Nature Restoration Law

Protected natural sites: a constraint or an opportunity for mountain value chains?

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5 October 2023

MOVING EU MAP webinar

Institute for European Environmental Policy

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- ✓ Based in Brussels, with **45 years of experience** in advancing sustainability policies in Europe
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- ✓ Focusing on **all areas of the European Green Deal**, as well as global challenges and Sustainable Development Goals (SDGs)
- ✓ Organised around **6 policy programmes** and 1 horizontal programme

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- ✓ **High-level participants**
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EU Green Deal, Biodiversity Strategy 2030 and Proposal for a Nature Restoration Law: how are they linked

Biodiversity Strategy 2030 published by the European Commission in 2020.

- Create a coherent Trans-European Nature network, with a minimum of 30% of land and 30% sea protected,
- Restoration of ecosystems
- Achieve an ambitious global biodiversity agenda.

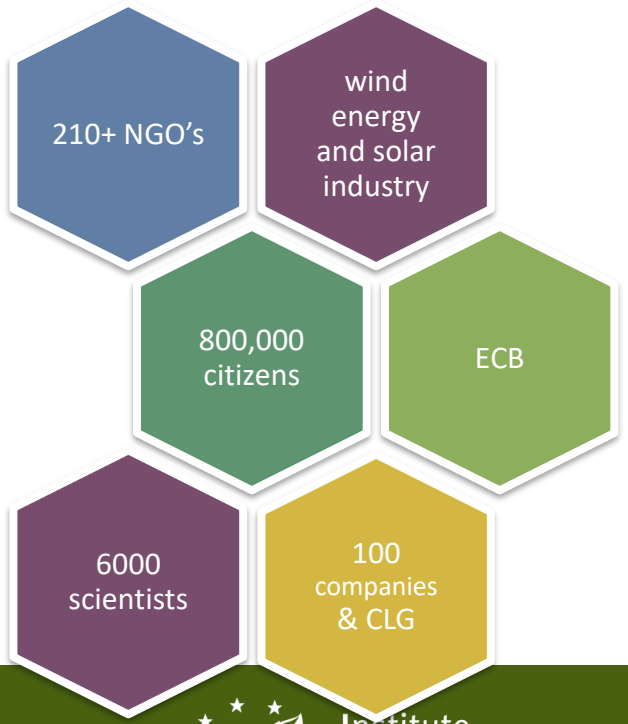
EU Green Deal, Biodiversity Strategy 2030 and Proposal for a Nature Restoration Law: how are they linked

Proposal for a **Nature Restoration Law**

from the Commission to the Parliament and the Council of ministers of the EU,

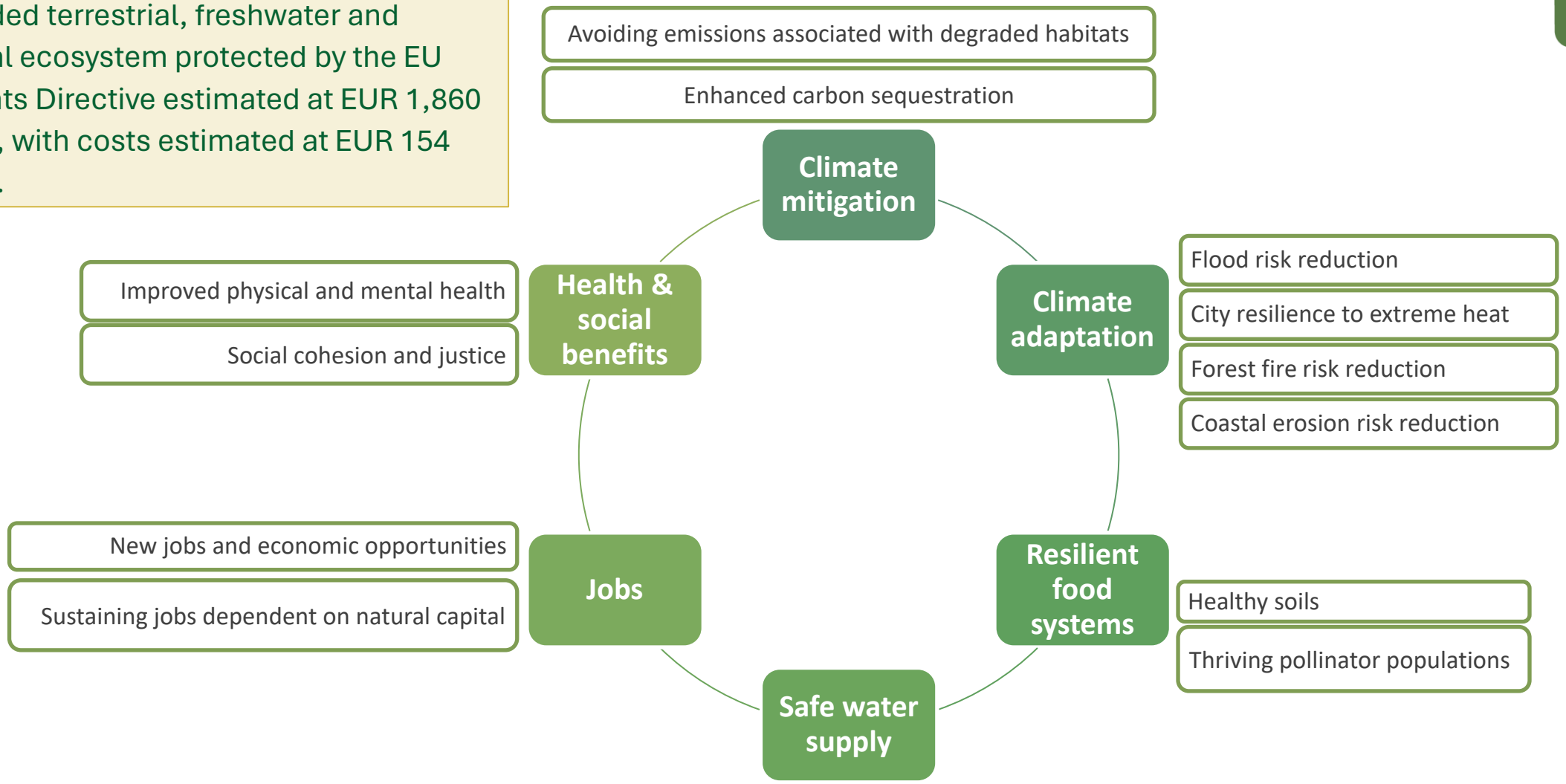
- legally binding EU targets to restore nature by 2030 and 2050
- as set out in the Biodiversity Strategy.

A regulation, once adopted, is directly applicable in all EU Member States and can be enforced through the courts.



Benefits of nature restoration

Overall benefits (to 2070) of restoring degraded terrestrial, freshwater and coastal ecosystem protected by the EU Habitats Directive estimated at EUR 1,860 billion, with costs estimated at EUR 154 billion.

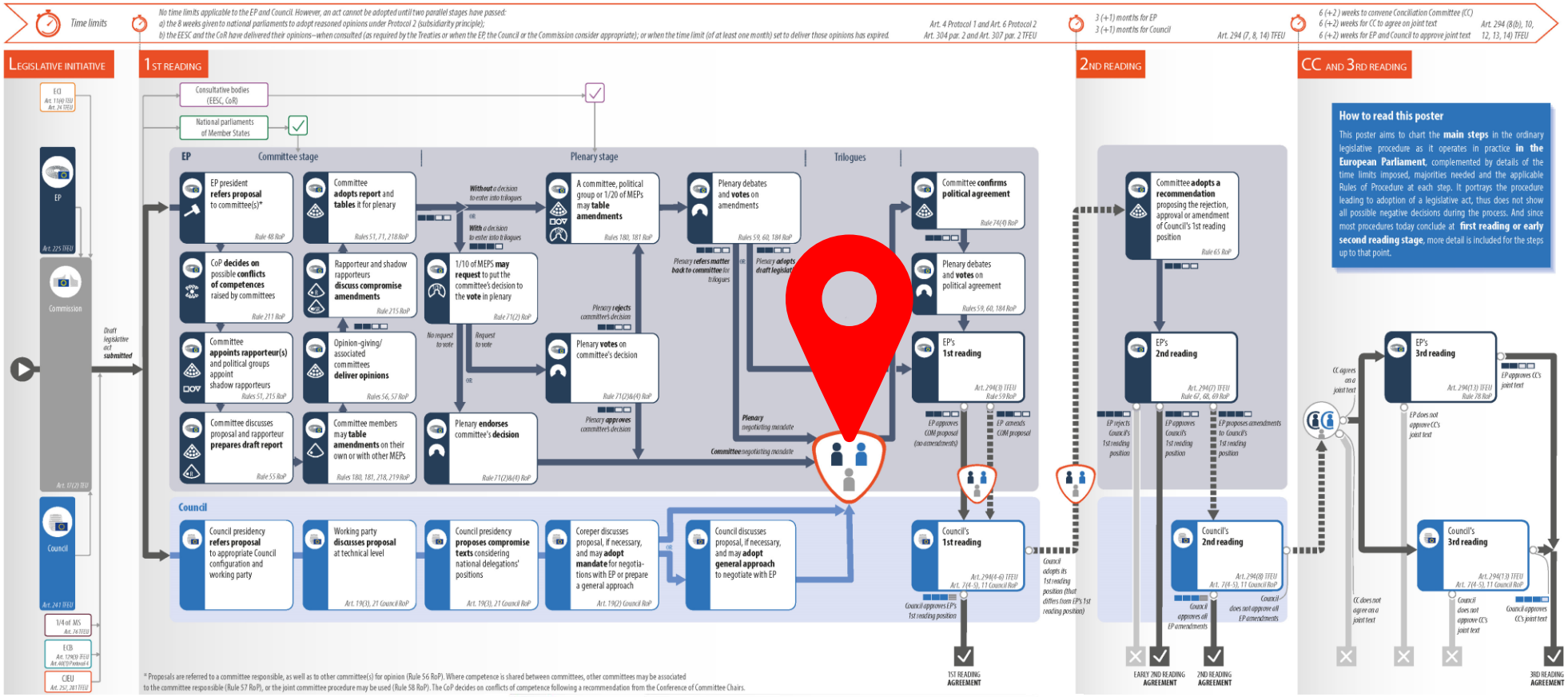


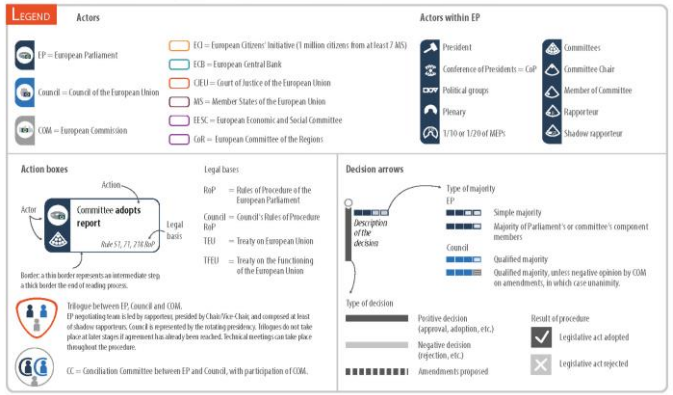
EU Green Deal, Biodiversity Strategy 2030 and Proposal for a Nature Restoration Law: how are they linked

- On July 12th 2023, the Commission's proposal (from June 2022) was **adopted**
  - but with several **amended** points,
  - relate to the **scope** of the regulation, the level of **ambition** of the restoration **targets and timing**.

- the Spanish Presidency ready to engage in trilogue negotiations.

ORDINARY LEGISLATIVE PROCEDURE (OLP) IN THE EUROPEAN PARLIAMENT





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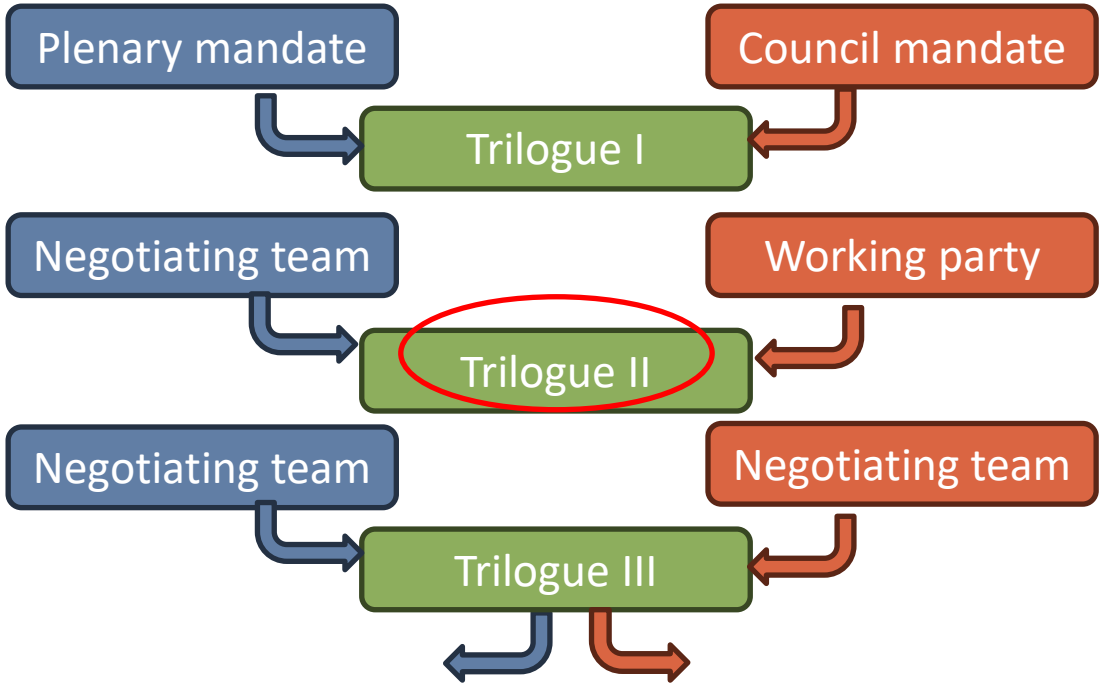
Proposal for a Nature Restoration Law: Next steps

The first trilogue session just a week after the Parliament vote



- 16 Oct: Env Council
- 16 Nov: Trilogue III (tbc, aimed at)

- Early dec: Envi committee EP vote (tbc)
- Mid dec: COREPER I (tbc)

- End 2023: end of Spanish representation and a finalised NRL?

Some observations and priorities

The final regulation will be **less ambitious** than the Commission's original proposal and will focus more on Natura 2000 areas.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 44a				
54a		*(44a) With artificial light increasing, light pollution has become a pertinent issue. Its sources include building exterior and interior lighting, advertising, commercial properties, offices, factories, streetlights and illuminated sporting venues. Light pollution is a driver of insect declines. Many insects are drawn*		
Recital 71a				
81a		*(71a) To ensure the implementation of this Regulation, adequate private and public investments for nature restoration measures are essential. Therefore, the Commission should, by 12 months from its*	**(71a) To ensure the implementation of this Regulation, adequate private and public investments for nature restoration measures are essential. Therefore, the Commission should, by 12**	

Key articles in the Commission's NRL proposal relevant to mountain areas

- Article 4: Annex I habitat targets
- Article 7: natural connectivity of rivers
- Article 9: Agro-ecosystems
- Article 10: Restoration of forest ecosystems

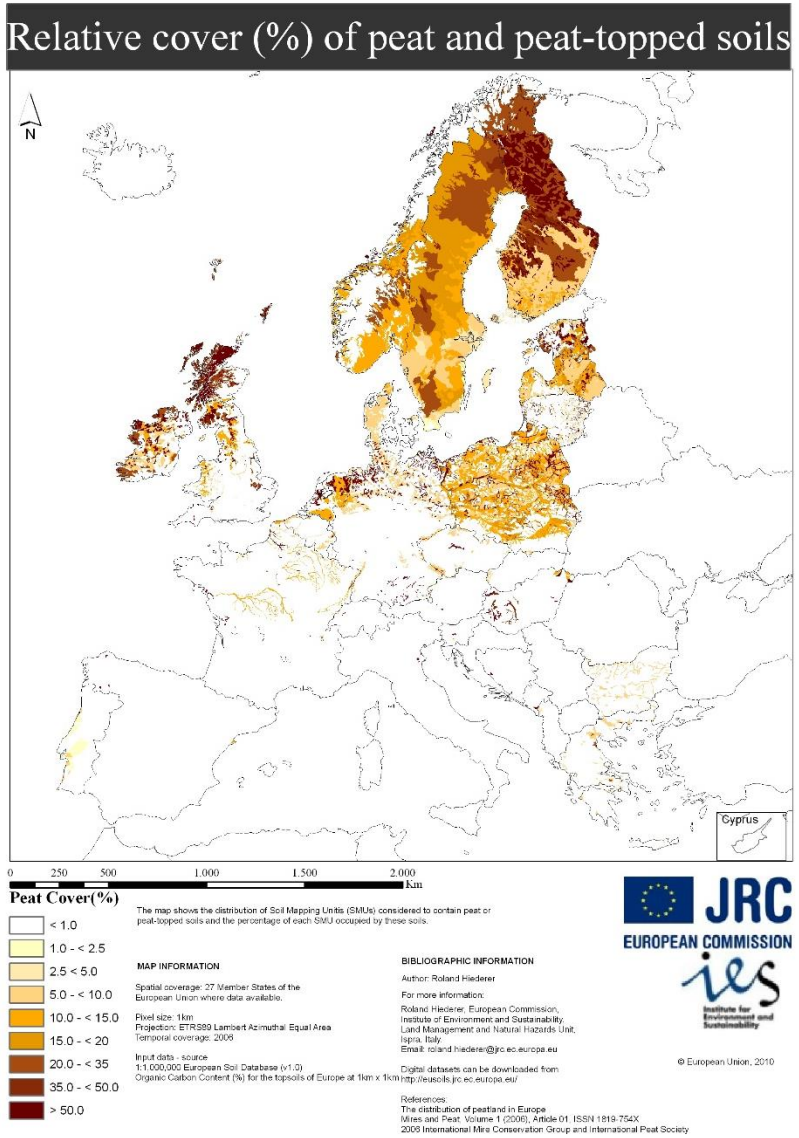
Some observations and priorities

- Parliament badly weakened Article 4 requirements for Annex I habitats:
  - stripped a timeline with interim targets for 2030, 2040 and 2050 regarding the re-establishment of degraded areas.
  - Re-creation of lost habitat
  - Obligation of non-deterioration of remaining healthy habitats and restored habitats
  - Limited to habitat types inside Natura 2000 areas, and not those outside

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 4(1)				
120	1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex I which are not in good condition. Such measures shall be in place on at least 30 % of the area of each group of habitat types listed in Annex I that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least 60 % by 2040, and on at least 90 % by 2050.	1. Member States shall ***aim to*** put in place the restoration measures ***in Natura 2000 sites*** that are necessary to ~~*improve to good condition areas*~~***move towards reaching favourable conservation status*** of habitat types listed in Annex I which are not in good condition. Such measures shall be ***put*** in place on ~~*at least 30 % of the*~~***Natura 2000 network*** area of ~~*each group of*~~ habitat types listed in Annex I that ~~*is*~~***are*** not in good condition, as quantified in the national restoration plan referred to in Article 12~~*, by 2030, on at least 60 % by 2040, and on at least 90 % by 2050.*~~**.**	1. Member States shall put in place the restoration measures that are necessary to improve to good condition areas of habitat types listed in Annex I which are not in good condition. Such measures shall be in place ~~*on at least 30 % of the area of each group of habitat types listed in Annex I that is not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least 60 % by 2040, and on at least 90 % by 2050.*~~**:**	

Some observations and priorities

- Article 9 was completely deleted by the Parliament
  - Requirements for restoration of agricultural land
  - Rewetting 30 % target of the drained peatlands, a key measure to stop carbon losses and increase water storage.



Some observations and priorities

- New Article 10 translating into binding legislation a goal of the EU Biodiversity Strategy for 2030, to plant 3 billion trees by the end of the decade.

Report **A9-0220/2023**
César Luena
Nature restoration
(COM(2022)0304 – C9-0208/2022 – 2022/0195(COD))

Proposal for a regulation
Article 10 a (new)

Text proposed by the Commission	*Amendment*
	Article10a
	Planting of three billion additional trees
	1. When identifying and implementing the restoration measures to meet the objectives and obligations set out in Articles 4, 6, 9 and 10, Member States shall contribute to the achievement of the Union objective of planting at least three billion additional trees by 2030.
	2. Member States shall ensure that the objective set out in paragraph 1 is achieved in full respect of ecological principles, ensuring species diversity, prioritising native tree species except for, in very specific cases and conditions, non-native species adapted to the local soil, climatic and ecological context and habitat conditions that play a role in fostering increased resilience to climate change. The measures to achieve the objective shall aim at increasing connectivity and be based on proforestation, sustainable reforestation and the greening of urban areas.
	3. Trees planted for harvesting purposes shall not count for the objective set out in paragraph 1.

and what are the consequences for MOVING?

- Stresses the role of industry and landowners
- New funding opportunities
  - with focus on N2000 and connectivity
  - influence on CAP, Horizon, Cohesion funding etc.
- Need for synergies, e.g. with LULUCF
- National Nature Restoration Plans with MS flexibility

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Benefits of nature restoration: a series of policy brief

WHY IS NATURE RESTORATION CRITICAL FOR RIVER CONNECTIVITY?

Publication date:
December 2022

Authors:
Eleftheria Kampa (Ecologic Institute)

The EU has a target to reach good ecological status for all surface water bodies including rivers by 2015, at the latest by 2027, based on the Water Framework Directive (WFD). However, implementation of the WFD is lagging behind and enforcement must be stepped up. In 2015, only 44 % of EU water bodies were in good or better ecological status. The Biodiversity Strategy to 2030 called for greater efforts and concrete actions to restore freshwater ecosystems and the natural functions of rivers to support the WFD objectives. To restore the natural functions of rivers, the Strategy sets a target to restore by 2030 at least 25,000 km of rivers into free-flowing rivers through the removal of river barriers and the restoration of floodplains and wetlands.

Healthy rivers require a high degree of connectivity to support the complex life cycles of many aquatic species and a functioning ecosystem. Only with healthy, biodiverse water bodies can we allow nature to thrive, ensure clean and sufficient water supply, and resilience to climate change impacts [1].

River connectivity in Europe is hindered by a very large number of barriers on EU rivers (**at least 1.2 million barriers**) and it is expected that **only few EU rivers are at present free-flowing**. Relatively barrier-free rivers can still be found in the Balkans, the Baltic states, and parts of Scandinavia and southern Europe [2].

A significant number of these man-made river barriers could be removed, as they are no longer useful (obsolete barriers). The reconnected reaches combined with other river restoration measures can serve as habitats to restore the populations of several fish and other species.

Gäddede, Sweden, Photo by Jon Flobrant

The proposal for an EU Nature Restoration Law targets peatland restoration and requires Member States to put in place and implement restoration measures as effective means to combat climate change and biodiversity loss.