

Note from environmental NGOs to JNCC regarding the Quinquennial Review

By email, 22 July 2021

Dear Gemma,

Thank you for meeting on 7 July to discuss the Seventh Quinquennial Review.

In the meeting, we emphasised our support for listing critically endangered species, but expressed our concern that:

- (1) a very rigid application of the stated criteria could lead to recommendations that set back nature recovery efforts;
- (2) the review should be alert to the risk of species 'likely to become so endangered' if not protected, and should retain species protections where they are benefiting from the protections currently provided;
- (3) a narrow interpretation of "direct human pressures" that excluded issues such as land-use change would close off important safeguards against environmental harm (counter to our international commitments in the Bern Convention); and
- (4) the re-examination of every species listed in Annex 2 could be very burdensome and disproportionate at a time when charitable resources are stretched, especially in light of major gaps in evidence.

We asked for reassurance that JNCC's approach would reflect the new ambition and urgency for nature's recovery and ensure that all species are afforded the protection they need.

We went on to discuss the importance of Section 22(4) of the Wildlife and Countryside Act 1981 as a broad legal basis for including species on the Schedules, and the desirability of JNCC advice extending to assist the relevant authorities in the purpose of complying with our international obligations. This was discussed in particular in relation to the aims set out in the Bern Convention, to which the WCA was the UK response, and the international commitments set under the Convention on Biological Diversity.

We were grateful for your explanation that, in aiming for greater consistency, and an evidence-based approach, JNCC would nevertheless be precautionary in its application of the guidelines. In particular, we were pleased to hear:

- (1) JNCC's acknowledgement of the unambiguous evidence base that biodiversity in the UK and around the world is in crisis, and your intention to offer advice that reflects the urgency of that crisis;
- (2) that JNCC will take a precautionary approach in offering its advice, aiming to bend the curve of biodiversity loss, continue to protect species that are benefiting from protection, and avoid a risky interpretation of the new guidelines, in relation to removing protection for species currently listed on the Schedules that are classed as Near Threatened or of Least Concern;

- (3) that JNCC is committed to an open and collaborative approach in developing its advice to the Secretary of State—which was welcome and evident in your approach to this meeting.

We remain of the view that a narrow application of the criteria set out in the Information Pack would not be fit for purpose for this or for future reviews; that the precautionary principle should be clearly applied; and that, as suggested by paragraph 2.7 of the information pack, the onus of evidence should be to demonstrate that a species no longer meets the Eligibility or Decision Criteria, that there would be no deterioration in status, and that benefits received from being on the schedule are no longer needed before any species are considered for removal from the schedules.

We look forward to further conversations with you in the months ahead and would be glad to set up regular meetings for the duration of the process, bringing together Wildlife and Countryside Link members with the wider eNGO sector. We trust that flexibility will be given in your QQR timetable to ensure that we are able to work together most effectively on these essential matters and are not constrained in coming to a good solution by rigid timelines.

Thank you again for your positive and engaging approach to this important discussion.