

Impact of the legal introduction of the concept of ecosystem services on the legal framework for the protection of wild species

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Introduction

- ecosystem services, i.e. "services rendered by humans"
- increasingly attractive for dealing legally with biodiversity
 - Two logic in interaction : « species » and ecosystem services »
 - Two main ecological currents : biological conservation and functional ecology

The main question

- The notion of service can be complementary to the legal protection of protected species as well as detrimental to the protection of species, either by updating a distinction between useful and unnecessary, or by being likely to compete with legal protection mechanisms previously reserved for species.

I The list of species concerned

- complete the list of species eligible for protection
- the prospects for wider coverage of the species concerned may be tainted by an anthropocentric vision

A- Prospects for an extended list of species making up the diversity of living organisms

- endangered, vulnerable, rare or endemic species, which requires particular attention under Article 1g of the 1992 Habitats Directive
- many species do not have these criteria of rarity or extinction threats but common, abundant...ordinary
- integral part of biological diversity

B- A perspective tainted by the antropocentric nature of ecosystem services

- Useful species
- convention of 19 March 1902 on birds for agricultural
- Invasive alien species (regl. 1143/2014)
- What about the the diversity of life ?
- What about the fragmentation of biological diverty ?
- What about of a pluralistic approach ?

II- Species protection areas

- territory supporting protected species and that supporting ecosystem services differs.
- "Habitat" means the place or type of site where an organism or population naturally occurs. (art. 2 CBD).
- "Ecosystem" means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit. (art. 2 CBD).

A- Superposition of the "habitats" and "ecosystem" logics: the example of the Ramsar Convention

- fundamental ecological functions and habitats supporting a characteristic flora and fauna, especially waterfowl
- The concept of « wise use of wetlands ».

B- A competition between ecocentric and antropocentric interests

- 2013 Communication entitled "Green Infrastructure - Strengthening Europe's Natural Capital",
- GI : a network of natural and semi-natural areas and other environmental elements strategically planned, designed and managed for the production of a wide range of ecosystem services
- nature-based solutions

Many Thanks

