

Nature restoration

2022/0195(COD) - 12/07/2023 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 336 votes to 300, with 13 abstentions, amendments to the proposal for a regulation of the European Parliament and of the Council on nature restoration.

A proposal to reject the Commission's proposal was defeated in plenary by 312 votes to 324, with 12 abstentions.

The matter was referred back to the committee responsible for inter-institutional negotiations.

Nature restoration targets for 2030

Members back the Commission's proposal to put in place restoration measures for at least 20% of all land and sea areas in the EU by 2030, and for all ecosystems in need of restoration by 2050. The new law must contribute to meeting the EU's international commitments, in particular the United Nations Kunming-Montreal Global Biodiversity Framework.

This Regulation lays down rules to contribute to:

- biodiverse, resilient and productive ecosystems across the Member States land and sea areas through the restoration of degraded ecosystems;
- achieving the Union's overarching objectives concerning climate change mitigation, climate change adaptation, including food security, energy transition and social housing, and land degradation neutrality.

This Regulation needs to create synergies and be coherent with existing and ongoing legislation, taking into account national competences and ensure consistency and coherence with the Union legislation on among others renewable energies, plant protection products, critical raw materials, agricultural and forestry.

This Regulation only applies to ecosystems in the European territory of the Member States to which the Treaties apply.

Binding targets

The Regulation sets binding targets in seven areas of action, such as the restoration of terrestrial, coastal and freshwater ecosystems, the restoration of marine ecosystems, the restoration of urban ecosystems, the restoration of the natural connectivity of watercourses and the natural functions of adjacent floodplains, the restoration of pollinator populations and the restoration of forest ecosystems, with the aim of reversing the environmental damage caused by human activity and climate change.

Energy from renewable sources

The Regulation does not prevent new renewable energy infrastructure. Members added a new article underlining that the planning, construction and operation of installations for the production of energy from renewable sources, the connection of such installations to the grid and the related grid itself, as well as storage assets, are presumed to be in the overriding public interest.

Member States should exempt such projects from the requirement to demonstrate that there are no less damaging alternatives for the purposes of applying the derogations from the continuous improvement and non-deterioration obligations of the Regulation outside Natura 2000 sites, provided that the projects have been subject to a strategic environmental assessment or an environmental impact assessment.

National defence

Top priority must be given to activities whose sole purpose is national defence or security. When implementing restoration measures, Member States could exempt areas used for activities solely for national defence purposes, if such measures are deemed incompatible with the continued military use of the areas in question.

Review of the national restoration plans

Member States should develop national restoration plans and carry out preparatory monitoring and research to identify the restoration measures needed to contribute to the Union's objectives, taking into account the latest scientific evidence, the needs of local communities, including urban local communities, the most cost-effective measures and the socio-economic impact of those measures. Stakeholders, including landowners and land managers, should be involved at every stage of the process.

Postponement of targets

Parliament provides for the possibility to postpone the targets in the event of exceptional socioeconomic consequences. No later than one year after the date of entry into force of this Regulation and every year thereafter, the Commission should publish a notice in the Official Journal of the European Union concerning whether one or more of the following conditions apply:

- the permitting procedures in one or more Member States fall behind due to constraints from Union nature legislation regarding the following fields:
- the average food price has gone up by 10% over the period of 1 year;
- the total production of food in the Union has reduced by 5% over a period of 1 year.

Where one or more of these conditions apply, the targets under this Regulation should be postponed until all the conditions referred to in that paragraph no longer apply.

Application of the Regulation

Parliament stated that the Regulation should apply:

- from the date where the Commission has provided robust and scientific data to the European Parliament and to the Council on the necessary conditions to guarantee long term food security, thereby respecting the need of arable land under conventional and ecological agriculture, the impact of nature restoration on food production, food availability and food prices;
- from the date where the condition set out in Article 11(2a) is met. The Commission shall publish a notice in the Official Journal of the European Union indicating the date from which this Regulation applies. [Am. 136]
- once EU countries have quantified the area that needs to be restored to meet the restoration targets for each habitat type.

Assessment of financial needs

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 entry into force and in consultation with Member States, present a report with an analysis identifying any gaps in implementing this Regulation. That report should be accompanied, where appropriate, by proposals for adequate measures, including financial measures to address the gaps identified, such as the establishment of dedicated funding.

Review

The Commission should evaluate this Regulation by 31 December 2030 and every two years thereafter to assess the impact of this Regulation, in particular on the agricultural sector and the supply of safe and secure food, as well as the socio-economic impacts of this Regulation, especially in rural areas.