details on the allocation of financial resources for measure 226).

14

Public financial support is available both for private and public forests, since for measure 226 the EU regulations do not exclude any ownership types. RD support for preventive

actions against fire may be granted only for forests classified by the Member States as high or medium forest fire risk according to their forest protection plans and may cover the establishment of protective infrastructures (e.g. forest paths, tracks, water supply points, cleared and felled areas and firebreaks), preventive forestry practices (e.g. vegetation control, thinning, diversification of vegetation structure) and setting up or improvement of fixed forest fire monitoring facilities²⁰. In the case of forest firebreaks, eligible costs may comprise, beyond the cost of establishment, subsequent maintenance costs for the area concerned.

15

For other preventive actions, as well as for actions aimed at restoring forestry potential in forests damaged by a natural disaster or fire, the EU regulations require that they should be disaster-related, which means linked to the occurrence or the risk of the occurrence of a natural disaster or fire, but do not define any specific eligibility conditions, such as a minimum level of risk.

16

The rural development support for 'restoring forestry potential and introducing preventive actions' is under shared management between the Commission and the Member States. Member States develop RDPs at national or regional levels. Once approved by the Commission, these programmes are implemented by the Member States. A 'common monitoring and evaluation framework' has been set up, based on common indicators, annual implementation reports by the Member States and different types of evaluations.

17

The main objective of the audit was to assess whether the EAFRD support measure for restoring forestry potential and introducing preventive actions has been well managed and whether the Commission and the Member States can demonstrate that the support achieved its intended objectives in a cost-effective way.

18

The audit focused on the following issues:

- (a) Has the support appropriately targeted the needs for prevention of natural disaster and fire risks?
- (b) Were the operations financed appropriate to achieve the objectives of the measure?
- (c) Were the operations financed cost-effective?
- (d) Are the monitoring tools adequate to assess the efficiency and effectiveness of the measure?

19

The audit covered both the Commission and selected Member States. At the level of the Commission the audit work covered the design of the measure and the Commission management activities, including the approval of the RDPs submitted by the Member States and the monitoring of the implementation of the measure. At the level of the Member States, the audit included visits to Austria, France (Aquitaine), Italy (Basilicata), Slovakia and Spain (Andalusia). These Member States together accounted for more than 85 % of the total declared expenditure for measure 226 as of 31 December 2012.

20

The audit work comprised a review of RDPs, national or regional legislation and administrative procedures as well as interviews with the responsible managing authorities in the Member States visited. In addition 68 operations supported under measure 226 were audited, 45 of them on the spot, to verify the effects of the different types of eligible actions carried out in the forest areas concerned (see **Annex II** for details).

PART I **Preventive actions were not sufficiently targeted**

21

Adequate targeting of the preventive actions²¹ requires that:

- the Commission has an overview of the natural disaster and fire risks when assessing the RDPs submitted by the Member States;
- the selection process at the Member State level is aligned with the needs identified in the RDPs;
- as a result, funding coincides with the areas of risk.

The Commission did not have a full overview of needs when approving the RDPs

No common definition of forests at fire risk

22

Until it expired in 2001, Council Regulation (EEC) No 2158/92 on the protection of the Community's forests against fire set criteria for classifying forest areas as low, medium or high fire risk. That regulation required the Member States to establish lists of areas classified by the degree of fire risk and to send them to the Commission for approval²². The Commission decision establishing the lists of the forest areas of high and medium fire risk in Greece, Spain, France, Italy and Portugal²³ has not been updated since 2001 and consequently Member States which entered the Union in 2004 and after were not part of this exercise.

23

After the expiration of the above-mentioned regulation, the provisions of Article 48 of Regulation (EC) No 1698/2005 stated that preventive actions against fires must relate to forests classified by the Member States as high or medium forest fire risk according to their forest protection plans²⁴.

24

In the absence of common criteria for assessing fire risks, Member States carry out their fire risk analysis based on their own methodology. As a result, the criteria used for the classification of forest areas as medium or high risk vary across the EU.

25

The European Forest Fire Information System (EFFIS) is a database set up by the Commission that contains information relevant to monitoring the occurrence and impact of forest fires at EU level²⁵. The data serves to produce an annual report on forest fires in Europe and neighbouring countries²⁶. It is however not used to assess the Member States' fire risk analyses when approving the RDPs. The Commission does not issue specific guidelines²⁷ on fire risk classification in order to promote best practices and ensure the comparability and reliability of Member States' fire risk analyses.

- 21 This part focuses on preventive actions for which adequate targeting is key for their effectiveness. They represent around 80 % of the financed actions.
- 22 As stated in Article 2(2) and 2(3) of Regulation (EEC) No 2158/92 only areas situated in Portugal, Spain and Greece, and in certain French and Italian regions where the permanent or cyclical risk of forest fire presents a serious threat to the ecological balance and the safety of persons and goods or constitutes a factor which is hastening the process of desertification of rural areas may be classified as areas of high risk. Areas other than those may be recognised as areas of high risk if the Member State submitted a substantiated request. Areas where the forest fire risk is not permanent or cyclical but presents a significant threat to forest ecosystems may be classified as areas of medium risk.
- 23 Commission Decision No 1619/1993 of 24 June 1993: At that time (EU-12), 60 million hectares of forests, equivalent to 42 % of the then total forest area, had been classified as fire-risk zones, mainly in the Mediterranean zone.
- 24 This requirement has not changed for the 2014–20 period (see Article 24(2), paragraph 3 of Regulation (EU) No 1305/2013).
- 25 Information about EU forests at risk of fire is elaborated on the basis of datasets in EFFIS such as meteorological fire danger, fire incidence, perimeters of burnt areas and datasets on fire events provided by the countries, which are completed by other ancillary information about the extent of forest resources such as JRC forest maps or the European Corine Land Cover Database. Up to 22 European countries provide data on a voluntary basis yearly as no EU regulation enforces this data provision after 2006 (after the expiration of the forest focus regulation ((EC) No 2152/2003).
- 26 Joint report of the JRC and the Directorate-General for the Environment, *Forest Fires in Europe, the Middle East and North Africa*, 2012.

26

The example of Slovakia illustrates the potential discrepancies that can be identified using the data available in EFFIS. According to the national system for the classification of forest areas according to risk of fire, 1,8 million out of the total 2 million ha of forest land is classified as medium or high fire risk area in the country. However, neither the historical forest fire figures nor the EFFIS database (see **Graph 3**) supports such a high percentage of medium and high fire risk areas in the country. The Slovak authorities did not provide the Court's auditors with their method for classification or the criteria used for the classification of forest areas under the various levels of fire risk.

The Commission does not have comprehensive information on other natural disasters affecting forests

27

The audit found that the Commission does not have comprehensive information on the historical evolution of the occurrence of natural disasters and catastrophic events (except for fires). No analysis is available to the Commission on the scale of the damage to forest areas caused by other abiotic (e.g. droughts, wind storms or avalanches) or biotic calamities (pest and diseases).

28

In its communication on 'A new EU forest strategy: for forests and the forest-based sector'²⁸ the Commission acknowledges as strategic orientations (a) the 'set-up of the Forest Information System of Europe by collecting harmonised Europe-wide information' and 'integrating diverse information systems (e.g. EFFIS) and data platforms ...', (b) the need to 'align EU forest information', (c) the need to 'improve, make comparable and share forest information and monitoring ...' and (d) the need to 'develop modules e.g. on forests and natural disturbances like fires and pests'.

29

The Commission does not have comprehensive information on the other types of natural disasters affecting forests and consequently does not have a full overview of the needs for disaster prevention when assessing plans for measure 226 proposed in the RDPs submitted by the Member States.

Deficiencies in the selection process at Member State level

30

Managing authorities should set priorities for acting in the most valuable forest areas (taking into account the multifunctional nature of forests, as described in paragraphs 1 and 2) for which potential significant risks have been previously identified. This should be reflected in the selection procedure.

27 In its conclusion on the prevention of forest fires within the European Union (3010th General Affairs Council meeting of 26 April 2010) the Council invited the Commission to 'include forest fires in the priorities to be addressed in the ongoing work on exchange of good practice and development of guidelines on risk assessment and mapping and guidelines on minimum standards for hazard-specific disaster prevention'. The Commission, in its Staff Working Paper on 'Risk assessment and mapping guidelines for disaster management' (21 December 2010), is not specific concerning fire and does not advocate any particular risk criteria, benchmarks or standards, underlines the existing gaps in the methodologies and explains that 'a catalogue of recommended methods and standards for risk assessments will be developed for a future version of these guidelines'.

28 COM(2013) 659 final.

Observations

Lack of effective selection procedures...

31

In Italy (Basilicata) the funds available to implement the measure were first shared out among associations of municipalities in proportion to the number of forest workers to be employed in the municipalities that made up each association. After the breakdown of the funds, the associations submitted projects and aid applications corresponding to the funds already allocated to each of them. The projects and aid applications then went through a formal selection and ranking process, but this had no practical effect because all the applications were accepted with a confirmation of the amounts of aid already assigned.

32

Furthermore, concerning the selection of the forest areas supported, there was no documentation setting out the reasons for the choices made or making reference to particular levels of risk or other technical priority objectives (for example: work planned with specific deadlines in a municipal forest management plan, the need to realise or complete operations already performed in other municipal forests).

33

In Spain (Andalusia) several selection criteria were defined for measure 226. A selection procedure was applied and documented in the case of competitive calls for investment proposals. In contrast, for actions directly promoted by the regional authorities, representing more than three quarters of the spending, criteria did not prioritise actions on the basis of a specific risk analysis nor was the selection procedure documented.

34

Austria has put in place a forestry assistance system. The area under the responsibility of a local district forestry office is divided among professional forest advisers, who are responsible for the direct contact with forest owners and managers. The advisers decide whether the forest managers' proposed forestry actions can be supported. This decision is not based on explicit selection criteria or on a written evaluation of the forestry action proposed (assessment of the technical specifications, importance, urgency, impact on environment etc.).

... or selection criteria not prioritising environmental needs

35

Acting in the most environmentally valuable EU forest areas such as Natura 2000 sites was not always given priority²⁹ (see **Box 1**). It is estimated that the Natura 2000 network of forest areas covers about 20 % of the total EU forest area³⁰. The aim of the Natura 2000 network of areas is to ensure the long-term survival of Europe's most valuable and threatened species and habitats³¹.

29 Except in Andalusia, in the case of the support allocated on the basis of competitive calls for investment proposals.

30 EEA Report No 5/2012 'Protected areas in Europe — an overview', pp.70-79. The terrestrial component of the Natura 2000 network (768 000 km²) — out of which 46 % is Natura 2000 forest area — covers approximately 17,9 % of the EU-27 land territory. Total forest area in the EU-27 is about 1,8 million km².

31 It is comprised of special areas of conservation (SAC) designated by Member States under the habitats directive, and also incorporates special protection areas (SPAs) which they designate under the birds directive. Natura 2000 is not a system of strict nature reserves where all human activities are excluded. While the network will certainly include nature reserves, most of the land is likely to continue to be privately owned and the emphasis will be on ensuring that future management is sustainable.

Prioritising environmental needs at Member State level

Although a significant percentage of the Slovak forests are classified as protected forests (including Natura 2000) which have a high environmental value, they were not prioritised during the selection process, limiting the potential environmental impact of measure 226.

In France (Aquitaine), restoring actions were designed to maximise the surface of forest supported after a storm, without prioritising forests of higher environmental value. Also, the regional rules made no allowance for the environmental aspects of removing wood and clearing and restoring damaged areas³². For example, they did not require ecological studies in sensitive areas at project level and did not forbid certain operations that affect soil protection such as the stripping of large swathes by bulldozer.

32 Compared to the Aquitaine region, the Lorraine region, which also funded investment for the restoration of forest crops damaged in the storm of 1999, drew up rules for taking into account environmental aspects.

Funding was not aligned with the identified risks and needs

36

Funding should be aligned with the identified risks and directed to the areas which are most in need.

In Slovakia and Austria, funding did not match the identified risks ...

37

In Slovakia, the allocation of financial support under measure 226 was not in line with the main potential forest-damaging factors. For example, although wind-related calamities were the most significant factor in forest damage in the country (80 %), followed by snow (12 %) and drought with heat stroke (7 %)³³, the highest proportion

of public support under measure 226 was used for forest fire prevention actions (61 %), mainly to finance the construction and maintenance of forest roads which were primarily used for the exploitation of the forests without justifying the particular link to fire prevention.

38

In Austria, despite the existence of detailed forest management plans and hazard zone plans, the ongoing assessment of the forest protection risk performed by the Austrian authorities has played a limited role in targeting aid. There was no clear correlation between the basic forest risk and budget spending. For instance, the Bundesland Salzburg, whose 376 000 ha of forest rank on the very low to medium risk scale, was allocated slightly more funds than Kärnten, whose 584 000 ha of forest rank medium to very high.

33 According to the 2012 annual report on the occurrence of harmful agents in forests and the prognosis for the next year issued by the Slovak National Forest Centre.

... while in Italy (Basilicata) and Spain (Andalusia), funding went mainly to the public owned forests to support labour-intensive activities

39

The audit found a disproportionately high allocation of support to certain public bodies (regional or municipal authorities) for operations in publicly owned forests and also a concentration of funds in costly labour-intensive activities.

40

In Italy (Basilicata), measure 226 was applied exclusively to municipally owned forests, which constitute only 30 % of the total forest area of the region. The fact that a forest area is municipally owned does not imply that the area in question is at a greater risk of fire. In fact, in 2012, the forest area affected by fire in Basilicata had increased by 93 % as compared to 2011, and by 231 % as compared to the 2009–11 period. These fires had mostly taken place in areas of privately owned forests. The limitation of the support to municipal forests was due to the intention to ensure employment for the forest workers recruited every year for seasonal work in municipally owned forests (see paragraph 31).

41

In Spain (Andalusia), while more than 70 % of forests are in private hands, the expenditure under the measure for public forest areas was about three times more than for private ones. Neither the RDP nor the *ex ante* evaluation provided information that would have justified the unequal distribution of financial resources, whereas the explanation given by the Spanish authorities about the lack of profitability of the private forest sector indicates a need for public support.

42

Furthermore in the same region, in the case of the competitive calls for investment proposals in 2008, the public support granted under measure 226 for clearing of bushes and shrub-covered areas represented six times more financial resources than the total amount used in the region for other specific actions financed for fire prevention such as the creation and maintenance of firebreaks, or the creation and maintenance of water points. While the clearing of bushes and shrub-covered areas has a positive effect in coping with fire spread, they are costly labour-intensive activities. The Spanish authorities recognised that clearance and thinning had been used in many areas where controlled burns would have been economically and ecologically advisable. They justified their choice by the lack of skilled personnel and the existence of legal (detailed administrative burn orders are required) and social obstacles, but they plan to develop the use of controlled burns in the near future.

PART II
Actions were found which were not appropriate to achieve the objectives of the measure

By their nature, actions audited generally contributed to the objectives of measure 226, however ...

43

Support under measure 226 had to be granted only for restoring forestry potential in forests damaged by natural disasters and fire and for introducing preventive actions. Due to their nature (firebreaks, thinning, clearing etc.) many of the co-financed actions reviewed during the audit generally contributed to the objectives of the support. Some projects were particularly relevant because of their high protective nature (see **Box 2**).

... support was granted for some forestry actions not linked to natural disasters

Pest and disease management

44

Restoration and preventive actions under measure 226 should be disaster-related, meaning that they should be linked to the occurrence or the risk of a natural disaster. Damage caused by insect/pests or diseases as such is not considered as natural disaster³⁴. For that reason, actions related to normal pest management should not be eligible for funding unless the outbreak is a consequence of a natural disaster. In Spain (Andalusia) and Slovakia, preventive actions related to pest management were supported under measure 226, even though they were not linked to any natural disaster. They were considered eligible as there was already a pest outbreak in the area. However, the limited scale of the outbreak did not justify the existence of a risk of natural disaster.

34 DG Agriculture and Rural Development report of March 2009 on implementation of forestry measures under Regulation (EC) No 1698/2005: '... Nevertheless, actions related to pest management can be considered eligible under this measure, if linked to a natural disaster e.g. windfall, floods or forest fires'.

Box 2

An example of good practice (projects of high environmental value)

In Austria several projects were financed to prevent avalanches in forests under protection status by performing horizontal felling of trees, which also significantly contributes to protecting water springs that feed into nearby municipal water systems.

Observations

Actions transferred from other measures

45

In Austria all actions initially launched under measures 224, 'Natura 2000 payments', and 225, 'Forest-environment payments', were actually financed under measure 226. However, measures 224 and 225 concern actions aimed at maintaining and improving environmental functions of forest areas and stands not linked to disaster prevention, whilst measure 226 only provides for disaster-related support. Similarly, some planting projects, initially submitted under measure 122 intended for 'improving the economic value of forest', were later approved under measure 226, without a clear indication of their links to any natural disasters.

Increase of the number of tree species

46

Support under measure 226 in Andalusia included actions aimed at maintaining and improving the ecosystems of wooded areas by increasing the number of tree species in a particular zone where there was no deterioration or loss of tree cover as a consequence of natural disaster or fire. Therefore, in Andalusia, the primary objective of those actions was not related to the objective of measure 226.

Infrastructure built long after the occurrence of the natural disaster

47

Wet timber storage is a technique that helps maintain the quality of the wood after felling and thus optimises the sale price. Stacking timber facilities were supported in Austria to prevent bark beetle outbreaks in pine tree areas affected by the occurrence of natural disasters (wind storms). The audit found that such facilities, which were built long after the occurrence of the disaster, were actually used to stock beech wood, which is only marginally affected by bark beetles.

Key eligibility requirements for some types of operations implemented could not be verified

48

Article 4(1) of Regulation (EU) No 65/2011 provides that, as a general principle of control, Member States shall establish a control system that ensures that all necessary checks are carried out for effective verification of compliance with the terms under which support is granted. Article 33(2) of the same regulation provides that a sufficient audit trail shall be maintained.

49

The Court audit found the systemic weaknesses set out in **Box 3**. Because of those weaknesses, it was not possible to verify compliance with the terms under which the support was granted due to a lack of documentation or information supporting key eligibility requirements.

Support was granted for forest roads where the particular benefit for fire prevention was not demonstrated ...

50

Measure 226 supported the construction and maintenance of forest roads and tracks in France (Aquitaine), Austria, Slovakia and Spain (Andalusia) which were used for extracting wood and other forest products (cork barks) from productive private forests (see **Box 4**).

51

The creation and maintenance of forest roads used mainly for the extraction of wood and other forest products is not the purpose of measure 226. For these operations the EAFRD provides appropriate support under Axis I (measures 122 and 125) which aims to improve the competitiveness of the forestry sector. While forest roads are necessary to fight fires, measure 226 should avoid supporting projects which are mainly motivated by economic objectives, without having a particular benefit for fire prevention. Several audited projects (5 out of the 8 audited involving roads in privately owned forests) did not include a justification of benefits in relation to the fire prevention objectives, so as to ensure an effective contribution of the support to environmental objectives.

Box 3

Examples of insufficient information or documentation related to the granting of support under measure 226

In Aquitaine (France), an important eligibility criterion to be verified for all aid applications was the compliance with the minimum damage threshold fixed by the regional authorities (minimum 40 %). The audit revealed that there was no administrative information system to identify the forest stands affected by the 1999 wind storms and the level of damage. As a result it was not possible to verify the accuracy of the applicants' declarations.

In Slovakia, the documentation in the files of the public procurement process was incomplete as only the winning bid was kept in the beneficiary file, but not the losing bids. This results in a loss of evidence on the effective evaluation of the bids.

Box 4

Example of the economic use of forest roads supported by measure 226 (Aquitaine, France)



52

In Austria, for instance, a project concerned the construction of a forest road, giving access to 25 ha of forests. The main purpose of the project was to open up the forest for wood extraction by its owners. Arguments put forth in the project files include the mobilisation of unused forest reserves, increasing the profitability of timber mobilisation and supplying local sawmills.

... and there could be negative environmental side-effects without adequate consideration of local conditions

53

The conditions for supporting the creation and maintenance of forest roads under measure 226 should be

made clear, so as to ensure an effective contribution of the support to environmental objectives. The EU regulations did not define any minimum requirements, such as limitation of access, a density not jeopardising the safeguard of ecosystems or compulsory certification of projects by local fire services, to ensure adequate protection of the environment. According to the 'Feasibility study on means of combating forest dieback in the European Union', a technical report prepared for DG Environment (December 2007), 'road construction may contribute to forest protection, or may do the opposite ... Networks of forest roads provide access to forest fires and therefore help forest fire fighting. In contradiction forest roads can lead to an increased fragmentation of forests, de-stabilising ecosystem functions and therefore leading to an increased vulnerability of forests'.

54

In Slovakia, for forest roads covered by the operations financed under measure 226, the RDP approved by the Commission provided for an optimum density of 20–25 m/ha. The audit found that a disproportionately high density of forest roads was actually supported, which may have a negative impact on the ecological status of the forests concerned. For example, one private beneficiary applied in 2008 for four projects related to the creation of new forest roads in its forest holding³⁵. Before the infrastructural investment, the length of forest roads in its forest holding was marginal. As a result of the investment, approximately 40 km of new forest roads were constructed resulting in forest road density of 36 m/ha, which is higher than the optimum density of 20–25 m/ha indicated in the RDP. Another beneficiary built 3 619 m of forest roads in its forest holding of 24,96 ha, achieving a forest road density of 145 m/ha, which is very high compared either to the Slovak average (approximately 10,6 m/ha) or to the optimum density of 20–25 m/ha indicated in the RDP.

PART III

The cost-effectiveness of the actions financed was not adequately ensured

The reasonableness of costs was not always demonstrated

55

Article 24(2)(d) of Commission Regulation (EU) No 65/2011 implementing Regulation (EC) No 1698/2005 as regards control procedures provides that administrative checks on applications for support shall include verification of the reasonableness of the costs submitted, which should be evaluated using a suitable evaluation system, such as reference costs, a comparison of different offers or an evaluation committee.

56

Deficiencies in the procedures put in place in Austria, Slovakia and Italy (Basilicata) affected the reasonableness of the costs of the actions supported (see **Box 5**).

35 The total forest is classified as high fire risk area.

Examples of insufficient justification of the standard costs

Example 1

In Austria, the type of interventions and their ceilings (fixed upper limits or lump sums per ha or tree) were defined every year. However, there was no justification or apparent logic for the establishment of certain ceilings which were significantly modified from one year to another:

Afforestation after natural disasters

In Kärnten, the ceiling for afforestation of deciduous forest (> 75 % broadleaves) was initially fixed at 1 800 euro/ha in 2008, while from 2009 it increased to 2 500 euro/ha. In 2010 the support for afforestation was up to 6 000 euro/ha.

Thinning

Also in Kärnten, there was an increase of the ceiling for thinning from 300 euro/ha in 2008 to 400 euro/ha in 2009 and in the case of lump sum payments concerning protection of forests from 420 euro/ha to 560 euro/ha.

In Niederösterreich, the public support for thinning was 350 euro/ha from 2007 to 2009. In 2010 it was increased to a maximum amount of 750 euro/ha (if supported by invoices) or 500 euro/ha in case of lump sum payments. Both of these amounts were again reduced to 350 euro/ha as from 2011.

Example 2

The standard costs set out in the Basilicata region were significantly higher than in other neighbouring Italian regions for the same or similar preventive actions as illustrated below.

Manual clearing work

The standard cost of manual clearing work for creating 1,2 metre-wide paths in Basilicata was 7,81 euro per metre; while the standard cost of a comparable activity — creation of 'a 1 metre-wide path in any type of terrain' — in the Puglia region was only 3,58 euro per metre.

Restoration of service paths

Regarding restoration of service paths, the standard working time was 35 minutes per metre and the standard cost was 6,89 euro per metre in Basilicata. For a similar activity in the Puglia region, the standard working time was 9 minutes (including 3 minutes with a strimmer) and the standard cost was 2,15 euro per metre. A similar activity was performed in the Campania region at a cost of 2,77 euro per metre.

57

In the Basilicata region the activities could have been carried out more economically and efficiently by making greater use of machines (as in other regions) rather than manpower. Because of the more extensive use of manual labour, in various cases the standard costs set out in the Basilicata region are much higher than in other regions for the same or similar activities (see **Box 6**).

58

In Slovakia all projects are subject to public procurement rules which should ensure the efficiency in the use of public funds. The auditors noted that there was no evaluation of the reasonableness of any of the investment costs claimed by the beneficiaries even though the projects were financed 100 % from public funds. The only formal check was to verify that the threshold established in the public procurement process was not exceeded by the expenditure claimed by the applicant.

Box 6

Example of an activity that is costly due to the use of manual labour

Maintenance of forest roads

The total cost for maintaining 7 253,82 metres of forest road in Basilicata amounted to 337 665,32 euro³⁶ at a standard cost of 46,55 euro per metre.

For a similar forest road with the same length in Tuscany the maintenance work performed using both manual and mechanical means would cost only 37 828,67 euro as the standard cost in that region is 5,21 euro per metre.

³⁶ 46,55 euro per metre.

59

In Andalusia, some actions, representing around 13,5 % of the total contractual price for the performance of forestry works in a project concerning public forests, had not been carried out. On the other hand, some other actions had been carried out by the contractor at a much higher price than that planned in the technical project. As the total approved cost of the project had not been exceeded, the beneficiary had not been required to justify either the non-execution of certain actions or the increased cost of others.

60

In France, for certain restoration and maintenance interventions, beneficiaries are required to submit only one offer with their application. Presenting several offers would contribute to ensuring that the most economically advantageous offer is selected.

Specific situations presenting a risk of excessive public support

61

Giving support in cases where the need of the beneficiary is not clearly demonstrated (deadweight) undermines the efficiency of the support.

62

In Austria projects already completed were financed under the measure. The national implementing regulation entered into force in the beginning of 2008 and consequently the first award decisions were only issued in April 2008. However, potential beneficiaries were allowed and encouraged to submit applications for support from January 2007 and to execute the projects at their own risk. In total, 3 671 support claims were submitted in 2007 out of which at least 444 projects were completed before the date of the award decision. Regarding the applications submitted from 2008 onwards, at least 147 projects were executed prior to the grant approval, even though the implementing regulation in force since 2008 stated that the project-related costs for projects under measure 226 are only eligible as from the date of the support decision. In these situations, the beneficiaries' initial decisions to carry out the projects without the aid called into question their need to receive public support.

63

In Slovakia two beneficiaries audited, receiving support for the construction of forest roads, confirmed during the on-the-spot audit visit that they would have carried out the actions even without the public funding.

64

In Spain predominantly agricultural land (pastures with trees, shrub pasture and grazing land), which had been declared as 'eligible hectares' for the purpose of activating payment entitlements³⁷ and identified as such in the Spanish land parcel identification system, was also eligible for the purpose of granting forestry support under measure 226. Some beneficiaries received support for clearing of shrub and bushes under measure 226, as a preventive action against fire, while they were already required to maintain their parcel as agricultural land in good agricultural and environmental condition (i.e. clear from shrubs and bushes).

37 Article 34 of Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (OJ L 30, 31.1.2009, p. 16) lays down that support is granted upon activation of a payment entitlement per eligible hectare. An 'eligible hectare' is defined in the same article as any 'agricultural area of the holding ... or, where the area is used as well for non-agricultural activities, predominantly used for agricultural activities'.

PART IV
Monitoring tools do not allow the Commission and the Member States to adequately assess the efficiency and effectiveness of the measure

65

Assessing whether measure 226 has been effective requires the use of appropriate monitoring and evaluation tools, enabling the identification of necessary improvements to maximise the impact of the EU support.

The monitoring tools available

66

For the period 2007–13, a ‘common monitoring and evaluation framework’ was drawn up in cooperation between the Commission and the Member States. The progress, efficiency and effectiveness of the implementation of the RDPs in relation to their objectives is measured by means of indicators relating to the baseline situation, financial execution, outputs, results and impact of the programmes³⁸.

67

The Commission issued guidelines setting the following common output indicators related to the implementation of measure 226: (a) number of preventive/restoration actions; (b) supported areas of damaged forest; and (c) total volume of investments. In addition to these output indicators, the following result indicator was defined in the CMEF for measure 226: area under successful land management contributing to the improvement of biodiversity water and soil quality, and to mitigating climate change.’

Insufficient indicators to measure the achievement of objectives

68

Although most of the actions financed are of a preventive nature, the output indicator set for such actions (number of preventive actions) was insufficient. The output indicator defined as ‘supported areas of damaged forest’ only refers to forest actually damaged by disasters, so this indicator is relevant only for the restoration actions.

69

As regards the result indicator relating to the improvement of biodiversity, water and soil quality and the mitigation of climate change, the audit found that none of the visited managing authorities were able to attribute the result of each action to one or the other aspect of the indicator and, in fact, some reported the same total area as the result achieved for each aspect of the indicator.

³⁸ Articles 80 and 81 of Regulation (EC) No 1698/2005.

70

The result indicator set for the new programming period 2014–20³⁹ (number of agricultural holdings participating in risk management schemes) does not represent an improvement to evaluate the effectiveness of the support so the weaknesses identified are likely to persist.

Limited usefulness of the mid-term evaluations

71

The rural development programmes are evaluated as to their preparation, implementation and completion (*ex ante*, mid-term and *ex post* evaluations). Whilst the *ex ante* evaluation aims at optimising the allocation of budgetary resources and improving programming quality, the mid-term and *ex post* evaluations examine the degree of utilisation of resources, the effectiveness and efficiency of the programming of the EAFRD, its socio-economic impact and its impact on the Union priorities. Regarding measure 226, the four evaluation questions defined in the CMEF for the period 2007–13 relate to the extent to which the supported actions have contributed to: (a) restoring forestry potential (damaged forests); (b) maintenance of forests (preventive actions); (c) increasing the sustainable management of forestry land; and (d) improving the environment.

72

The audit found that, with regard to measure 226, the information obtained from the mid-term evaluations was disparate and incomplete. For example, for Basilicata and Aquitaine the evaluators did not provide answers to any of the questions, in contrast with Andalusia. However, although all questions were answered for Andalusia, the replies were not always useful to assess the progress of implementation because the same figures (number of operations and number of ha) were provided both for the questions relating to the maintenance of forests and the sustainable management of forestry land.

The effectiveness of the prevention actions has not been adequately measured

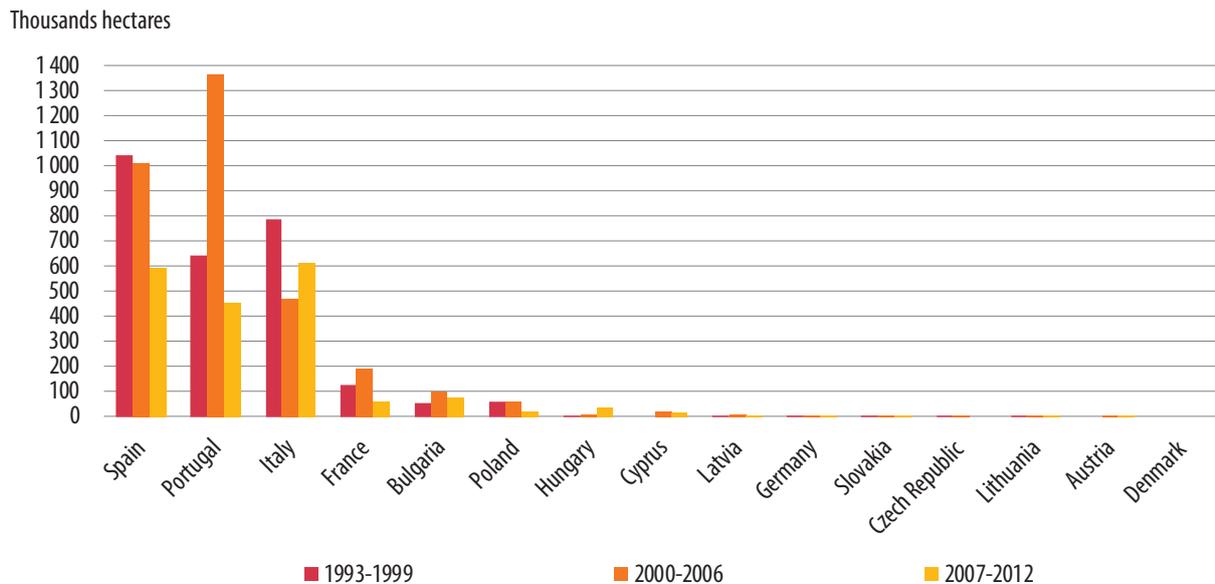
73

Fire damage is concentrated in a few Member States in the Mediterranean region. Statistics at EU level show a moderate decrease in total area burnt in recent years (see paragraph 4). However the trend at Member State level is not the same (see **Graph 3**).

³⁹ Commission Implementing Regulation (EU) 808/2014 of 17 July 2014 laying down rules for the application of Regulation (EU) No 1305/2013 of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 227, 31.7.2014, p. 18).

Graph 3

Hectares of forest burnt in countries with measure 226 support



Source: EFFIS.

74

Most of the EAFRD support under measure 226 aimed at introducing preventive actions, particularly for forest fire prevention (see **Annex I**). Although 80 % of the EU funds are used for financing preventive operations, the effectiveness of such operations is not measured. Accordingly, the Commission has no statistics to confirm the effectiveness of the fire prevention actions implemented by the Member States under measure 226 and has not requested any geographical information on the areas where the activities supported have been implemented.

75

In the period 2007–13 the EU support under RD measure 226 aimed at restoring forestry potential in forests damaged by natural disasters and fire, and introducing appropriate preventive actions. Most of the support (80 %) was for preventive actions, mainly against fire. The Court has examined whether the support has been well managed and whether the Commission and the Member States can demonstrate that the support achieved its intended objectives in a cost-effective way. A sample of 68 actions was audited, 45 of them on the spot with the final beneficiary.

76

The Court concludes that the support was not sufficiently well managed and that the Commission and the Member States cannot demonstrate that the intended results were achieved in a cost-effective way.

77

With particular regard to the fact that such a support is available in the current programming period 2014–20⁴⁰, the Court makes the recommendations set out below:

Preventive actions were not sufficiently targeted

78

The Court noted that while measure 226 targets forests at medium to high risk of fire, there is no common EU definition or criteria to identify them. Selection procedures in the Member States were deficient in different respects, lacking explicit selection criteria or an effective evaluation of proposed actions or neglecting some areas of risk. The environmental objectives were insufficiently prioritised at the selection stage and sometimes overlooked during the implementation (see paragraphs 21 to 42).

Recommendation 1

The Member States should:

- Select the prevention actions based on explicit criteria aligned with the needs and after a thorough and documented evaluation process.
- Enhance the environmental protective impact of the support by prioritising the actions in the environmentally most valuable forests such as Natura 2000 forest areas.

The Commission should:

- Verify, during the approval of the Member States' RDPs concerning the period 2014–2020, that the needs for preventive actions in the forest areas where public support is envisaged are adequately described and justified.
- Set out common basic criteria to differentiate forest areas to be classified as low, medium and high fire risk.

40 Article 24 of Regulation (EU) No 1305/2013.

Conclusions and recommendations

Actions were found which were not appropriate to achieve the objectives of the measure

79

Even though, due to their nature (fire-breaks, thinning, clearing, etc.), many of the co-financed actions reviewed generally contributed to the objectives of the support, the Court found cases not related to natural disasters or fire, but motivated by other economic or environmental objectives. For some types of the implemented operations key eligibility requirements could not be verified due to lack of documentation. The Court also found cases of forest roads used for the economic exploitation of the forests where the particular benefit for fire prevention was not demonstrated. The high density of the roads constructed could also have negative environmental effects (see paragraphs 43 to 54).

Recommendation 2

The Member States should:

- Ensure that only actions linked to natural disasters or fire are supported and
- Establish a control system which can ensure effective verification of compliance with the terms under which support is granted, and maintenance of appropriate documents or information.

- Pay greater attention to environmental considerations related to the actions supported, in particular by establishing appropriate safeguards to prevent environmental counter-effects.

The Commission should:

- Verify that the Member States have established such a system.
- Clarify requirements for the actions to be supported under measure 226 to ensure that they contribute significantly to the prevention of fire and natural disasters, in particular when they are part of a profitable economic activity and as such could also be financed under Axis 1.

The cost-effectiveness of the actions financed was not adequately ensured

80

Regarding the costs of the actions supported, the Court found cases where the ceiling of public support was frequently modified without justification, where standard costs in a region were significantly higher than in another for similar actions and where manual work was prioritised rather than using machines, resulting in higher costs. There were also situations presenting risks of excessive public support when already completed projects were selected, where beneficiaries were able to finance operations on their own and where support went to agricultural parcels (see paragraphs 55 to 64).

Conclusions and recommendations

Recommendation 3

The Member States should:

- Ensure that the standard costs established for the actions supported are reasonable.
- Justify the ceiling for support — and any change to it — on the basis of the costs normally incurred by the beneficiaries.
- Require beneficiaries to clearly demonstrate their need for the support under measure 226.

Monitoring tools do not allow the Commission and the Member States to adequately assess the efficiency and effectiveness of the measure

81

In particular, the performance indicators established in the CMEF were insufficient and the evaluations available were of limited usefulness. It was not possible to draw conclusions on the

effectiveness of the preventive actions because it had not been measured (see paragraphs 65 to 74). The weaknesses identified are likely to persist in the period 2014–20 since the new proposed monitoring tools have not improved the monitoring framework for this specific support.

Recommendation 4

The Members States should:

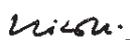
- Report on the effects of the actions carried out in terms of reduction of the number of fires/ or natural disasters and of the area damaged.

The Commission should:

- Improve its monitoring of the measure to ensure that the Member States implement it in line with the specific objectives set.

This Report was adopted by Chamber I, headed by Mrs Rasa BUDBERGYTĖ, Member of the Court of Auditors, in Luxembourg at its meeting of 17 December 2014.

For the Court of Auditors



Vítor Manuel da SILVA CALDEIRA
President

Allocations of financial resources for measure 226

(euro)

Member States	Public expenditure planned in the period 2007–13 (first RDPs)		Financial execution Public expenditure as of 31.12.2012		Number of actions supported		Financial execution EAFRD (for NEW applications in 2007–13 programming period)		
	EAFRD contribution measure 226	Total public expenditure measure 226	EAFRD payments	Total public payments	Prevention	Restoration	Prevention — payments	Restoration — payments	Total EAFRD payments
Bulgaria	24 224	29 541	544	664	37	29	244	300	544
Czech Republic	22 379	28 017	11 068	13 835	47	264	3 189	7 879	11 068
Denmark	3 692	6 712	3 792	6 895	0	0	0	0	0
Germany	11 005	14 239	11 082	13 852	717	308	9 112	1 970	11 082
Greece	136 082	179 996	0	0	0	0	0	0	0
Spain	468 573	789 950	342 441	543 633	18 666	1 223	275 944	25 486	301 430
France	257 364	467 498	154 768	283 910	455	5 656	7 153	40 010	47 163
Italy	233 655	431 691	143 722	252 069	1 716	261	131 141	9 725	140 866
Cyprus	2 250	4 500	1 336	2 671	86	30	962	373	1 336
Latvia	12 974	16 218	1 676	2 104	13	248	1 091	584	1 675
Lithuania	12 000	15 000	8 510	10 637	28	167	6 215	2 295	8 510
Hungary	8 251	10 736	1 084	1 392	0	4 105	0	1 084	1 084
Austria	40 934	81 932	40 959	83 018	12 683	3 842	28 866	8 180	37 046
Poland	112 000	140 000	31 121	38 901	74	169	19 424	5 158	24 582
Portugal	119 313	146 077	19 012	21 502	237	70	14 684	4 328	19 012
Slovakia	88 281	111 354	89 844	113 396	179	186	57 104	32 740	89 844
TOTAL	1 552 977	2 473 463	860 958	1 388 480	34 938	16 558	555 129	140 113	695 242

List of operations reviewed

Member State	Operation Number	Nature of operation	Type of intervention	Total public expenditure (euro)	Total EAFRD contribution (euro)	On-the-spot visit
ES	1	Prevention	Firebreaks, fire plan	4 464,30	3 348,23	Yes
ES	2	Prevention	Thinning, lane maintenance	641 768,30	482 437,85	Yes
ES	3	Restoration	Clearing, reforestation	13 013,61	9 782,18	Yes
ES	4	Restoration	Clearing, thinning	499 443,40	374 582,55	Yes
ES	5	Restoration	Thinning, lane maintenance	951 688,65	713 766,49	Yes
ES	6	Prevention	Preventive actions	51 488,59	38 871,67	No
ES	7	Prevention and restoration	Thinning, clearing, forest track maintenance, densification	2 262 163,20	1 741 226,39	No
ES	8	Prevention and restoration	Thinning, clearing, reforestation, lane construction and maintenance	1 038 834,14	784 763,11	No
ES	9	Prevention	Thinning, clearing	1 750 955,95	1 313 216,96	No
ES	10	Restoration	Thinning, clearing	60 236,19	45 177,14	No
ES	11	Restoration	Clearing	209 115,15	165 631,35	No
ES	12	Prevention	Firebreak construction and maintenance	278,78	225,00	No
ES	13	Prevention	Firebreaks, fire plan	34 323,01	33 750,00	No
ES	14	Restoration	Forest road and lane maintenance	297 550,92	276 095,98	No
ES	15	Prevention and Restoration	Thinning, clearing and reforestation	1 712 450,99	1 314 688,73	No
FR	1	Risk prevention	Cleaning, restoration	5 368,00	9 760,00	No
FR	2	Risk prevention	Access	44 791,12	81 438,40	No
FR	3	Risk prevention	Infrastructure	140 768,62	255 942,96	Yes
FR	4	Damage restoration	Cleaning, restoration	113 979,04	207 234,62	Yes
FR	5	Damage restoration	Cleaning, restoration	178 750,88	325 001,60	Yes
FR	6	Damage restoration	Restoration	4 121,85	7 494,28	Yes
FR	7	Damage restoration	Cleaning, restoration	11 035,20	20 064,00	Yes
FR	8	Damage restoration	Cleaning, restoration	14 331,68	26 057,60	Yes
FR	9	Damage restoration	Cleaning	63 490,90	115 438,00	No
FR	10	Damage restoration	Cleaning, restoration	34 342,00	62 440,00	No
FR	11	Damage restoration	Cleaning, restoration	18 182,15	33 058,46	No

Member State	Operation Number	Nature of operation	Type of intervention	Total public expenditure (euro)	Total EAFRD contribution (euro)	On-the-spot visit
IT	1	Prevention	Firebreaks, tracks, clearing	1 192 999,59	685 974,76	Yes
IT	2	Prevention	Firebreaks, tracks	1 034 691,15	594 947,41	Yes
IT	3	Prevention	Firebreaks, tracks	1 042 459,99	599 414,50	Yes
IT	4	Prevention	Firebreaks, tracks, clearing	816 808,12	469 664,67	Yes
IT	5	Prevention	Firebreaks, tracks	407 399,34	234 254,62	Yes
IT	6	Prevention	Firebreaks, tracks	394 524,99	226 851,87	Yes
IT	7	Prevention	Firebreaks, tracks	405 571,49	233 203,61	Yes
IT	8	Prevention	Firebreaks, tracks, clearing	1 244 483,70	715 578,13	Yes
IT	9	Prevention	Firebreaks, tracks	625 927,12	359 908,09	Yes
IT	10	Prevention	Firebreaks, tracks, clearing	616 179,62	354 303,28	Yes
IT	11	Prevention	Firebreaks, tracks, clearing	1 378 702,24	792 753,79	Yes
IT	12	Prevention	Firebreaks, tracks	706 745,31	406 378,55	Yes
IT	13	Prevention	Firebreaks, tracks	1 002 850,95	576 639,30	Yes
IT	14	Prevention	Firebreaks, tracks	900 440,30	517 753,17	Yes
IT	15	Prevention	Firebreaks, tracks, clearing	998 533,36	574 156,68	Yes
IT	16	Prevention	Firebreaks, tracks, clearing	499 266,68	287 078,34	Yes
IT	17	Prevention	Firebreaks, tracks	608 695,65	350 000,00	Yes
IT	18	Prevention	Firebreaks, tracks, clearing	583 960,24	335 777,14	Yes
AT	1	Restoration	Clearing of forest after disaster	33 800,00	16 413,00	Yes
AT	2	Prevention	Thinning	5 840,00	3 041,00	Yes
AT	3	Restoration	Planting	9 001,00	4 371,00	Yes
AT	4	Natura 2000	Environmentally valuable trees	5 080,00	2 646,00	Yes
AT	5	Prevention	Horizontal felling, cable extraction	29 029,00	15 118,00	Yes
AT	6	Restoration	Cable extraction	17 058,00	8 283,00	Yes
AT	7	Restoration	Cable extraction	18 500,00	9 008,00	Yes
AT	8	Restoration	Cable extraction	115 883,00	56 273,00	Yes
AT	9	Prevention	Cable extraction, preparation, planting, thinning	123 698,00	61 994,00	Yes
AT	10	Prevention	Cable extraction, preparation, planting, thinning	98 538,00	48 250,00	Yes
AT	11	Prevention	Control of bark beetle	684 810,00	333 434,00	No
AT	12	Prevention	Forest road	142 415,00	69 342,00	No
AT	13	Prevention	Repair of protection forest, prevention of avalanches, cable extraction, planting, etc.	128 062,00	62 250,00	No

Member State	Operation Number	Nature of operation	Type of intervention	Total public expenditure (euro)	Total EAFRD contribution (euro)	On-the-spot visit
SK	1	Prevention	Infrastructure, forest road, water reservoir, monitoring	503 619,00	402 895,00	Yes
SK	2	Prevention	Infrastructure, forest road	404 885,00	222 687,00	Yes
SK	3	Prevention	Infrastructure, forest road, water reservoir	903 141,00	722 513,00	Yes
SK	4	Restoration	Aerial liming and fertilisation	633 904,00	507 123,00	Yes
SK	5	Restoration	Reforestation	204 132,00	163 305,00	Yes
SK	6	Prevention	Infrastructure, forest road	778 136,00	622 509,00	Yes
SK	7	Prevention	Infrastructure, forest road	79 689,00	63 751,00	No
SK	8	Prevention	Cleaning and maintenance of firefighting strip	371 433,00	297 146,00	No
SK	9	Prevention	Infrastructure, forest road; other curative measures	504 977,00	403 982,00	No
SK	10	Restoration	Reforestation, forest road	1 495 292,00	1 196 234,00	No
SK	11	Restoration	Reforestation	153 271,00	122 617,00	No

Executive summary

IV

The Commission considers that in general forest disaster prevention measures contributed to the objectives of the rural development programmes. Concrete results have been achieved and fewer occurrences of fire took place. Moreover, lessons have been learned which are applied in relation to the 2014–20 period, especially as regards the scope of the measure and improved guidance.

V

The rural development regulation¹ provides that preventive actions against fires should cover areas classified by Member States as high and medium fire risk according to their protection plans. These forest protection plans and the Member States' national or subnational forest programmes or equivalent instruments provided an appropriate base for targeting and prioritisation during selection.

The Commission analysed the situation of the forest sector including forest disaster prevention and monitoring aspects in the 2005 Commission Staff Working Document which formed an annex to the communication on the implementation of the EU forestry strategy.² The rural development regulation requested that forestry measures should contribute to the implementation of the Community forestry strategy. The abovementioned forestry strategy covers economic, environmental and social aspects of sustainable forest management.

1 Council Regulation (EC) No 1698/2005.

2 Commission Staff Working Document— Annex to the Communication on the implementation of the EU forestry strategy (COM(2005) 84 final) /* SEC/2005/0333 */ (http://ec.europa.eu/agriculture/forest/1998-strategy-2006-action-plan/sec-2005-333_en.pdf).

As regards the new programming period, the Commission analysed the situation of the forest sector in the 2013 Commission Staff Working Document which formed an annex to the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'A new EU forest strategy: for forests and the forest-based sector'.³

VI

As part of the sustainable forest management practices, forest roads (or other investments) built primarily for prevention purposes against fires can also be used for preventive actions against other risks as well as for restoration and remedy works, recreation or economic purposes. The creation of an appropriate network of forest roads not only contributes to better protection of forests against fire, but also to a sustainable economic valuation of forest resources in many regions. Often, these actions need to be done in order to avoid complete loss of socioeconomic interest of forest areas which may lead to their abandonment and ultimately to an increased fire risk.

As regards the new programming period, guidance fiches have been prepared in order to ensure that the Member States/regions use the measure correctly. Moreover, the Member States/regions will have to specify their needs and reasons better, if they wish to expand the density of their road systems.

3 COM(2013) 659 final: http://ec.europa.eu/agriculture/forest/strategy/index_en.htm

VII

Under the shared management, the Commission adopts the national or regional RDPs, while the implementation and ensuring of the cost effectiveness and efficiency of the support are under the responsibility of the Member States and their management authorities.

As regards the use of manual work instead of machinery, sometimes such choices can be linked to the characteristics of the terrain (orography, environmental aspects, etc.) and should be seen in a wider rural development context.

VIII

A careful balance needs to be made between the costs of the monitoring and evaluation and their potential benefits. Especially, in the case of measuring preventive actions it is difficult and hence expensive to establish the causality chain. Moreover, the effectiveness of particular forestry interventions can be assessed only after several years or even decades.

As regards the 2014–20 period, improvements have been introduced. For instance, a new 'area supported' indicator for preventive actions will be collected in the CMES. Moreover, in order to get valuable evaluation results, an enhanced annual implementation report is foreseen in 2019. In the framework of this report, an evaluation of the RDP will be carried out and first results on the efficiency of the RDP will be provided.

IX First indent (b)

The Commission considers that Natura 2000 forests represent high environmental values and produce important and various ecosystem services. Furthermore, several Natura 2000 provisions apply to all forests across the EU, both within and outside Natura 2000 sites and in this respect the role of forests outside Natura 2000 is also very relevant.

IX First indent (c)

The Commission considers that the new rural development regulation includes a revised measure concerning forest protection and restoration. The new measure can provide support for actions related to prevention and restoration of damage to forests from forest fires and natural disasters and catastrophic events and may also provide support for preventive actions concerning pests and diseases under the condition that the risk of a relevant disaster occurrence is supported by scientific evidence and acknowledged by scientific public organisations.

IX First indent (e)

A number of environmental safeguards are already available with regard to the supported actions. For example in Natura 2000 the protection regime under Article 6.2 and 6.3 of the habitats directive⁴ guarantees that any significant deterioration of those areas is being avoided. In other areas environmental impact assessments will also contribute to preventing environmental counter-effects. Finally, for all actions to be co-financed by EU funds, a certificate of good environmental practice or sustainable forest management could be required from the competent national authorities as a precondition for EU co-financing.

In the new programming period, the environmental performance of the beneficiaries is at the forefront of the implementation of the different measures.

IX First indent (f)

The Commission considers that, when standard costs are applied in the programmes, the Member States/regions shall ensure that the relevant calculations are adequate and accurate and established in advance in a fair, equitable and verifiable manner. An independent body should be designated to make the calculations for all the standard costs or to confirm the adequacy of the calculations.

⁴ Council Directive 92/43/EEC.

IX First indent (g)

A guidance document on controls and penalties in rural development is being prepared and discussed with the Member States. Annex I to this document contains a checklist for the Member States for the assessment of the reasonableness of the costs.

IX Second indent (a)

The Commission is currently implementing the recommendation.

The need for an appropriate description of the preventive actions is included in the needs analysis section in the strategy in the RDP for 2014–20 and in some cases also at the level of partnership agreements.

The Commission examines the submitted RDPs and checks the intervention logic and the need for prevention actions during the programme approval period and requests that preventive actions are based on the protection plan for the area concerned.

IX Second indent (b)

The Commission accepts the recommendation.

The Commission will examine with national authorities the possibility of the appropriate level of action in the field of common basic criteria to differentiate forest areas to be classified as low, medium and high fire risk.

IX Second indent (c)

The Commission is currently implementing the recommendation.

The Commission carries out conformity audits in the Member States to verify that the expenditure paid is in compliance with the rules. If during the audit weaknesses are found, financial corrections are applied.

The measures and the paying agencies to be audited are determined on the basis of a risk analysis. The financial importance plays a major role in the quantification of the exposure to risk. It means that an audit area with high expenditure is more likely to be highly ranked and audited. Measure 226 was audited in 2014 and will be audited in 2015.

IX Second indent (d)

The Commission is currently implementing this recommendation through the legal framework for RDPs and additional guidance.

The new measure covers a broader scale of risks and damages. For the period 2014–20 the relevant measure fiche as a guidance document includes detailed requirements and clarifications and as such may serve as a helping tool for the Member State for appropriate design of the measure.

The attention of the Member States/regions was drawn that in the event of uncertainties concerning the purpose of the actions, there are other measures specially targeted to increase the economic value of the forests.

IX Second indent (e)

The Commission accepts the recommendation.

Some adaptations have already been introduced: for instance, the 'area supported' indicator for preventive action will be collected in the 2014–20 CMES.

In order to get valuable evaluation results earlier, an enhanced annual implementation report will be introduced in 2019. This enhanced AIR will provide an assessment of programme results and, when possible, an assessment of impacts.

Introduction

01

The Commission considers that since forests are multifunctional and serve economic, social and environmental purposes by providing vital ecosystem services, their functions cannot be entirely separated. Therefore, forestry measures targeting primarily economic purposes may also serve social or environmental objectives. Primarily protective interventions may also have social, economic and other environmental benefits. The specific character of forestry processes should be considered during the design, management and control of forestry measures.

04

The decrease in the burnt area can be due to good implementation of the forest fire preventive systems facilitated by the measure.

The statistics might show that the burnt area is more or less at a stable level now, which does not mean that there is no increasing threat of forest fire and other calamities.

05

Forest fires also have an important socioeconomic impact, affecting livelihoods dependent on forests and creating distortions in the wood markets and causing casualties.

Observations

21 First bullet

The Commission considers that the ongoing work of the European Commission's Forest Fire Expert Group and the Standing Forestry Committee acting as a consultation and information platform with the Member States provides appropriate information to the Commission on forest fires and other calamities, including pests and diseases. Submitted RDPs include a chapter on the description of forests and the environmental situation and this information supports the assessment of the programme proposals.

In addition, the establishment of the Forest Disturbances module of the Forest Information System for Europe (FISE), following the recent communication on the EU forest strategy, will reinforce the overview of forest-related natural disasters.

21 Second bullet

The RDPs include a SWOT analysis which guides the Member States and regions to make strategic choices regarding the priorities, objectives and measures to be included in the programme and should also establish the baseline for monitoring and evaluation of the programme.

Common reply 22–24

There are significant biogeographical and climate-related differences in the Member States, from the Nordic Circle to the Indian Ocean (Réunion, France), and so the forest fire classification should reflect the characteristics of the region under fire risk.

Regulation No 2158/92 requested that this classification should be proposed by the Member States and approved by the Commission.

In the current EAFDR, Member States do not need to propose the designation of areas at different fire risk levels to the Commission. It is the competence of the Member States to designate such areas. All the new Member States are in the Expert Group on Forest Fires and cooperate in the activities of the EFFIS. Information on forest fires is thus available. These provisions indicate the common intention of the Commission and the Member States to keep the forest fire prevention measures targeted and coherent as far as possible, taking into account significant differences between the Member States' biogeographical conditions.

One of the objectives in the establishment of the European Forest Fire Information System is to have harmonised information on forest fires across Europe. This information is essential in activities of mutual collaboration on forest fire prevention and fighting.

25

The Commission services are aware of the general forest fire risk of a Member State or a region when analysing the RDPs.

The Commission has proposed a methodology for the assessment of forest fire risk in the context of the activities of the EFFIS. However, additional work is needed, in collaboration with the Member States, to derive a harmonised forest fire risk map of Europe.

26

The Commission has invited the Slovak authorities to substantially review the methodology of classification of forest areas at fire risk in the observation letter addressed during the negotiation of the RDP 2014–20. The Commission will closely examine with the Slovak authorities the establishment of the needs for the period 2014–20 taking into account the long-term data on the occurrence of fires and the proportionality of funding with prevention.

27

The Commission considers that it has comprehensive information on the historical evolution and the projected evolution of natural disasters and other catastrophic events, potential development of pests and diseases in the context of FISE and through studies (e.g. on forest adaptation to climate change⁵ or other studies on calamities⁶). However, that information is not yet harmonised across Member States. The Commission also follows the requests of Member States for activation of the European Solidarity Fund after major disasters and their requests for modification of the rural development programmes. Moreover, Member States regularly inform the Standing Forestry Committee about major extreme events.

28

The Commission is currently working on the establishment of the Forest Information System for Europe (FISE). A prototype of the system will be available and presented to the Standing Forestry Committee in December 2014.

29

The Commission considers that it has an appropriate level of knowledge on the types of natural disasters affecting forests and also on the needs for disaster prevention for the analysis of the RDPs through direct contacts with the Member States and regions, regular EU forest directors' meetings and the ongoing work of the Standing Forestry Committee and FISE.

30

Considering that there is no common definition of the 'most valuable forest areas', the Commission would support the establishment of some kind of 'priority action framework' for EU co-financing, similar to what already exists in all Member States for the financing of Natura 2000 by the different EU funds. Member States' priorities as formulated in that framework would then be reflected in the selection.

5 'Impacts of climate change on European forests and options for adaptation' (http://ec.europa.eu/agriculture/analysis/external/euro_forests/index_en.htm).

6 <http://ec.europa.eu/environment/forests/studies.htm>

Common reply to 31–33

One of the criteria fixed by the managing authority for the selection of the operations is the coherence with the regional forestry plan, and with other planning instruments for forests. This ensures a certain quality in the operations selected and priority is given to interventions in areas with a higher risk of forest fires.

Moreover, as regards forest fire prevention programmes supported by EU funds since 1992, Member States have considerable expertise in the prioritisation of projects.

At the regional/Member State level the forest protection plans contain the information on how to treat forest fires and other calamities. Information is also available at the administrative level of provinces (NUTS 3 level) on the location, size and cause of forest fires. In the new programming period, the Commission requested that in the rural development programmes the prevention and protection needs should be enforced by the forest protection plan.

34

Austria established a system for the selection of projects which was approved by the monitoring committee on 19 June 2014. The system is a three-step approach built on the eligibility conditions as described in the measures, additional national legal provisions and, if relevant, more detailed criteria. This new system should ensure a high level of quality of the operations selected for the 2014–20 programming period.

35

Member States have been establishing the priority action frameworks (PAFs) for the financing of their Natura 2000 networks since 2012. In the new financing period these PAFs will represent a most useful tool for prioritising actions in Natura 2000 sites. The Commission will make sure that the actions proposed for Natura 2000 sites in line with the respective Member States' PAFs, but also actions in other environmentally valuable areas such as for example national parks, will be given adequate priority.

The Commission considers that forests are multi-functional and environmental values should be seen in the right context. Therefore, the selection criteria developed by the programmes should also involve other aspects of sustainable forest management.

Furthermore, several Natura 2000 provisions apply to all forest across the EU, both within and outside Natura 2000 sites.

Box 1

The Slovak authorities have proposed to include environmental criteria among the selection criteria of sub-measures 8.3 and 8.4 (prevention and restoration of damages in forests) under the RDP 2014–20.

As regards specific interventions in France, they should be selected according to the local conditions. In the case of dry sandy soil with very limited organic content in the top layer, the utilisation of bulldozers could be considered appropriate and may provide a quick solution for the restoration of the damaged area. In certain areas, regarding their specific biogeographical conditions, an appropriate quick reaction is necessary for the prevention of proliferation of pests and diseases (which could have negative effects on non-damaged or protected forests), decreasing the forest fire risk and avoiding desertification should be a high priority.

37

Forest roads serving fire prevention objectives can also be used for other purposes. They play an important role in the restoration and prevention of negative effects of calamities. Furthermore building two types of roads, one for forest fire prevention and another one for other purposes, would lead to an ineffective and high-cost investment.

In Slovakia forest roads built for forest fire prevention in the framework of the rural development programmes were efficiently used for quick restoration actions after the current storms and windfalls. The improved access helped minimise the risk of further calamities (fires or pest outbreaks) and with the help of the proper access the soil disturbance was minimised, which saved the organic matter in the soil and was beneficial to the flora and the soil fauna.

There are no efficient mechanisms for protection of forests from calamities caused by wind or snow. Therefore, actions mainly focus on forest fire prevention. The prevention actions are never linked to the abiotic damages that have occurred, but rather to prevent them. Therefore, the proportion of public support for prevention actions against fire cannot be directly linked to the damage caused by fire.

See also the reply to paragraph 50.

38

The assessments of risks to forests are financed by EU and national funds. Austria attributes certain amounts (quotas) of EU funds to the different regions. The rest is financed by national funds.

Common reply to points 39–41

The budget for measure 226 is available for all types of forests, private and public. Although during the implementation of the programme public forests received higher financial support, this is neutralised in terms of hectares supported. According to the 2013 annual progress report for Andalusia, 78 % of the forest area supported was private.

The Commission considers that it is up to the Member States and management authorities to select the best projects taking into account their socioeconomic and geographical conditions and to justify the appropriateness of the calculation of the applied costs.

The support for labour-intensive activities can be linked to the characteristics of the terrain (orography, environmental aspects, etc.) and should be seen in a wider rural development context.

42

The Commission considers that burning, as a method of clearing areas, is a very risky operation. It is subject to very restrictive administrative conditions and is not socially accepted.

44

The Commission considers that due to the increased frequency and strength of heat waves and prolonged droughts ('primary cause'), which under certain conditions can also be declared as natural disasters, some programmes introduced actions against 'secondary damages': pests and diseases preventing a larger scale of proliferation of damages causing serious environmental and socioeconomic consequences. Therefore, it can be considered that interventions supported through rural development measures successfully contributed to the objective of the measure and the respective programmes.

45

The Commission realised that in the course of the programming period, Austria faced problems with implementation of measures 224 and 225. In spite of constant encouragement, these measures failed to be successfully implemented. For this reason Austria approved projects aiming at the prevention of forestry potential also under measure 226.

46

The Commission considers that, based on the available knowledge on forest–climate interaction, the diversification of forests and introduction of various tree species may improve the resilience of forests against many disasters and fire and may also improve climate change adaptability. These diversifications should be introduced before the disasters occur, based on expert opinions, forest protection plans and long-term forest or climate adaptation strategies.

47

Due to the fact that the increase of the frequency or strength of extreme meteorological events is foreseen by the IPCC report⁷, the Commission considers that this measure is appropriate to provide prompt responses to future calamities.

As regards beech wood, not only insects but also various fungi can damage the wood, causing significant value losses and spreading the risk of pests and disease to undamaged forests, which is detrimental to previously healthy ecosystems.

The specific case identified by the Court will be examined by the Commission.

⁷ https://www.ipcc.ch/pdf/special-reports/srex/SREX_FD_SPM_final.pdf

Box 3

The situation has been remedied. In Aquitaine satellite images are now used for tracking the damaged areas. Every damaged plot is checked by an expert who verifies the scale of the damage before requesting the compensation. The state services then process the applications and conduct on-the-spot checks based on sampling before providing the compensation.

The Slovak authorities admitted an administrative error and informed the Commission that the relevant internal procedures had already been updated.

50

Forest roads may serve multiple purposes: facilitate the access in case of forest fires, provide access for preventive operations against fires, as well as extract wood and other forest products.

The Commission is of the opinion that forest roads built for the purpose of fire prevention may also serve other purposes, provided that their original function is not hindered by an alternative use.

See also reply to paragraph 51.

51

The use of forest roads for economic purposes does not compromise their role in forest fire prevention. Thinning and the removal of biomass are an important part of forest fire prevention measures. The roads are also used for wood transportation as part of the necessary preventive activities. Altogether the multiple use of these roads increases the cost-efficiency of the investment.

52

The use of forest roads for economic purposes may not compromise their capacity to serve forest disaster prevention purposes.

53

The Commission considers that due to the fact that local forests, biogeographical, geological and ecological conditions vary significantly throughout the EU, setting up EU-level criteria concerning minimum requirements could be problematic. Such minimum requirements should be set at the most appropriate level.

Moreover, the creation of an appropriate network of forest roads will not only contribute to better protection of forests against fire, but also to a sustainable economic valuation of forest resources in many regions. This is often necessary to avoid the complete loss of socioeconomic interest in forest areas, which may lead to their abandonment and ultimately also to an increased fire risk.

54

The Commission considers that the density of forest roads could be higher or lower depending on the local biogeographical and geological conditions. Moreover, forest roads may serve several areas and holdings and it may happen that some sections of a forest road cover areas where there already is an appropriate level of road density. Within the 2014–20 RDPs, the Commission invited the Slovak authorities to include, as one of the selection criteria, the road density in the area.

Box 5

Floating aid rates were not excluded in the past programming period. However, they are not allowed in the new programming period.

Example 2

See reply to paragraph 57.

57

The support for labour-intensive activities can be linked to the characteristics of the terrain (orography, environmental aspects, etc.) and should be seen in a wider rural development context. The use of manpower could imply more eco-friendly methods and important socioeconomic benefits, which is also one of the objectives of rural development policy.

Box 6

Costs' levels may vary due to various eco-geographical and geological conditions as well as other factors. There might also be reasons that make it impossible to use machinery altogether or to use more expensive machinery due to e.g. the existence of slopes, difficult access, environmental rules, etc.

58

The Commission has invited the Slovak authorities to include a verification of the reasonableness of the costs within 2014–20 RDPs.

60

In some areas there is a limited number of service providers for some specific tasks.

61

The Commission considers that the managing authorities are the responsible bodies to ensure the efficiency of the support at the project level.

Deadweight as such should be prevented by ensuring that the investment takes place only after the application for support or the granting of the support. Otherwise, the assessment of the deadweight might become quite subjective and lead to unequal treatment among applicants.

62

For the 2014–20 period, in respect of investment projects, only expenditure which has been incurred after an application has been submitted by the beneficiary shall be eligible, according to Article 60(2) of Regulation No 1305/2013. Member States can even impose a later moment in time such as the grant decision.

63

The Commission is of the opinion that the reply of the beneficiary would have to be further investigated to clarify under what conditions and how effectively such an investment would have been made and whether the original objective could have been achieved at all without the support through this measure.

64

Within certain limits, an 'eligible hectare' for activating payment entitlements may contain some trees, shrubs or bushes.

The limitation of the excessive development of those trees, shrubs or bushes may reduce the risk of forest fires in the parcel in the surrounding forest zones.

Common reply to paragraphs 65–67

The Commission considers that due to the fact that natural processes in forests are complex and that measurable effects of certain interventions may occur only after several years or decades, forest disaster prevention measures should be seen in a wider context of rural development and in a long-term time horizon. The Member States' forest inventories, which could be repeated in 10 to 20 years, and other forest monitoring programmes may provide information on the changes. Forestry measures are designed and implemented based on information and experiences gained through long-lasting, 100–150-year-long forest management model experiences managed by Member States' forestry institutes and universities.

68

For the sake of proportionality, the 2007–13 CMEF included a set of common output indicators which ensure aggregation and comparison across RDPs and which are designed to be relevant in a significant majority of cases. To illustrate specificities, additional indicators can be used by Member States when appropriate.

The indicator 'area supported' for preventive action will be collected in the 2014–20 CMES. This will fill in the gap identified in the 2007–13 CMEF.

69

The observations demonstrate that, due to the complexity and an existing cross-connection of different actions, in many cases, it is not meaningful to break down the result indicators to a too detailed level. For this reason the Commission has chosen in the monitoring and evaluation framework for the 2014–20 programming period to assess the results at the focus area level.

70

This indicator is one of the elements of the evaluation system. The new evaluation system should be considered globally.

71

The Commission has acknowledged that in the context of the RDPs the mid-term evaluation had limited added value. Hence the requirement of doing a mid-term evaluation has been abolished for the programming period 2014–20.

72

See replies to paragraphs 69 and 71.

73

Although the average burnt area in the EU is not increasing, often yearly fire damages are concentrated in very few countries. These countries vary from year to year (e.g. Portugal and Spain in 2003, Portugal in 2005, Italy and Greece in 2007 and Spain in 2012). Each year, extreme fire danger due to local hot and dry weather coupled with strong winds may occur in specific regions. Specific countries may thus face in given years extreme fire activity, driven by predominant meteorological fire danger conditions in areas of the Mediterranean basin or elsewhere in Europe.

At a Member State level, the observed differences in trends are often due to extreme fire danger conditions occurred at given years within the time series examined, as it is evident when analysing the data on a yearly basis against meteorological fire danger indicators.⁸

74

The Commission considers that there is a significant experience in relation to the nature of preventive measures including knowledge on their efficiency and effectiveness per programme area. A number of forest disaster prevention projects and programmes have been supported by EU funds and several studies and research projects have been conducted during the last 20 years.

⁸ San-Miguel-Ayaz, J., Moreno, J. M. and Camia, A., 'Analysis of large fires in European Mediterranean landscapes: Lessons learned and perspectives', *Forest Ecology and Management*, 294, 2013, pp. 11–22.

Conclusions and recommendations

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The Commission considers that in general forest disaster prevention measures successfully contributed to the objectives of the rural development programmes. Concrete results have been achieved and fewer occurrences of fire took place. Moreover, lessons have been learned which are applied in relation to the 2014–20 period, especially as regards the scope of the measure and improved guidance.

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The rural development regulation⁹ provides that preventive actions against fires should cover areas classified by Member States as high and medium fire risk according to their protection plans. These forest protection plans and the Member States' national or sub-national forest programmes or equivalent instruments provided an appropriate base for targeting and prioritisation during selection.

The Commission analysed the situation of the forest sector including forest disaster prevention and monitoring aspects in the 2005 Commission Staff Working Document which formed an annex to the communication on the implementation of the EU forestry strategy. The rural development regulation requested that forestry measures should contribute to the implementation of the Community forestry strategy. The abovementioned forestry strategy covers economic, environmental and social aspects of sustainable forest management.

⁹ Council Regulation (EC) No 1698/2005.

As regards the new programming period, the Commission analysed the situation of the forest sector in the 2013 Commission Staff Working Document, which formed an annex to the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'A new EU forest strategy: for forests and the forest-based sector.'¹⁰

Recommendation 1 — The Member States should — Second indent

The Commission considers that Natura 2000 forests represent high environmental values and produce important and various ecosystem services. Furthermore, several Natura 2000 provisions apply to all forests across the EU, both within and outside Natura 2000 sites, and in this respect the role of forests outside Natura 2000 is also very relevant.

Recommendation 1 — The Commission should — First indent

The Commission is currently implementing the recommendation.

The need for an appropriate description of the preventive actions is included in the needs analysis section in the strategy in the RDP for 2014–20 and in some cases also at the level of partnership agreements.

The Commission examines the submitted RDPs and checks the intervention logic and the need for prevention actions during the programme approval period and requests that preventive actions are based on the protection plan of the area concerned.

¹⁰ COM(2013) 659 final: http://ec.europa.eu/agriculture/forest/strategy/index_en.htm

Recommendation 1 — The Commission should — Second indent

The Commission accepts the recommendation.

The Commission will examine with national competent authorities the possibility of the appropriate level of action in the field of common basic criteria to differentiate forest areas to be classified as low, medium and high fire risk.

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As part of the sustainable forest management practices, forest roads (or other investments) built primarily for prevention purposes against fires can also be used for preventive actions against other risks as well as for restoration and remedy works, recreation or economic purposes. The creation of an appropriate network of forest roads not only contributes to a better protection of forests against fire, but also to making a sustainable economic valuation of forest resources in many regions. Often, these actions need to be done in order to avoid complete loss of socioeconomic interest of forest areas which may lead to their abandonment and ultimately to an increased fire risk.

As regards the new programming period, guidance fiches have been prepared in order to ensure that the Member States/regions use the measure correctly. Moreover, the Member States/regions will have to specify their needs and reasons better, if they wish to expand the density of their road systems.

Recommendation 2 — The Member States should — First indent

The Commission considers that the new rural development regulation includes a revised measure concerning forest protection and restoration. The new measure can provide support for actions related to prevention and restoration of damage to forests from forest fires and natural disasters and catastrophic events and may also provide support for preventive actions concerning pests and diseases under the condition that the risk of a relevant disaster occurrence is supported by scientific evidence and acknowledged by scientific public organisations.

Recommendation 2 — The Member States should — Third indent

It is the Commission's opinion that a number of environmental safeguards are already available with regard to the supported actions. For example in Natura 2000 the protection regime under Article 6.2 and 6.3 of the habitats directive guarantees that any significant deterioration of those areas is being avoided. In other areas environmental impact assessments will also contribute to preventing environmental counter-effects. Finally, for all actions to be co-financed by EU funds, a certificate of good environmental practice or sustainable forest management could be required from the competent national authorities as a precondition for EU co-financing.

In the new programming period, the environmental performance of the beneficiaries is at the forefront of the implementation of the different measures.

Recommendation 2 — The Commission should — First indent

The Commission is currently implementing the recommendation.

The Commission carries out conformity audits in the Member States to verify that the expenditure paid is in compliance with the rules. If during the audit weaknesses are found, financial corrections are applied.

The measures and the paying agencies to be audited are determined on the basis of a risk analysis. The financial importance plays a major role in the quantification of the exposure to risk. That means that an audit area with high expenditure is more likely to be highly ranked and audited. Measure 226 was audited in 2014 and will be audited in 2015.

Recommendation 2 — The Commission should — Second indent

The Commission is currently implementing this recommendation through the legal framework for RDPs and additional guidance.

The new measure covers a broader scale of risks and damages. For the period 2014–20, the relevant measure fiche as a guidance document includes detailed requirements and clarifications and as such may serve as a helping tool for the Member State for appropriate design of the measure.

The attention of the Member States/regions was drawn that in the event of uncertainties concerning the purpose of the actions, there are other measures specially targeted to increase the economic value of the forests.

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Under the shared management, the Commission adopts the national or regional RDPs, while the implementation and ensuring of the cost effectiveness and efficiency of the support are under the responsibility of the Member States and their management authorities.

As regards the use of manual work instead of machinery, sometimes such choices can be linked to the characteristics of the terrain (orography, environmental aspects, etc.) and should be seen in a wider rural development context.

Recommendation 3 — The Member States should — First indent

The Commission considers that, when standard costs are applied in the programmes, the Member States/regions shall ensure that the relevant calculations are adequate and accurate and established in advance in a fair, equitable and verifiable manner. An independent body should be designated to make the calculations for all the standard costs or to confirm the adequacy of the calculations.

Recommendation 3 — The Member States should — Second indent

A guidance document on controls and penalties in rural development is being prepared and discussed with the Member States. Annex I to this document contains a checklist for the Member States for the assessment of the reasonableness of the costs.

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A careful balance needs to be made between the costs of the monitoring and evaluation and their potential benefits. Especially, in the case of measuring preventive actions it is difficult to establish the causality chain. Moreover, the effectiveness of particular forestry interventions can be assessed only after several years or even decades.

As regards the period 2014–20, improvements have been introduced. For instance, a new 'area supported' indicator for preventive actions will be collected in the CMES. Moreover, in order to get valuable evaluation results, an enhanced annual implementation report is foreseen in 2019. In the framework of this report, an evaluation of the RDP will be carried out and the first results on the efficiency of the RDP will be provided.

Recommendation 4 — The Commission should

The Commission accepts the recommendation.

Some adaptations have already been introduced: for instance, the 'area supported' indicator for preventive action will be collected in the 2014–20 CMES. This will fill the gap identified in the 2007–13 CMEF.

In order to get valuable evaluation results earlier, an enhanced annual implementation report will be introduced in 2019. This enhanced AIR will provide an assessment of programme results and, when possible, an assessment of impacts.

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In the 2007–13 programming period, the European Agricultural Fund for Rural Development (EAFRD) provided support for restoring forestry potential in forests damaged by natural disasters and fire, as well as for preventive actions. The Court's audit concludes that the support was not sufficiently well managed and that the Commission and the Member States cannot demonstrate that the intended results were achieved in a cost-effective way. Preventive actions were not sufficiently targeted. The audit found actions which were not appropriate to achieve the objectives of the measure. The cost-effectiveness of the actions financed was not adequately ensured. Finally, the monitoring tools in place did not allow the Commission and the Member States to adequately assess the efficiency and effectiveness of the measure.



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