

Mikrofon podnebjju: znanje in kompetence za odzivanje na podnebne spremembe: varstvo biodiverzitet in javno zdravje

# Two pearls for biodiversity: the European Biodiversity Strategy for 2030 and the EU Restoration Law

Serena Arduino



CARE  
4 CLIMATE



REPUBLIKA SLOVENIJA  
MINISTRSTVO ZA OKOLJE IN PROSTOR

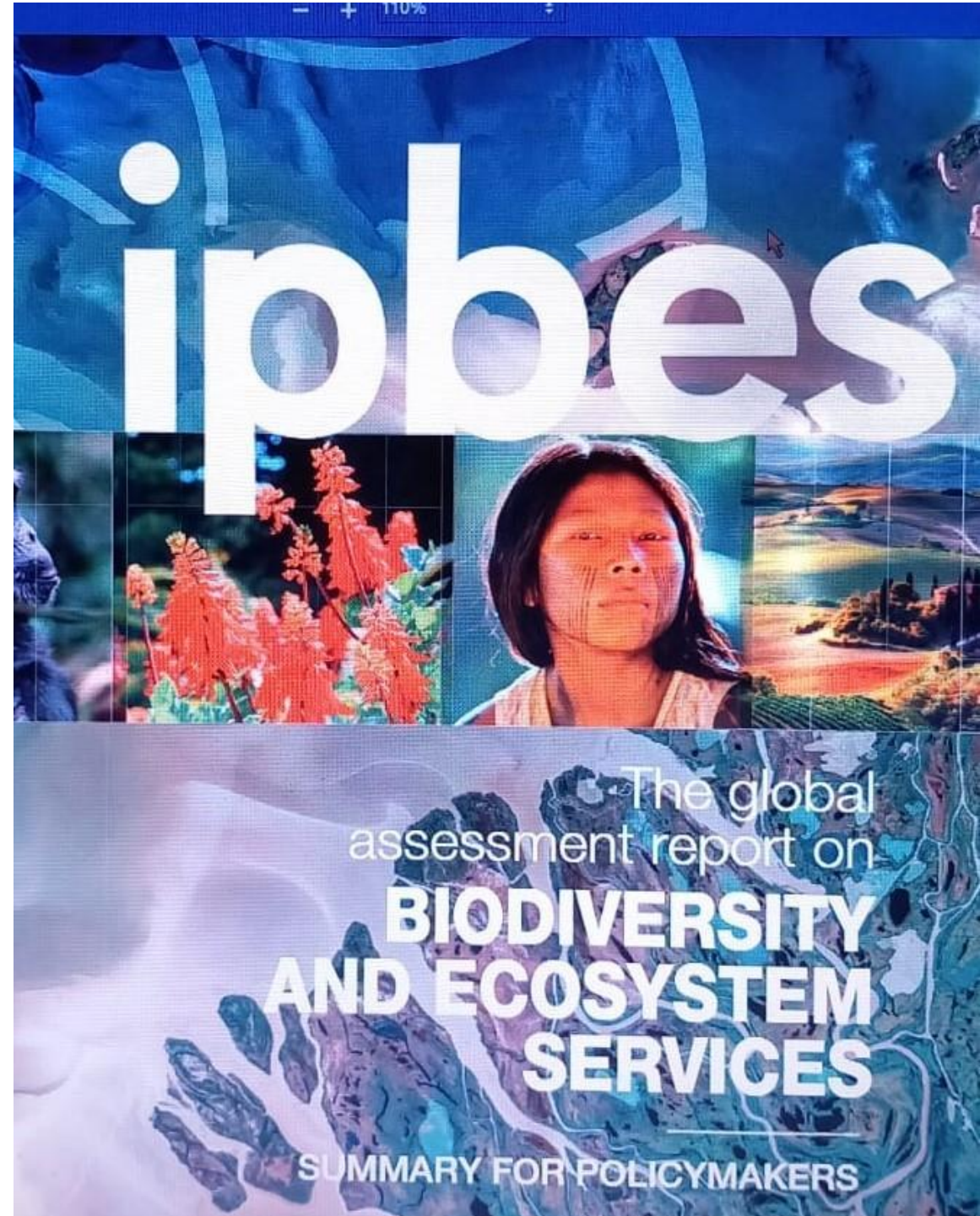
**Two **pearls** for biodiversity:  
the European Biodiversity Strategy for 2030  
and the EU Nature Restoration Law**

Serena Arduino

# A very fertile context

- IPBES 2019 🤖 (deterioration, acceleration, transformative change, urgent concerted effort)
- Fridays for future
- UN Decade on Ecosystem Restoration 2021-2030
- EU New Green Deal (Dec 2019)
- Farm to Fork Strategy 😊 (but CAP 😞)
- Pandemics – Next Generation EU (07/2020) – NPRRs 😞 😊

*Two visions: Biodiversity as pillar vs ecological transition as business as usual*



European Biodiversity Strategy for 2030

*soft policy*

&

EU Nature Restoration Law

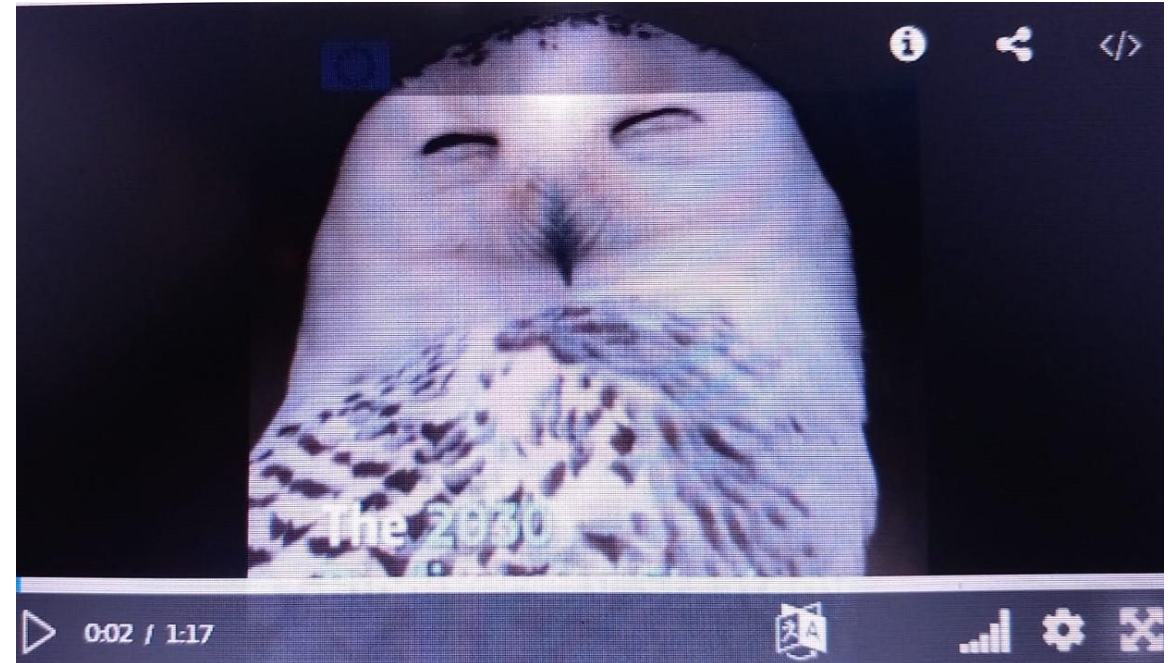
*hard policy*

put biodiversity in the centre

# The European Biodiversity Strategy for 2030

## *The book of wonders*

- Presented May 2020; approved (after improvement!) June 2021; EU ambition as leader
- Strategies to 2010 and to 2020 not successful
- Strategy 2030 **bold, ambitious, measurable, reader-friendly. Soft law supported by hard law**
- Coordination Biodiversity Strategy / Climate Strategy / Forest Strategy / Soil Strategy / Farm to Fork
- Synergy with all UN Conventions
- Targets at EU and at national level
- 22 pp. + Annex 4 pp.
- The EC outdid itself (with some help)



<https://audiovisual.ec.europa.eu/en/video/I-191439?&lg=EN>

# Goal

***Europe's biodiversity will be on the path to recovery by 2030***

*for the benefit of people, the planet, the climate and our economy,  
in line with the 2030 Agenda for Sustainable Development  
and the Paris Agreement on Climate Change*

# Highlights on the ground: Protected areas & Restoration

## Coherent **network of protected areas**:

at least 30% of land and sea

(10% strictly protected: primary & old-growth forests -  
no industry nor impactful infrastructures)

completion of N2000

science-based - habitats representative of biodiversity

ecological corridors

effective management

cooperation across borders

→ *Member States' designation by end of 2023*



Brussels, 20.5.2020  
COM(2020) 380 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL  
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**EU Biodiversity Strategy for 2030**

**Bringing nature back into our lives**

## An EU **Nature Restoration Plan** – considers all aspects of biodiversity and ecosystems use and calls for

- legally binding EU restoration targets – the Nature Restoration Law, ongoing
- implementing existing legislation – and thus no deterioration in conservation trends and status of all protected habitats and species by 2030 + status improvement of at least 30% of species and habitats currently not in favourable status
- bringing nature back to agricultural land: transition to fully sustainable practices / reduce use of chemical pesticides by 50% / reverse pollinators decline / at least 10% agricultural area under high-diversity landscape features / 25% land under organic farming / agroforestry / reverse decline of genetic diversity
- Soil fertility / soil biodiversity / soil organic matter / remediation of contaminated soil sites
- Forest quantity, health and resilience: 3 billion trees in favour of biodiversity (incl. urban greening)/ forest management / afforestation, reforestation, pro-forestation / Forest Information System
- Decarbonization and energy generation from sustainable renewable energy / advanced biofuels from non-reusable waste
- Good environmental status of marine ecosystems / fisheries-management measures
- Restoring freshwater ecosystems: 25,000 km free-flowing watercourses / restoration wetlands and floodplains / ecological flows / good status of surface and groundwaters
- Greening urban and peri-urban areas, no pesticides
- Reducing pollution: reduce nutrient loss by 50% and reduce fertilizers by 20% / sustainable nutrient management
- Decreasing by 50% the number of Red List species that are threatened by invasive alien species



# Two additional components

## Enabling **transformative change**

- New governance framework / indicators
- Stepping up implementation and enforcement / complete N2000 - effective protection habitat+species in & out - impact assessment - infringement
- Support civil society role as compliance watchdog / improve access to justice by NGOs and individuals
- Integrated and whole-of-society approach: business for biodiversity / EU funding to support biodiversity-friendly investments (€2billion/yr + portion of EU budget dedicated to climate action) – pricing – taxation – Green Public Procurement / measurement of biodiversity and services
- Improving knowledge, education and skills: research / Biodiversa+ for science-policy-practice / Knowledge Centre to track progress / education for environmental sustainability

## An ambitious global biodiversity agenda

- Post-2020 Global Biodiversity Framework
- External action: Oceans / trade / international cooperation / One Health / Human Rights

# Implementation

- EC shall have adequate staff
- 20 billion/yr + at least 10% of EU budget

Meanwhile...

# Next steps

- Pledges of Member States were due end 2021 – Delays 😞
- Alpine Convention: Multi-Annual Programme 2023-2030, Alpine Biodiversity Board 😊
- European Biodiversity Partnership (Biodiversa+): incl. capacity building on implementation 😊
- Member States need to reach the targets of the strategy
  - Gap analysis?
  - Need to be ambitious (large scale) and coordinate
  - Ground the strategy at the local level / Involvement of local communities

→ There is space to step in

*One of the core commitments in the Strategy (see the Strategy Annex) was to propose, by the end of 2021, a legally binding instrument setting EU targets to restore damaged ecosystems by 2030*



## ANNEX

*The measures presented in this action plan are or will be taken forward in line with the better regulation principles, including evaluations and impact assessments as appropriate*

Key actions to be taken by the Commission	Indicative timetable
<b>A COHERENT NETWORK OF PROTECTED AREAS</b>	
Criteria and guidance for identifying and designating additional protected areas and ecological corridors, on appropriate management planning, and on how other effective area-based conservation measures and urban greening can contribute to the EU 2030 nature protection targets	2020
Assessment of the EU's progress in meeting its 2030 targets on protected areas and whether additional action, legislative or other, is needed	by 2024
<b>AN EU NATURE RESTORATION PLAN</b>	
Proposal for EU nature restoration targets	2021
Guidance on the selection of species and habitats to ensure that at least 30%	2020



# EU Nature Restoration Law

*Another book of wonders*

A key element of the Biodiversity Strategy for 2030,  
gives teeth to the strategy

81% of continental habitats in poor conditions

# Timeline

- Up to Sept 2021: three rounds of public consultation
- June 2022: Draft law proposed by EC
- Amendments (could be weakened or strengthened) / discussed by Committees (ongoing)
- Then proposed for approval by Parliament and Council
- Approval/rejection by European Parliament and European Council (if amendments twist the original intention, Commission may withdraw the law) → 2023?

## PAGE CONTENTS

[Objectives](#)

[In the EU](#)

[Targets](#)

[Implementation](#)

[Success stories](#)

[Timeline](#)

[Policy areas](#)

[Related strategies](#)

[Documents](#)

22 June 2022



**Commission adopts proposal for a Nature Restoration Law**

[Find out more](#)

December 2020 -  
September 2021



**Five stakeholder workshops took place**

These workshops discussed policy options and collect views from a broad range of stakeholders on:

- the options for restoration targets, how these targets should be implemented, and the potential social, economic and wider environmental impacts that need to be considered
- the preliminary findings of the impact assessment support study.

11 January - 5 April  
2021



**Online public consultation open for feedback**

This [public consultation](#) collected stakeholder views, in particular on the main elements and approach to devising the Commission's proposal for binding restoration targets.



[Show 2 more items](#) ▾

[https://environment.ec.europa.eu/topics/nature-and-biodiversity/nature-restoration-law\\_en](https://environment.ec.europa.eu/topics/nature-and-biodiversity/nature-restoration-law_en)

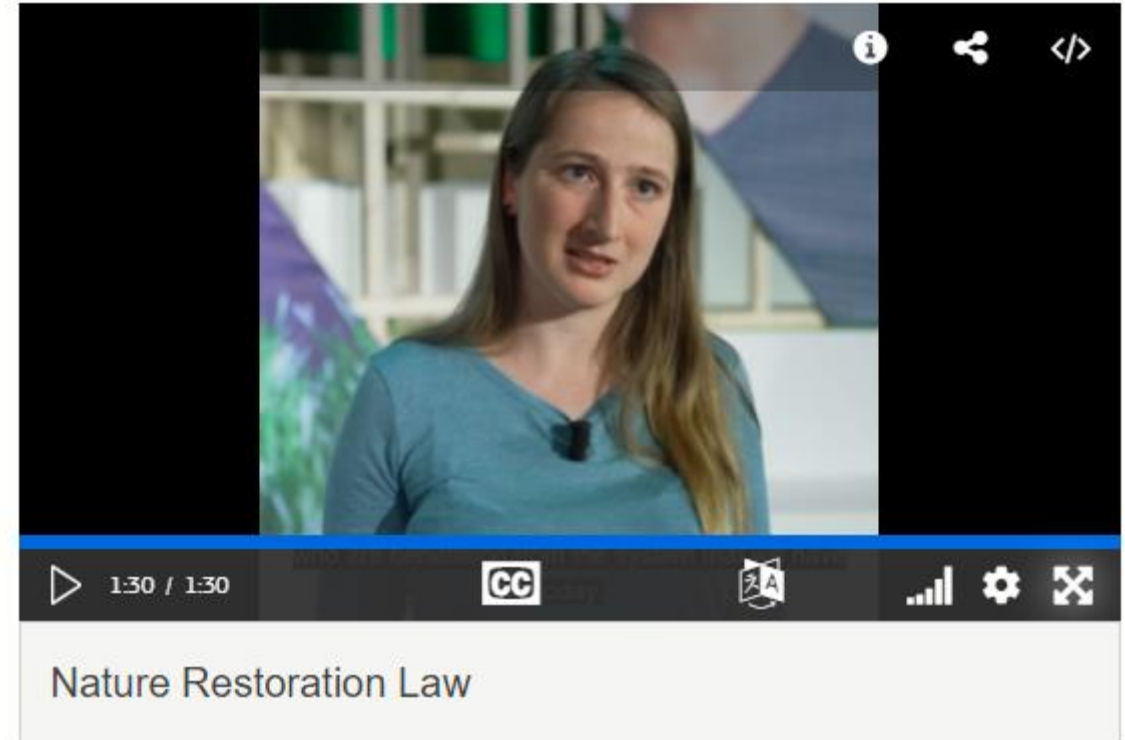
# The EU Nature Restoration Law intends to

restore ecosystems, habitats and species across the EU's land and sea to

- enable the long-term and sustained recovery of biodiverse and resilient nature
- contribute to achieving the EU's climate mitigation and climate adaptation objectives

*Restoration counteracts climate change impacts and species extinction*

*Every 1€ invested into nature restoration brings benefits for 8-38€*



<https://audiovisual.ec.europa.eu/en/video/l-228873?&lg=EN/EN>

# Highlights

**The Law sets targets** based on existing legislation, **and obligations** of Member States for wetlands, forests, grasslands, river and lakes, heath & scrub, rocky habitats and dunes - improve and re-establish biodiverse habitats on a large scale, and bring back species populations by improving and enlarging their habitats. For example:

- **pollinating insects** – reversing the decline of pollinator populations by 2030, and achieving an increasing trend, with a methodology for regular monitoring of pollinators
- **forest ecosystems** – achieving an increasing trend for standing and lying deadwood, uneven aged forests, forest connectivity, abundance of common forest birds and stock of organic carbon
- **urban ecosystems** – no net loss of green urban space by 2030, and an increase in the total area covered by green urban space by 2040 and 2050
- **agricultural ecosystems** – increasing grassland butterflies and farmland birds, the stock of organic carbon in cropland mineral soils, and the share of agricultural land with high-diversity landscape features; restoring drained peatlands under agricultural use
- **river connectivity** – identifying and removing barriers that prevent the connectivity of surface waters, so that at least 25 000 km of rivers are restored to a free-flowing state by 2030
- **marine ecosystems** – restoring marine habitats such as seagrass beds or sediment bottoms that deliver significant benefits, including for climate change mitigation, and restoring the habitats of iconic marine species such as dolphins and porpoises, sharks and seabirds.

[https://environment.ec.europa.eu/topics/nature-and-biodiversity/nature-restoration-law\\_en](https://environment.ec.europa.eu/topics/nature-and-biodiversity/nature-restoration-law_en)

Targets are binding and ambitious, as detailed in the Law's articles ↓

# Restoration targets and obligations (Chapter II)

- Art. 4 – Terrestrial, coastal and freshwater ecosystems
- Art. 5 – Marine ecosystems
- Art. 6 – Urban ecosystems
- Art. 7 – Natural connectivity of rivers and natural function of floodplains

## CHAPTER II

### RESTORATION TARGETS AND OBLIGATIONS

#### *Article 4*

##### Restoration of terrestrial, coastal and freshwater ecosystems

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.
  2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex I in areas not covered by those habitat types. Such measures shall be in place on areas representing at least 30 % of the additional overall surface needed to reach the total favourable reference area of each group of habitat types listed in Annex I, as quantified in the national restoration plan referred to in Article 12, by 2030, at least 60 % of that surface by 2040, and 100 % of that surface by 2050.
  3. Member States shall put in place the restoration measures for the terrestrial, coastal and freshwater habitats of the species listed in Annexes II, IV and V to Directive 92/43/EEC and of the terrestrial, coastal and freshwater habitats of wild birds covered by Directive 2009/147/EC that are necessary to improve the quality and quantity of those habitats, including by re-establishing them, and to enhance connectivity, until sufficient quality and quantity of those habitats is achieved.
  4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 of this Article shall be based on the best available
-



- Art. 8 – Pollinator populations
- Art. 9 – Agricultural ecosystems
- Art. 10 – Forest ecosystems

3. The method referred to in the paragraph 2 shall provide a standardised approach for collecting annual data on the abundance and diversity of pollinator species and for assessing pollinator population trends.

#### Article 9

##### Restoration of agricultural ecosystems

1. Member States shall put in place the restoration measures necessary to enhance biodiversity in agricultural ecosystems, in addition to the areas that are subject to restoration measures under Article 4(1), (2) and (3).
2. Member States shall achieve an increasing trend at national level of each of the following indicators in agricultural ecosystems, as further specified in Annex IV, measured in the period from the date of entry into force of this Regulation until 31 December 2030, and every three years thereafter, until the satisfactory levels, identified in accordance with Article 11(3), are reached:
  - (a) grassland butterfly index;
  - (b) stock of organic carbon in cropland mineral soils;
  - (c) share of agricultural land with high-diversity landscape features.
3. Member States shall put in place restoration measures to ensure that the common farmland bird index at national level based on the species specified in Annex V, indexed on ... [OP please insert the date = the first day of the month following 12 months after the date of entry into force of this Regulation] = 100, reaches the following levels:
  - (a) 110 by 2030, 120 by 2040 and 130 by 2050, for Member States listed in Annex V with historically more depleted populations of farmland birds;
  - (b) 105 by 2030, 110 by 2040 and 115 by 2050, for Member States listed in Annex IV with historically less depleted populations of farmland birds.
4. For organic soils in agricultural use constituting drained peatlands, Member States shall put in place restoration measures. Those measures shall be in place on at least:
  - (a) 30 % of such areas by 2030, of which at least a quarter shall be rewetted;
  - (b) 50 % of such areas by 2040, of which at least half shall be rewetted;
  - (c) 70 % of such areas by 2050, of which at least half shall be rewetted.

Member States may put in place restoration measures, including rewetting, in areas of peat extraction sites and count those areas as contributing to achieving the respective targets referred to in the first subparagraph, points (a), (b) and (c).

In addition, Member States may put in place restoration measures to rewet organic soils that constitute drained peatlands under land uses other than agricultural use and peat extraction and count those rewetted areas as contributing, up to a maximum of 20%, to the achievement of the targets referred to in the first subparagraph, points (a), (b) and (c).

# National restoration plans (Chapter III)

- Art. 11 – Preparation
- Art. 12 – Content
- Art. 13 – Submission
- Art. 14 – Assessment
- Art. 15 – Review
- Art. 16 – Access to justice

## Art. 11 (...)

10. Member States shall, where possible, foster synergies with the national restoration plans of other Member States, in particular for ecosystems that span across borders.
11. Member States shall ensure that the preparation of the restoration plan is open, inclusive and effective and that the public is given early and effective opportunities to participate in its elaboration. Consultations shall comply with the requirements set out in Articles 4 to 10 of Directive 2001/42/EC.

## Article 16 Access to justice

1. Member States shall ensure that members of the public, in accordance with national law, that have a sufficient interest or that maintain the impairment of a right, have access to a review procedure before a court of law, or an independent and impartial body established by law, to challenge the substantive or procedural legality of the national restoration plans and any failures to act of the competent authorities, regardless of the role members of the public have played during the process for preparing and establishing the national restoration plan.

As soon as it is approved →

# Implementation after approval

- Legally binding (hard law) and binding restoration targets – **never before this ambitious**
- EU Member States:
  - submit (to EC) National Restoration Plans within two years of the Regulation coming into force, showing how they will deliver on the targets
  - monitor and report on progress
- EEA: compile regular technical reports on the progress towards the targets
- EC: report to the European Parliament and Council

***See it approved by 2023*** 😊

# The future ahead

- EU has a great record of good legislation, implementation is weaker but crucial
- Do not underestimate the role of strategies
- Keep supporting the EC in its effort on the environment
- Speed up and support the European Biodiversity Strategy for 2030 and the EU Nature Restoration Law
- Be a champion for the Strategy and the Law, never get tired to bring them to the attention of decision makers and policy makers – possible actions are spelled out
- Stay tuned on the CBD COP in November 2022 and the post-2020 Global Biodiversity Framework – EU wants to lead the way, there may be a new push to Strategy and Law
- Implications of the war on energy sector and agro-industry – careful on how the narrative changes
- Use the participation space, be sure to be heard 💪

# Involvement matters

Have your say

[https://ec.europa.eu/info/law/better-regulation/have-your-say\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say_en)

Fit for Future Platform / Have your say: simplify!

[https://ec.europa.eu/info/law/better-regulation/have-your-say-simplify\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say-simplify_en)

Thank you 🙌