**Follow-up to the European Parliament non-legislative resolution on the EU Biodiversity Strategy for 2030: Bringing nature back into our lives**

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**4. Competent Parliamentary Committee:** Committee on Environment, Public Health and Food Safety (ENVI)

**5. Brief assessment of the resolution and the requests made in it:**

The resolution presents the position of the European Parliament on the EU Biodiversity Strategy for 2030. The Parliament supports the headline ambition, 2030 targets and the measures set out in the Strategy, while also making calls for increased ambition and urging the Commission and the Member States to commit to substantial and additional legislative and non-legislative measures to fully meet the biodiversity objectives. The Parliament stresses the need for comprehensive impact assessmentsof legislative proposals and for augmenting the Commission’s legislative impact assessment tool in relation to biodiversity, resource use and pollution. It calls for coherence with other strategies in the European Green Deal and with related policies on health (including pandemics), climate, food, energy, the circular economy and sustainable development, as well as a strengthened maritime dimension across EU policies.

The resolution supports the **nature protection (including strict protection)** targets contained in the Strategy and **considers that they should be binding**. It further calls for measures to **address biodiversity loss outside of protected areas,** to include the **Overseas Countries and Territories** in conservation efforts and to establish a **Trans-European Network for Green Infrastructure** (TEN-G) linked to the Trans-European Nature Network.

The Parliament considers that the upcoming legislative proposal on **EU nature restoration targets** should include an **overarching target to restore 30% of EU land and seas** as well as **species-, ecosystems- and habitat-specific targets** at the EU and Member States’ levels. In this and other parts of the resolution, numerous calls are made to **set in legislation** **binding targets**, some of which correspond to the Strategy’s commitments while others go further, including for example binding targets on the restoration of urban biodiversity, forest and marine ecosystems, ecological connectivity, nature-based solutions and green infrastructure; on the removal of greenhouse gases by natural carbon sinks by 2030; on organic farming and high-diversity landscape features; on reducing the risk and use of pesticides and nutrient losses from fertilisers; as well as on bringing the EU’s material and consumption footprints within planetary boundaries by 2050.

In relation to soil, the resolution requests the Commission to submit a proposal to establish **a common EU legal framework for the protection and sustainable use of soil**, to review the Directives on industrial emissions and on the management of waste from extractive industries, as well as to present an **EU level strategy on desertification and land degradation.**

The resolution calls for the establishment of a robust EU-wide pollinator monitoring framework and measurable, time-bound targets as part of the revision of the **EU Pollinators Initiative**; for maintaining a high level of protection in the revision of the bee guidance document of the European Food Safety Authority (EFSA), and for further measures such as the setting of an ambitious target and the development of guidelines on reducing outdoor artificial light.

The Commission is urged to ensure that the **CAP Strategic Plans** implement the Biodiversity Strategy and the Farm to Fork Strategy, and to develop a **strategy to support local value chains in reaching the targets**. The Parliament further considers that the Commission and the Member States should support the adoption of **healthy and balanced diets**.

The resolution calls for an ecosystem-based approach to tackle the drivers of **marine biodiversity loss;** for addressing ocean degradation, eutrophication and acidification in the upcoming **action plan to conserve fisheries resources and protect marine ecosystems**; for limiting or prohibiting harmful activities in marine protected areas and ensuring effective management (including the provision of guidance); for tackling the impact of fisheries, in particular **bottom trawling** (including a call to define super trawlers and restrict their activities); and for greater consistency between trade and fisheries policies to tackle **illegal, unreported and unregulated (IUU) fishing**.

In relation to **forests**, the resolution calls for a definition of **old-growth forests** to be developed by the Standing Forestry Committee, followed by the identification of all old-growth and primary forests sites retroactively in the year 2020, a temporary moratorium on logging at these sites and their strict legal protection without delay. Further legislative measures requested include the setting of targets for forest ecosystems in the upcoming EU restoration legislation, the **revision and alignment of EU rules on the use of biomass for energy production** with the objectives of the Biodiversity Strategy for 2030 and the European Climate Law, as well as the urgent delivery of a **legislative proposal on mandatory due diligence** to ensure that value chains are sustainable and do not result in the conversion and degradation of forests or other high-carbon and biodiversity-rich ecosystems.

The **involvement of stakeholders** and the provision of sufficient resources, training and support to farmers, foresters and fishers in the transition are considered imperative, including a call to provide incentives and a toolbox of effective and affordable solutions and alternatives, as well as access to the latest knowledge, technology and advisory services.

In relation to **climate,** the resolution calls for a **legally binding 2030 target on greenhouse gas removal by natural sinks**, as well as for a **long-term action plan on climate and biodiversity**.

To tackle the threats posed by **invasive alien species**, the Parliament calls for stepping up the inclusion of priority species, especially marine species, on the Union list; and for additional measures such as introducing **mandatory risk assessments prior to the first import of non-native species**, EU-wide **white lists of species permitted** for import, keeping and trade, and specific plans for Invasive alien species (IAS) affecting critically endangered species.

On **enabling measures**, the resolution calls on the Commission to ensure effective application of the “do no significant harm” principle, biodiversity-proof EU spending and programmes, **assess how the necessary funding for implementation could be mobilised** and make corresponding proposals, set out a robust biodiversity tracking methodology, assess **environmentally** **harmful subsidies** by 2022 with a view to phasing them out without delay, and integrate legislation and financial incentives for public and private actors to help achieve the biodiversity targets as part of the upcoming renewed **Sustainable Finance** Strategy.

The Parliament calls on the Commission to propose a **legally binding biodiversity governance framework** by 2022 and to consider the establishment of an independent **scientific European panel on biodiversity** to assess the consistency of EU measures with the Biodiversity Strategy for 2030. The resolution stresses the importance of ensuring sufficient human and financial resources for implementation and calls on the Commission to create a **stakeholder platform** for discussion with stakeholders and communities and to ensure an inclusive, equitable and just transition.

In relation to **education**, the resolution calls for a reinforced biodiversity dimension in EU youth programmes and a Green Erasmus programme in the field of restoration and conservation. Strengthening **knowledge and research** is encouraged, including a biodiversity mission within the EU research programme and more support for research on biogeographical regions, taxonomy, impacts of biodiversity loss on essential services; links between disease emergence and ecosystem degradation and wildlife crime; deep-sea ecosystems; sustainable agricultural methods to improve biodiversity; the socio-economic impacts of conservation policies, soil biodiversity and the melting of glaciers and permafrost; the health, environmental, ecological, ethical and other implications of gene drive organisms.

The resolution further invites the Commission to clarify a number of concepts, such as an assessment of the potential of Natural Capital Accounting to contribute to halting and reversing biodiversity loss, and a clearer definition of nature-based solutions.

**Concerning EU action at the global level,** theParliament refers to its position on the **global biodiversity framework** expressed in the Parliament’s resolution on CBD (Convention on Biological Diversity) and COP15 (Conference of the Parties), including that EU should advocate for protecting half of the planet by 2050. It further calls on the Commission and the Member States to **support the biodiversity conservation and restoration efforts in non-EU countries**, encourage joint management of transboundary areas and migratory routes, facilitatecapacity-building for the implementation of international conventions in the beneficiary countries of the Neighbourhood, Development and International Cooperation Instrument (NDICI) and Aid for Trade, as well as to work with the international community to recognize the contribution of indigenous peoples and local communities to biodiversity, and to guarantee their rights and participation. The resolution calls for a prohibition of the releases of genetically engineered gene drive organisms. The Commission and the Member States are asked to request an Intergovernmental Panel on Climate Change (IPCC) special report on biodiversity and climate change.

In relation to **trade and biodiversity**, the resolution calls for a more robust assessment methodology and the systematic inclusion of a biodiversity dimension in all Sustainability impact assessments; for including binding and enforceable chapters on trade and sustainable development aligned with the European Green Deal objectives, with roadmaps of concrete and verifiable commitments, safeguards and proportionate sanctions for non-compliance, in all new and future trade and investment agreements, as well as for similar measures to be promoted in existing agreements. The Commission is invited to present its results and planned adjustments to the Parliament, as well as to produce a study on the effects of EU exports and their production methods on biodiversity and to work towards reducing the risk of transferring biodiversity losses to other parts of the world. It is further encouraged to consider the inclusion of expertise on trade and environment in disputes arising from conflicts between trade commitments and environmental protection exceptions; to promote this proposal in the context of its World Trade Organization (WTO) climate and trade initiative; as well as to investigate the possibility of creating a legal framework, primarily within the WTO, for the prohibition of trade in certain raw materials, products and services that endanger biodiversity.

In relation to **wildlife trade**, the Parliament calls on the Commission to jointly address legal and illegal trade in the review of the EU Action Plan against Wildlife Trafficking, to propose legislation prohibiting trade in wildlife that violates the laws in the country of origin, to end the commercial trade in endangered species and their parts, and to enforce a full and immediate ban at European level of commercial trade, export or re-export within the EU and to destinations outside the EU of ivory (with limited exceptions); as well as to explore the possibility of adding a protocol on wildlife crime to the UN Convention against Transnational Organized Crime.

In relation to **oceans governance**, the resolution urges the EU to push for the adoption of an ambitious global ocean treaty to protect marine biodiversity in areas beyond national jurisdiction worldwide, to **promote a moratorium on deep-seabed mining** until its effects have been sufficiently researched and managed to ensure no marine biodiversity loss nor degradation of marine ecosystems; to ensure transparency in the working methods of the International Seabed Authority; to support the continuation of a global moratorium on commercial whaling and to address whaling activities and practices in other countries.

A range of further calls concern **measures in other policy areas with implications for biodiversity**, such as the (re-)authorisation of pesticides and transparency of pesticide risk data; provisions on the maximum residue levels of pesticides; improving the risk assessment of chemicals including chronic and long-term effects on the environment; a global agreement on plastics; welfare standards in EU agriculture and fisheries, standards and effective checks on imported non-EU products; prohibiting exports from the EU of hazardous substances banned in the EU; phasing out fossil fuel subsidies; the establishment of an inter-governmental panel on pandemic prevention, a proposed moratorium on the imports of wild animals from emerging infectious disease hotspots; the recognition of ecocide as an international crime; the revision of the Environmental Crime Directive and the Environmental Liability Directive; the inclusion of the right to a healthy environment in the Charter of Fundamental Rights in the EU; the UNEP (United Nations Environment Programme) environmental rights initiative; and a call to define a protection and support strategy for local communities and defenders of environmental human rights and land rights across all external assistance programmes.

In summary, the Parliament’s resolution provides a strong mandate for the implementation of the targets and measures set out in the EU Biodiversity Strategy for 2030. It urges the Commission, other EU institutions and the Member States to ensure their achievement, while also calling for a significant number of additional, broad-ranging legislative and policy initiatives, both within the remit of EU biodiversity and environmental policy and in further areas, with implications for biodiversity. The resolution also emphasizes the importance of taking full account of wider environmental and socio-economic objectives, the range of impacts and interactions with other policies, the role of the Member States in determining the most appropriate ways to achieve the targets according to their specific national circumstances, as well as the needs of stakeholders that should be supported in order to ensure full delivery as well as a fair transition.

**6. Response to the requests and overview of the action taken, or intended to be taken, by the Commission:**

***General observations***

The Commission welcomes the Parliament’s support for the objectives and targets set out in the EU Biodiversity Strategy for 2030, confirms its commitment to deliver these objectives in cooperation with the Member States and the European Parliament. The Commission agrees with the Parliament on the importance of ensuring further implementation of existing EU legislation and of ensuring coherence with key EU policies and international agreements.

The Commission will continue to systematically present impact assessments with each legislative proposal, in line with Better Regulation and the Parliament’s call **(paragraph 5)**. As announced in the recent Better Regulation Communication ([COM(2021) 219 final](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52021DC0219&from=en)), the Commission will work to strengthen the impact assessment process and the Better Regulation toolkit, ensure that the “do no significant harm” principle is applied across all policies in line with the European Green Deal oath, and improve our understanding of the environmental, social and economic impacts of proposed EU legislation, within as well as outside of the EU. It also will revise the Better Regulation toolkit to enable better analysis and reporting of impacts relating to the green transition, including biodiversity, resource use and pollution. The Commission has called on the European Parliament and the Council to live up to the commitments in the Inter-institutional Agreement on Better Law-Making to document the effect of their amendments in terms of anticipated impacts (**paragraph 6)**.

The Commission welcomes the Parliament’s strong support for protecting 30% of EU land and seas, including strict protection of 10% of EU land and seas, and takes note of the Parliament’s view that these targets should be made binding (**paragraph 15)**. As detailed in the EU Biodiversity Strategy for 2030, the Commission will aim to agree the criteria and guidance for additional designations with Member States by the end of 2021. Member States will then have until the end of 2023 to demonstrate significant progress in legally designating new protected areas and integrating ecological corridors. On this basis, the Commission will assess by 2024 whether the EU is on track to meet its 2030 targets or whether stronger actions, including EU legislation, are needed.

The criteria and guidance will not have a mandatory character but aim to facilitate the Member States in the designation and management of sites, in order to ensure a coherent protected areas network across the EU. At the same time, the legal requirements for the Natura 2000 network continue to apply, including the obligation for Member States to complete the network where gaps still remain, which is particularly the case in the marine environment. Member States will need to show, by 2023, significant progress in legal designations and effective management of protected areas. The Commission will assess in 2024 whether the EU is on track to meet the protection targets, or whether stronger actions, including EU legislation, are needed.

The discussion with the Member States and stakeholders on the definition of strict protection **(paragraph 18)** is still ongoing. The definition should be consistent with the strategy, which states that natural processes should be left essentially undisturbed in strictly protected areas. Strictly protected areas should therefore include both areas in which non-intervention will be the general rule (with possible exceptions for necessary activities such as pest or fire control) as well as areas in which human activities are necessary to reach the conservation objectives, such as mowing and grazing of grasslands, and should therefore be allowed under well-defined and controlled conditions. Furthermore, the target on strict protection applies to the EU as a whole and not to any individual Member State or ecosystem. Strict protection should be applied where such a level of protection is the most effective tool for ecosystem restoration and preservation.

The Commission will continue to support the implementation efforts of the Member States to strengthen the network of terrestrial and marine protected areas, through the provision of capacity building and guidance. In this context, work is currently under way to update the existing [Guidelines on climate change and Natura 2000](https://op.europa.eu/en/publication-detail/-/publication/59c03f44-f672-4f61-bbf7-5422479cf6bb) and is expected to be completed in early 2023 **(paragraph 26)**.

As concerns the definition and protection of primary and old-growth forests **(paragraphs 34 and 35)**, the Commission is working with the Member States and stakeholders in the Forests and Nature Expert Group to agree, by the end of 2021, on a common definition and a strict protection regime. The new EU Forest Strategy ([COM(2021) 572 final](https://ec.europa.eu/info/sites/default/files/communication-new-eu-forest-strategy-2030_with-annex_en.pdf)) calls on the Member States to engage in completing the mapping and monitoring of these forests, and to ensure no deterioration until they start to apply the protection regime.

The Commission fully agrees that favourable conservation status should be achieved as soon as possible for all protected species and habitats under the Birds and Habitats Directives **(paragraph 25)**. The Strategy’s target to ensure that 30% of species and habitats, that are currently not in favourable conservation status, achieve such status or show strong positive trends by 2030, is a measurable and realistic milestone to the full delivery of the directives’ goals.

Concerning conflicts and coexistence with large carnivores (**paragraph 196)**, the Commission has initiated a range of measures to encourage cooperation between Member States, engage in dialogue with stakeholders at the [EU Platform on Coexistence between People and Large Carnivores](https://ec.europa.eu/environment/nature/conservation/species/carnivores/coexistence_platform.htm) and the [Regional Platforms on People and Large Carnivores](https://ec.europa.eu/environment/nature/conservation/species/carnivores/regional_platforms.htm), and to [promote best practices](https://ec.europa.eu/environment/nature/conservation/species/carnivores/promoting_best_practices.htm) in management methods. It is for the relevant authorities in the Member States to make the best use of the available EU and national technical tools and funding opportunities to design and implement the most suitable solutions to improve coexistence between humans and large carnivores, in accordance with the existing legislation and with our common goals as stated in the EU Biodiversity Strategy for 2030.

The Commission further agrees on the importance of tackling the drivers of biodiversity loss also outside of protected areas **(paragraph 19)** and is therefore working to propose measures to this effect and support the Member States in their implementation. Such measures range from the designation of ecological corridors and the deployment of green infrastructure to re-connect natural areas **(paragraph 51)**, as part of the development of a truly coherent Trans-European Nature Network, through to the reduction of key pressures, such as pesticide or nutrient pollution, and the restoration and sustainable use of species and ecosystems, as set out in the Strategy’s Nature Restoration Plan.

An impact assessment of options for restoration targets is under preparation by the Commission, in order to underpin its upcoming proposal for an EU Nature Restoration Law. The Commission has taken note of the Parliament’s calls for an overarching EU restoration target of at least 30%of the EU’s land and seas, to be fully implemented by each Member State on the basis of its specific characteristics **(paragraph 36)**, as well as for a range of species-, habitat- and ecosystem-specific targets, and will consider their feasibility as part of the impact assessment. The Commission will consider in its assessment the inclusion of potential targets to restore free-flowing rivers and floodplains **(paragraph 3),** soil (**paragraph 45**), urban ecosystems and ecological corridors **(paragraph 51),** agroecosystems **(paragraph 52)** and forest ecosystems **(paragraph 91)**.

As concerns EU action on pollinators (**paragraphs 40 and 41)**, the Commission will revise the EU Pollinators Initiative ([COM (2018) 395 final](https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1528213737113&uri=CELEX:52018DC0395)) in 2022, drawing on the recently published progress report ([COM(2021) 261 final](https://ec.europa.eu/environment/pdf/nature/conservation/species/pollinators/Progress_in_the_implementation_of_the_EU_Pollinators_Initiative.pdf)), and further stakeholder consultation planned for the second half of 2021. The revision will look into possible gaps and strengthening efforts to address key drivers behind the decline of insect pollinators.

Work on the review of the [EFSA Guidance on the risk assessment of plant protection products on bees (*Apis mellifera*, *Bombus spp*. and *solitary bees*)](https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2013.3295) is ongoing with the aim to strengthen the risk assessment process for the authorisation of pesticides. The review undertaken by EFSA covers the aspects raised by the Parliament **(paragraph 41**). Following the broad support at the AGRIFISH Council on 28 June 2021 for the Specific Protection Goal (SPG) for honeybees proposed by the Commission, EFSA will start work on the SPG for wild bees. The revision of the Directive on the sustainable use of pesticides ([Directive/2 09/128/EC](https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009L0128)) is currently assessing several options to reduce risks and use of pesticides.

The Commission welcomes Parliament’s call to submit a proposal to establish a common EU framework, in full respect of the subsidiarity principle, for the protection and sustainable use of soil and for the effective integration of that protection in all relevant EU policies (**paragraph 44 and 45)** and to present an EU strategy on desertification and land degradation (**paragraph 49)**. The Commission is committed to filling in policy gaps in soil protection. It is currently exploring the best ways to respond to the Parliament’s resolution. In the context of the Green Deal, the Commission announced a new Soil Strategy to be adopted in 2021. The strategy will aim to consolidate, complement and steer action in the different policy areas that have a bearing on soil. The Commission is considering possible legally binding provisions on soil. It will also respond to the recommendations of the European Court of Auditors to better understand land degradation and desertification in the EU, to assess the need to enhance the EU legal framework for soil, and to step up actions towards delivering EU and international commitments on desertification and land degradation neutrality.

As part of the “Fit for 55 package” ([COM(2021) 550 final](https://ec.europa.eu/info/sites/default/files/chapeau_communication.pdf)) published on 14 July, the Commission presented a proposal ([COM(2021) 554 final](https://ec.europa.eu/info/sites/default/files/revision-regulation-ghg-land-use-forestry_with-annex_en.pdf)) to review the Land use, land use change and forestry (LULUCF) Regulation, the legislation that addresses the reporting and accounting of emissions and removals associated with lands and their carbon pools, including changes in soil organic carbon. This proposal will help to create stronger interlinkages with initiatives to protect and enhance nature-based carbon removals, improve the resilience of the EU’s forests and lands to climate change, restore degraded land and ecosystems and rewet wetlands and peatlands. Finally, the Zero Pollution Action Plan for air, water and soil has set actions to address soil pollution. Progress will be monitored through the EU Soil Observatory. As concerns industrial emissions and extractive waste (**paragraph 47)**, the Commission is undertaking an impact assessment in order to table a proposal for the revision of the Industrial Emissions Directive ([Directive 2010/75/EU](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32010L0075)) in early 2022. A revision of the Extractive Waste Directive ([Directive 2006/21/EC](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32006L0021)) is currently not planned. The Commission takes note of the Parliament’s call and will consider if such a revision is necessary drawing on lessons from its [implementation](https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52016DC0553).

In relation to urban ecosystems **(paragraph 51)**, the EU Biodiversity Strategy for 2030 aims to ensure that cities with more than 20,000 inhabitants put in place an urban biodiversity plan, as well as to extend terrestrial and marine ecological corridors, including through the development of green infrastructure. The Commission is working to produce guidance for the Member States on these measures. In addition, the feasibility of setting binding targets on urban ecosystem restoration is being considered as part of the ongoing impact assessment that will underpin the upcoming nature restoration law. Further measures to mitigate the use of pesticides in sensitive areas are being considered in the context of the ongoing revision of the Sustainable Use of Pesticides Directive ([Directive/2009/128/EC](https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009L0128)).

The Commission welcomes the Parliament’s support for the EU targets on organic farming and on high-diversity landscape features, and notes the call to incorporate both targets into legislation (**paragraph 52)**. The Commission is currently focusing on a voluntary approach combined with support and incentives for farmers and actions along the value chain in order to achieve these targets **(paragraphs 57 and 61)**. The new Organic Action Plan ([COM(2021) 141 final](https://ec.europa.eu/info/food-farming-fisheries/farming/organic-farming/organic-action-plan_en)) will help to bring at least 25% of agricultural land under organic farm management by 2030, by means of a coherent set of measures that will stimulate conversion as well as demand, reinforcing the entire food supply chain. The Commission will continue to work with the Member States to ensure that their common agricultural policy (CAP) strategic plans sufficiently support the targets on organic agriculture as well as on high-diversity landscape features **(paragraph 65)**. The CAP is the main policy to ensure that 10% of agricultural land is devoted to high biodiversity landscape features through conditionality and incentives. Farmers will be supported in the transition, including through access to eco-schemes in the context of CAP direct payments that will reward sustainable farming practices, addressing specific environmental and climate needs in the Member State. The Commission continues exchanges with the Member States to ensure that the CAP Strategic Plans integrate high-diversity landscape features. Regarding the adoption of healthy and sustainable diets **(paragraph 66),** the Commission is developing a range of initiatives, among which are harmonised front of pack nutrition labelling, a framework for labelling of sustainable food andminimum mandatory criteria for sustainable food procurement. Moreover, the EU agri-food promotion policy is currently being reviewed to increase its contribution to the EU Biodiversity Strategy for 2030, the Farm to Fork Strategy and Europe’s Beating Cancer Plan ([COM(2021) 44 final](https://ec.europa.eu/health/sites/default/files/non_communicable_diseases/docs/eu_cancer-plan_en.pdf)). The overall aim of these initiatives is to facilitate shift to a more plant-based diet, with less red and processed meat and more fruit and vegetables. In order to empower consumers to make informed, healthy and sustainable food choices, the Commission has initiated work under the Farm to Fork Strategy to propose harmonised mandatory front-of-pack nutrition labelling, the setting of nutrient profiles to restrict the promotion of foods high in e.g. fat, sugars or salt and a sustainable labelling framework.

The Commission is committed to the recovery of marine habitats and species, including fish stocks **(paragraph 71)**, as well as to reducing the impact of fisheries on non-target species and on marine ecosystems. TheAction plan to conserve fisheries resources and protect marine ecosystems will provide recommendations and actions that link the implementation of the common fisheries policy (CFP) with environmental legislation and policy to protect and restore marine ecosystems, notably the Birds, Habitats and the Marine Strategy Framework Directives. The action plan will highlight areas where more needs to be done to protect sensitive species and habitats **(paragraph 73)**, and will look into how to address the impact of certain fishing gear on the marine environment and seabed. The Commission is working with Member States’ experts to address bycatch of sensitive species and seafloor damage, and to develop seabed integrity threshold values in the implementation of the Marine Strategy Framework Directive (descriptor 6: seabed integrity). Where necessary, measures will be proposed to limit the use of fishing gear most harmful to biodiversity, including bottom-contacting fishing gear **(paragraphs 79 and 82)**.

The Commission will also look into climate change mitigation and adaptation in the fisheries context, and will report on it in next year’s report on the functioning of the CFP.

The Commission shares the view that fisheries-related measures should follow an ecosystem approach **(paragraph 76)**. Member States having management interest may submit joint recommendations for fisheries conservation measures deemed necessary. The Commission can then adopt legislation on the basis of these recommendations, effectively turning them into binding EU law. The Member States’ maritime spatial plans, that had to be delivered by March 2021, will need to be consistent with the marine strategies that the Member States have reported under the Marine Strategy Framework Directive. The new European Maritime Fisheries and Aquaculture Fund[[1]](#footnote-1) (EMFAF) is also a key contributor to the European Green Deal objectives. It supports low-impact and sustainable blue economy sectors, including fisheries, as well as actions that contribute to the good environmental status of the marine environment. The Commission is determined to use all tools at its disposal, domestically and internationally, to build climate—resilient fisheries and aquaculture sectors. In negotiating their content with the Member States, the Commission will ensure that EMFAF programmes contribute to the achievement of the overall environment, climate and biodiversity targets established in the Multiannual Financial Framework (MFF) 2021-2027, through a series of actions such as the promotion of sustainable, low-impact and low-carbon fishing activities (e.g. collection of scientific data, elimination of discards, protection of sensitive species and habitats, improvement of energy efficiency of fishing vessels). For this purpose, each programme will be monitored through a system of pre-defined climate and environmental markers attached to types of interventions, measuring the overall contribution to climate and environmental objectives and targets. Data collection, management and use is also co-financed under the European Maritime and Fisheries Fund/ the European Maritime Fisheries and Aquaculture Fund, as is control and enforcement. The Commission is working with the Member States to provide guidance and criteria on the protection of 30% of EU land and sea areas, including 10% strict protection **(paragraph 86)**, and is further assessing options for binding targets to restore marine ecosystems as part of its upcoming proposal for a Nature Restoration Law.

As regards higher welfare methods **(paragraph 77)**, in 2017 the Commission carried a [study on “The welfare of farmed fish: common practices during transport and slaughter](https://op.europa.eu/en/publication-detail/-/publication/facddd32-cda6-11e7-a5d5-01aa75ed71a1/language-en/format-PDF/source-49981830). In 2018, the Commission addressed a report to the European Parliament and the Council on the possibility of introducing certain requirements regarding the protection of fish at the time of killing ([COM/2018/087 final](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018DC0087&from=NL)). Under the EU Platform on Animal Welfare, a voluntary initiative on the welfare of fish, developed [Guidelines on water quality and handling for the welfare of farmed vertebrate fish](https://ec.europa.eu/food/system/files/2020-11/aw_platform_plat-conc_guide_farmed-fish.pdf) which the Platform welcomed in 2020 and invited for dissemination. The Commission will continue to encourage further stakeholder's dialogue on fish welfare. The Commission considers that the Member States have sufficient technical (e.g. World Organisation for Animal Health standards) and scientific information (e.g. European Food Safety Authority opinions and other) to develop their own rules and instructions reflecting their national context if deemed necessary.

As announced in the Farm to Fork Strategy, the Commission is currently carrying out an evaluation of the animal welfare legislation for farmed animals (including legislation applicable at the time of killing and during transport) and an impact assessment in view of its review by the end of 2023. In this context, the Commission will review EU animal welfare requirement applicable to farmed fish at the time of killing, during transport and at farm level.

The Commission recognises the important role that the EU agriculture, fisheries and forestry stakeholders have to play in the protection and restoration of nature **(paragraphs 83 and 126)** and will continue its dialogue with farmers, fishermen and foresters and other stakeholders whose engagement is essential for the success of the EU biodiversity policies. It will also continue to work with the Member States to ensure that the instruments available under EU funds and programmes are fully used to provide the necessary support and incentives and to ensure a fair transition towards fully sustainable practices. For example, the CAP funding instruments, the EMFAF and the cohesion policy funds provide opportunities for such support, and the Commission will continue to encourage Member States to make such measures available as much as possible at the national level.

As stated in the EU Biodiversity Strategy for 2030, the EU will apply zero tolerance towards illegal, unreported and unregulated fishing and will combat overfishing, including through WTO negotiations on a global agreement to ban harmful fisheries subsidies **(paragraph 75)**.

The new EU Forest Strategy ([COM(2021) 572 final](https://ec.europa.eu/info/sites/default/files/communication-new-eu-forest-strategy-2030_with-annex_en.pdf)) announced that the Commission as part of its upcoming proposal for a legally binding instrument for ecosystem restoration will also propose to include targets for restoring forest ecosystems **(paragraph 91)**, as well as develop guidelines on biodiversity-friendly afforestation and reforestation by early 2022 **(paragraph 101)**. The Strategy includes an annex with a roadmap of the Commission’s action to implement the pledge to plant 3 billion additional trees by 2030 in the EU.

The Commission agrees on the importance of aligning EU rules on the use of biomass for energy production **(paragraph 100)** with the EU biodiversity targets. The Commission [Report on the use of woody biomass for energy production in the EU](https://publications.jrc.ec.europa.eu/repository/handle/JRC122719) published in 2021 provided a comprehensive overview and further reflected on possible approaches to ensure that forest management practices that are beneficial to the climate are also beneficial to biodiversity and proposing “win-win” management practices that contribute positively to both. As mentioned in the “Fit for 55 package” ([COM(2021) 550 final](https://ec.europa.eu/info/sites/default/files/chapeau_communication.pdf)) published on 14 July 2021, the Commission is taking a range of measures to incentivise good practices in the production of biomass, and to ensure supply and demand for woody biomass are in line with the objectives of restoring biodiversity, improving the health of nature, and staying within planetary limits. The proposal for a revision of the renewable energy directive includes strengthened sustainability criteria for bioenergy, notably by the application of the cascading principle, by extending their scope of application and by enlarging no-go areas for sourcing.

As concerns the sustainability of products and commodities placed on the EU market **(paragraph 102),** a legislative proposal under preparation aims to minimise the risks of deforestation and forest degradation associated with products placed on the EU market and to increase transparency of relevant supply chains. The goal is to ensure that commodities and products (such as soy, beef, palm oil, wood, cocoa and coffee) placed on the EU market do not provoke deforestation and forest degradation — regardless of whether it takes place within or outside the EU. The Commission is currently finalising the impact assessment and envisages to put forward the legislative proposal in the last quarter of 2021, taking into account the importance of supporting a socially and economically just transition not only in the EU but also in partner countries. The Farm to Fork Strategy announced, *inter alia*, actions to reduce the environmental and climate impacts of agriculture and carbon leakage, and to support the ongoing transition towards more sustainable livestock farming by reducing the dependency on critical feed materials, such as soya grown on deforested land.

On 21 April 2021, the Commission tabled a [proposal for a Corporate Sustainability Reporting Directive (CSRD)](https://ec.europa.eu/info/publications/210421-sustainable-finance-communication_en#csrd), which aims to amend the existing reporting requirements of the Non-financial Reporting Directive so as to reduce systemic risks to the financial system arising from climate change and other sustainability issues, enable the flow of capital to companies that address and do not exacerbate the sustainability crisis and make companies more accountable for their impacts on people and the environment. The CSRD proposal also amends the Accounting Directive, the Transparency Directive, the Audit Directive and the Audit Regulation. It extends the scope to all large companies and all companies listed on EU regulated markets, requires the audit (assurance) of sustainability information, introduce more detailed sustainability reporting requirements, and a requirement to report according to mandatory EU sustainability reporting standards. The proposal envisages the adoption of EU sustainability reporting standards that will cover all Environmental, Social and Governance issues. On the environmental area, EU standards will cover Climate change mitigation, Climate change adaptation, Water & marine, Resource use & Circular Economy, Pollution and Biodiversity & ecosystems; on the social area EU standards will cover Equal opportunities, Working conditions and Human rights. Importantly the proposal also clarifies the principle of double materiality: companies will report on the risks arising from sustainability aspects for the company and on their impacts on people and the environment **(paragraphs 198** **and 195)**.

As concerns the footprint of EU consumption and production **(paragraph 104),** drivers of biodiversity loss are so far only indirectly covered by some of the 16 impact categories under the Environmental Footprint methods. In the preparatory phase of the [Green Claims initiative](https://ec.europa.eu/environment/eussd/smgp/initiative_on_green_claims.htm), Product Environmental Footprint Category Rules on feed for food producing animals were developed as part of the Environmental Footprint pilot phase. These are calculation rules for quantifying the life cycle environmental impacts (including on climate change) of various feeds.

Building on existing business practice on natural capital accounting, the Commission is supporting business-driven development of generally accepted accounting principles and methodologies for natural capital and biodiversity for businesses. The CSRD proposal refers to related projects in recital 38, which puts emphasis on developing standardised natural accounting practices within the EU and internationally. The recital refers to the Transparent Project financed under the LIFE programmewhich develops the first natural capital accounting methodology that will make existing methods easier to compare and more transparent. It also refers to the Natural Capital Protocol as an important reference tool.

In relation to Natural Capital Accounting and its key contribution to halting biodiversity loss **(paragraph 68)**, the EU INCA project has shown that the production of a wide range of ecosystem accounts is feasible, following the guidance of the System of Environmental Economic Accounting – Experimental Ecosystem Accounting (SEEA EEA), and that it is possible to produce consistent and comparable information on ecosystems and the services they provide to society at the scale of the EU. The latest INCA report on [Accounting for ecosystems and their services in the European Union – INCA – 2021 edition](https://ec.europa.eu/eurostat/en/web/products-statistical-reports/-/ks-ft-20-002) presents examples of the effective use of ecosystem services accounts and existing policy applications.

The Commission fosters networks of financial institutions and business cooperating on natural capital in order to align internationally management accounting principles for natural capital and biodiversity. The cooperating projects [Transparent](https://capitalscoalition.org/project/transparent/) and [Align - Aligning accounting approaches for nature](https://ec.europa.eu/environment/biodiversity/business/align/index_en.htm) supports businesses, financial institutions and other stakeholders in developing standardised natural capital accounting practices, including a standardised approach to biodiversity measurement. In this context, the Natural Capital Accounting and Valuation of Ecosystem Services project (2016-2021), funded by the EU’s Partnership Instrument, contributes to advancing the knowledge agenda on ecosystem accounting in several EU strategic partner countries where biodiversity is at stake.

Understanding and tackling the inevitable impacts of climate change on ecosystems **(paragraph 106)**, and the role of ecosystem conservation and restoration for climate change mitigation and adaptation **(paragraph 107)**, are among the main priorities of this Commission. The upcoming proposal for a Nature Restoration Law will propose an enhanced legal framework to restore ecosystems, improve their resilience and boost climate-related services. The EU strategy on adaptation to climate change ([COM(2021) 82 final](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2021:82:FIN)) adopted in February 2021 foresees measures to increase the resilience of terrestrial and marine ecosystems, species and fisheries. By the end of 2022, the Commission will report on the functioning of the Common Fisheries Policy, looking, among other elements, at how the current policy framework caters for the effects of climate change on fisheries and aquaculture and exploring possible adaptation solutions for increased ecosystems resilience. The ongoing review of the Marine Strategy Framework Directive will also look into climate aspects in relation to the protection of the marine environment.

Regarding the Parliament’s call to set in legislation a science-based target for the removal of greenhouse gas emissions by carbon sinks **(paragraph 108)**, the Commission takes note of the call to present a long-term EU action plan on climate and biodiversity **(paragraph 109)**. The Commission confirms that a coherent effort and synergies between biodiversity and climate policies are already systematically being promoted under the EU Climate Adaptation Strategy, the upcoming Nature Restoration Law and other actions under the EU Biodiversity Strategy for 2030 aimed at promoting nature-based solutions, the European Climate Pact and the “Fit for 55” package, including the proposal for a revision of the land use, land use change and forestry (LULUCF) Regulation as well as the EU Forest Strategy. The Commission confirms that evidence on the contribution of natural carbon sinks in Europe is taken into account in preparation of legislative proposals such as the upcoming proposal on EU nature restoration targets. In addition, the Circular Economy Action Plan (COM(2020) 98 final) and the Farm to Fork Strategy (COM(2020) 381 final) have announced two initiatives on the certification of carbon removals and on carbon farming set in the context of the European Green Deal. They will aim at stepping up carbon removals, including nature-based removals, at scale conducive to the EU objective of climate neutrality and in full respect of the biodiversity objective.

The Commission further recognizes the high relevance of the Parliament’s call to request an IPCC special report on biodiversity and climate **(paragraph 157)**, and draws attention to the [Report of the IPBES-IPCC Co-Sponsored Workshop on Biodiversity and Climate Change](https://doi.org/10.5281/zenodo.4659158) that was launched in June 2021. This report, delivered by a Scientific Steering Committee assembled by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and IPCC, examines the synergies and trade-offs between biodiversity protection and climate change mitigation and adaptation, and represents the first-ever collaboration between the two intergovernmental science-policy bodies.

Nature-based solutions, such as protecting and restoring wetlands, peatlands and coastal ecosystems, sustainably managing marine areas, forests, grasslands and agricultural soils, or increasing urban green infrastructure, are essential for climate mitigation and adaptation. As concerns the call to clarify the definition of nature-based solutions **(paragraph 112)**, the Commission’s definition, also included in [Council Conclusions](https://data.consilium.europa.eu/doc/document/ST-11829-2020-INIT/en/pdf), implies that nature-based solutions must benefit biodiversity and support the delivery of a range of [ecosystem services](https://ec.europa.eu/info/research-and-innovation/research-area/environment/nature-based-solutions_en). This is in line also with the global standard for nature-based solutions of the International Union for Conservation of Nature. The Convention on Biological Diversity [safeguards and principles for ecosystem-based approaches](https://www.cbd.int/doc/decisions/cop-14/cop-14-dec-05-en.pdf) are equally valid for nature-based solutions.

As concerns the call to set in legislation the targets of reducing the use of more hazardous and chemical pesticides by 50 % and losses of nutrients from fertilisers by 50 %, including clear baselines and milestones for their achievement **(paragraphs 114)**, the Commission is currently working to ensure reductions of the use and risk of chemical pesticides, and in the use of the more hazardous pesticides by ensuring that Member States fully implement the Sustainable Use Directive, in particular as regards Integrated Pest Management, and by promoting agricultural practices such as agro-ecology and organic farming. Discussions and exchange of good practice and experience take place at regular Sustainable Use Directive (SUD) Working Group meetings, as well as through the [SUD web-portal](https://ec.europa.eu/food/sites/food/files/safety/docs/f2f_action-plan_2020_strategy-info_en.pdf). The Commission is progressing with preparations for the revision of the Sustainable Use of Pesticides Directive **(paragraph 119)**, with a legislative proposal envisaged for the first quarter of 2022.

The EU-supported research project on “[Integrated health approaches and alternatives to pesticide use](https://ec.europa.eu/food/sites/food/files/safety/docs/f2f_action-plan_2020_strategy-info_en.pdf)” aims to make available a toolbox on sustainable pest management practices, policies and guidelines from Member States, pest and disease monitoring and warning systems, technologies, practices, private sector initiatives, an assessment of their potential and recommendations on how to scale up good practices throughout the EU.

Progress towards the first pesticides target in the Farm to Fork Strategy **(paragraph 115)** will be measured using a modified version of the methodology for Harmonised Risk Indicator 1, established under Directive 2009/128/EC. Progress towards the second pesticides target will be measured using sales data, which the Member States report to the Commission under Regulation (EC) No 1185/2009. As announced by the Farm to Fork Strategy, the Commission has proposed a revision of the Pesticides Statistics Regulation ([COM(2021) 37 final](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021PC0037)) to overcome data gaps and promote evidence-based policy making. The improvement of the EU legal framework for collecting pesticide statistics is an important step in this process, as the resultant data is necessary to develop new harmonised risk indicators.

The Commission will also revise the current harmonised risk indicator 2 (based on the numbers and properties of emergency authorisations) to better reflect the risks associated with these authorisations. This is now possible, as from 1 March 2021, Member States are required to report additional data on emergency authorisations to the Commission, in line with a revised Guidance Document on emergency authorisations.

As regards the Parliament’s opposition to the renewal of approval of glyphosate beyond 2022 (**paragraph 116**), the Commission would like to point out that [a new scientific assessment of whether glyphosate meets the approval criteria of Regulation (EC) No 1107/2009 on plant protection products is currently ongoing](https://ec.europa.eu/food/plants/pesticides/approval-active-substances/renewal-approval/glyphosate_en). As foreseen in that Regulation, the outcome of the scientific assessment will be the basis for the Commission to draft a renewal report and a draft regulation to the Member States on whether the approval of glyphosate can be renewed, or not.

The Commission is currently not planning a revision of [Regulation (EC) No 396/2005](https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A32005R0396) on maximum residue levels of pesticides in or on food and feed of plant and animal origin **(paragraph 123)**, and points out that this regulation already allows for a number of factors to be taken into account when setting Maximum Residue Levels of Pesticides. Furthermore, [Regulation (EC) No 1107/2009](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32009R1107) on the placing of plant protection products on the market aims to ensure that pesticides can only be authorised and used in the EU when it has been demonstrated that they have no harmful effects on human and animal health, and no unacceptable effects on the environment.

Regarding standards and checks on agricultural products imported from non-EU countries **(paragraph 122)**, all imports of meat and meat products entering the single market have to comply with the conditions for entry into the EU (food safety and animal health). Border controls are a key factor to ensure that products entering the European Union are safe and meet the specific import conditions. Those products are subject to specific controls at their point of entry, in the so called Border Control Posts, and released on the EU market only if they have satisfactorily undergone the relevant checks. According to Article 134 of the Union Customs Code (UCC), goods brought into the EU customs territory shall be subject to customs supervision and may be subject to customs controls. Where applicable, they shall be subject to such prohibitions and restrictions as are justified on grounds of, inter alia, the protection of the health and life of humans, animals or plants and the protection of the environment. Furthermore, based on Articles 46 and 47 UCC, customs authorities may carry out any customs controls they deem necessary, in close cooperation with other competent authorities. The Commission proposal for a Regulation establishing the EU Single Window Environment for Customs ([COM(2020) 673 final](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52020PC0673)) aims to facilitate and digitalise the exchange of documents between competent authorities and customs, thus strengthening the overall robustness of controls and the coordination between customs and competent authorities. Finally, the European Commission carries out audits in third countries aimed at monitoring the implementation and enforcement by these countries of EU legislation on food and feed safety, animal health, animal welfare and plant health in relation to establishments which are authorised to export to the EU

As concerns the target to reduce nutrient losses and pollution from fertilisers, the Commission is focusing as priority on the implementation and enforcement of current environmental legislation, on implementing the relevant actions in the Zero Pollution Action Plan and on preparing a robust Integrated Nutrient Management Action Plan, to be presented in 2022. The Action Plan will address nutrient pollution at source, supporting the implementation and enforcement of environmental and climate legislation, identifying with Member States the nutrient load reductions needed to achieve the targets, applying balanced fertilisation and sustainable nutrient management and managing nitrogen and phosphorus better throughout their lifecycle.

The Zero Pollution Action Plan aims to tackle, among other pressures, noise and light pollution **(paragraphs 127 and 128)**. In line with the findings of the 2017 evaluation of the Environmental Noise Directive and the 2020 evaluation of the Outdoor Noise Directive, the Commission will focus on better tackling noise at source, review progress in 2022 and consider whether there is a need to set noise reduction targets at EU level in the Environmental Noise Directive. The Commission will also review the Marine Strategy Framework Directive by 2023, taking into account the need to reduce plastic and other sources of marine litter, underwater noise and contaminants. The Commission will work with Member States on EU threshold values for maximum levels of underwater noise stemming from maritime transport, construction, dredging and other offshore activities. Horizon Europe will continue to support research on pollution of emerging concern such as light pollution and its impacts on biodiversity. Achieving the target set in the EU Biodiversity Strategy for 2030, to improve the status of 30% of the species currently not in favourable conservation status, may require specific actions for reducing the negative impacts of light pollution on certain nocturnal species, where this is identified as a significant pressure. Furthermore, a review of the EU ecodesign act for light sources will be carried out as from 2024. It will consider relevant available evidence, including on potential adverse effects of lighting on biodiversity, and may result in additional actions.

The Commission is actively engaging with the Member States and experts in work to further complement the list of Invasive Alien Species (IAS) of Union concern **(paragraph 131)**, including the addition of marine IAS **(paragraph 133)** based on comprehensive risk assessments. The Commission will publish in 2021 its first report on the review of the application of the IAS Regulation. The EU Biodiversity Strategy has committed the EU to tackling as priority IAS that affect threatened species **(paragraph 132).** As concerns the Parliament’s call to introduce mandatory risk assessments prior to first import of non-native species and to propose EU-wide white lists of species permitted for import, keeping, breeding and trade, the Commission notes that EU legislation is oriented towards the use of negative lists because of the WTO obligations: one cannot ban trade unless a risk is demonstrated. The white list approach was considered but not taken up at the very early stages of preparation of the IAS Regulation. While current EU secondary law does not allow for this approach at Union level, a few Member States have adopted it, mainly for the pet trade. In order to apply a white list approach to the import of species into the EU, we would need to ban a very high number of species (in the range of thousands) and only allow import after an assessment of those considered not to pose a significant risk. The cost could be very high, and it does not help in the case of invasive alien species introduced by accident such as by ballast water.

The Commission welcomes Parliament’s emphasis on the need for effective biodiversity mainstreaming and proofing across the EU spending and programmes and for the implementation of the “do no significant harm” principle, as well as for assessing how the necessary funding of at least EUR 20 billion/ year for biodiversity could be mobilised in the framework of the commitments under the Interinstitutional Agreement on the Multiannual Financial Framework (MFF) planning 10% of the EU budget addressing biodiversity priority in 2026 and 2027 **(paragraph 134)**. The Commission has provided guidance on biodiversity-proofing the EU budget and fund-specific methodologies in the past MFF. The Commission is currently updating the guidance on biodiversity tracking for the 2021-2027 MFF. Under the new MFF, the 'do no harm' principle is reflected across EU funds and programmes. The 'sustainability proofing guidance' recently adopted in the context of InvestEU contains meaningful biodiversity provisions, as well as the Recovery and Resilience Facility ‘do no significant harm’ checklist, and guidance on the application of the principle during the programming of cohesion policy funds. Amongst other objectives, each measure must demonstrate that no significant harm is done to the protection and restoration of biodiversity and ecosystems. The agreement on the Multiannual Financial Framework for the next seven years, in combination with NextGenerationEU, provide substantial means for all the Member States to address the environmental challenges including an increased share of climate-related action and an increase of the EU’s level of ambition by dedicating at least 7.5% in 2024 and 10% in 2026 and 2027 of annual spending under the MFF to biodiversity for which the Commission is developing a new tracking methodology.

On 6 July, the Commission published a new [Strategy for financing the transition to a sustainable economy](https://ec.europa.eu/info/publications/210706-sustainable-finance-strategy_en) that proposes action in a number of areas, including extending the EU taxonomy framework and sustainable finance standards and labels to recognise transition efforts, and providing the right tools and incentives to access transition finance. It provides a framework for both the public and private sector to support the goals and targets under the Biodiversity Strategy for 2030 **(paragraph 139)**, and also highlights the necessity for the financial system to become more resilient to the risks posed by climate change and environmental degradation – and the steps needed to achieve this. Finally, the strategy presents the Commission’s international approach, including work on global convergence on standard setting, such as on taxonomy and disclosures.

It is also important to increase the efficiency of spending and to urgently address the drivers of biodiversity loss, including environmentally harmful subsidies **(paragraph 135)**. The Commission also welcomes the Parliament’s emphasis on the need for action in this regard. To support this important assessment work, the Commission is working with stakeholders on a toolbox to help Member States and stakeholders identify and phase out environmentally harmful subsidies (including for biodiversity). Phasing out and redirecting subsidies and incentives harmful to biodiversity is also a key issue and EU priority in the context of ongoing Convention on Biological Diversity (CBD) negotiations on the post-2020 global biodiversity framework. The Commission is committed to ensure that the international community adopts a target aiming at reforming and eliminating biodiversity harmful subsidies **(paragraph 137)**.

The Commission takes note of the Parliament’s call to submit a proposal for a legally binding biodiversity governance framework by 2022 **(paragraph 141)**. The Commission is following the approach announced in the EU Biodiversity Strategy for 2030. As a first step, a renewed, cooperation-based biodiversity governance framework will be put in place in 2021. It will build on the lessons learnt from the governance framework that was set up to track progress in implementing the 2030 Biodiversity Strategy. The renewed governance framework will strengthen the coordination structure of Commission expert groups and other bodies in order to ensure a coherent and participatory implementation of the EU Biodiversity Strategy for 2030, with the representation and engagement of stakeholders and communities **(paragraph 197)**. It will also include a mechanism for monitoring and review of progress, as well as a strengthened science-policy interface. The Commission has also suggested a standing discussion point with the Parliament and the Council in order to exchange on progress achieved in implementing the EU Biodiversity Strategy for 2030. As part of its deliberations on the setup of the new biodiversity governance framework, the Commission willconsiderthe need and feasibility of establishing an independent scientific European panel on biodiversity or similar body to assess the consistency of EU measures with the ambition of the Biodiversity Strategy for 2030 **(paragraph 142)**, as well as the possibility of strengthening existing relevant bodies to this effect. The Commission will review the effectiveness of the governance framework in 2023, and may propose additional measures, including a binding approach if considered necessary to ensure implementation.

The Commission welcomes the Parliament’s emphasis on the importance of sufficient human and financial resourcesfor effective governance **(paragraph 141)**. Human resources are a constraint for the full implementation and enforcement of biodiversity (and wider environmental) policy at the EU, national and sub-national levels. In 2022, the Commission will consider capacity building needs and may provide guidance to the national authorities on support that exists under EU instruments. For the Commission itself, the workload has been, and will remain very high over the next years. To reduce the important gap between the available resources and those needed for delivering on the biodiversity commitments and actions of the Biodiversity Strategy, the Commission is building synergies within and across the Commission services working on various Green Deal work-streams, which also helps to increase the mainstreaming of environmental and biodiversity objectives across policy areas.

As stated in the EU Biodiversity Strategy for 2030, the Commission will step up measures to ensure the implementation and enforcement of environmental legislation with impacts on biodiversity, including effective and transparent follow-up of non-compliance cases **(paragraphs 188 and 189)**. This includes ongoing work on the implementation and enforcement of the Nature Directives, the Water Framework Directive and the Marine Strategy Framework Directive as well as the Environmental Impact Assessment Directive and the Strategic Environmental Assessment Directive.

The Commission takes good note of the European Parliament’s call for a right to healthy environment inserted in the Charter of Fundamental Rights (**paragraph 143**). In light of this consideration, the Commission highlights that the Charter has effectively the same legal status as the EU Treaties and thus any change to the Charter, in terms of expanding the protection enshrined pursuant to Article 37, would naturally require an amendment to the Treaties.

Education and the involvement of young people will be of the utmost importance for the green transition. The Commission takes note of the Parliament’s proposal to create a Green Erasmus Programme **(paragraph 144)** and stresses that environment and the fight against climate change are already key priorities for the new Erasmus+ programme for the period 2021-2027. The Programme will therefore be a key instrument to increase learning and exchange and develop skills in green forward-looking fields, with special attention to subjects such as rural development, sustainable farming, the management of natural resources or soil protection. Priority will be given to projects that support the contribution of education, training and culture to the sustainable development goals, enable behavioural changes for individual preferences, cultural values and awareness for sustainable development, consumption habits, and lifestyles; and equip young people and adults with the skills and competences needed for the green transition. Erasmus+ is also a powerful instrument to reach out to and engage with a wide spectrum of players in our society (schools, universities, vocational education and training (VET) providers, youth and sport organisations, non-governmental organizations (NGOs), local and regional authorities, civil society organisations, etc.). To help integrate sustainability into schools, higher education and professional training, the Commission will also propose a Council Recommendation on education for environmental sustainability in 2021.

Concerning measures to strengthen biodiversity research **(paragraphs 145, 146, 147, 148 and 149),** the Commission refers to the EU [Horizon Europe](https://ec.europa.eu/info/research-and-innovation/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-europe_en) programme (2021-2027) which will support research into biodiversity, the drivers of loss, valuation and restoration, managing biodiversity in primary production, enabling transformative change and interconnecting biodiversity research and supporting policies. A long-term strategic research agenda for biodiversity is being developed. Biodiversity is a cross-cutting issue and the new [EU missions](https://ec.europa.eu/info/research-and-innovation/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-europe/missions-horizon-europe_en) on climate, oceans, waters, smart cities, soil health and food will all play an important role in testing, deploying and scaling up nature-based solutions and restoring biodiversity as core elements of this transformation. The European Co-funded Partnership on biodiversity ‘[Rescuing biodiversity to safeguard life on Earth’](https://ec.europa.eu/info/research-and-innovation/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-europe/european-partnerships-horizon-europe/candidates-food-security_en), which will start its activities in 2021, will bridge the gap between science, policy and practice in the deployment of nature-based solutions on the ground. It will co-develop multidisciplinary research and innovation programmes with stakeholders to increase the relevance, impact and visibility of EU research and innovation in tackling the biodiversity crisis. This partnership has an estimated budget of EUR 580 million, of which 30% is expected to be EU contribution. Environmental and social health determinants are also in the focus of Horizon Europe in the research area of health. Horizon Europe Cluster 6 has a dedicated Partnership on biodiversity research and innovation. A number of areas for funding are already covered in the Work Programme 2021-2022, such as taxonomy, impacts of biodiversity loss on essential services; links between disease emergence and ecosystem degradation, agriculture, socio-economic factors, education, nature-based solutions and Trans-European Networks, while other areas are duly noted for future programmes. In addition, emerging areas and frontier science of relevance to biodiversity will continue to be funded under the Excellent science Pillar of Horizon Europe.

The Commission welcomes the Parliament’s call for an ambitious global biodiversity agenda with clear long-term targets, as reiterated in the resolution, and notes the Parliament’s position that at the international negotiations, the EU should potentially call for protecting half the planet by 2050 (**paragraph 155)**. The previously set objectives for 2010 and 2020 to halt biodiversity loss were not achieved. The Commission shares the view that the international community must put nature on a better path to recovery through enhanced commitments and stepped-up efforts in implementation. We need an ambitious framework that includes overarching global measurable 2050 goals and ambitious, specific, measurable, actionable, relevant and time-bound 2030 targets in line with the EU commitments in the Biodiversity Strategy for 2030, which tackle the direct drivers of biodiversity loss. Agreement on the ambition level, and stronger mechanisms for monitoring and review, will require addressing the demand from developing countries for solid solutions for resource mobilisation and the fair and equitable sharing of the benefits of the utilisation of genetic resources. The Commission is currently mobilising partner countries, at regional, national and local levels towards an ambitious global biodiversity framework. It is fostering a whole-of-society approach to enhance efforts to protect and restore ecosystems. The Commission will continue to work with the international community to recognise indigenous peoples’ and local communities’ contribution to the protection of biodiversity, to guarantee their rights, and to support their participation in decision-making processes while supporting a rights-based approach and the role of indigenous peoples and local communities throughout its development cooperation programs and partnerships **(paragraph 165).**

Financial resources for implementing the post-2020 global biodiversity framework will come from a wide range of sources, domestic and international, including from the private sector, and the EU Neighbourhood, Development and International Cooperation Instrument (including through “Team Europe Initiatives” with Member States and the promotion of Nature Based Solutions for climate and other sectors). The funding will be invested into various forms of initiatives, from development cooperation and external assistance, to exchanges of best practices and coalitions building to unlock the full potential of the future post-2020 global biodiversity framework.

The Commission supports the adoption of a Global action plan for biodiversity and health at the 15th Conference of the Parties of the Convention on Biological Diversity (BDS COP15), which should also contribute to global efforts to apply the One Health approach as requested by the Parliament **(paragraph 11)**; it also takes note of the Parliament’s call to promote the establishment of a high-level intergovernmental council on pandemic prevention **(paragraph 156)**, subject to agreement with the Member States in the run-up to COP15. The Commission’s integrated responses to the Covid-19 pandemic in the EU already include measures to tackle ecosystem degradation and strengthen resilience.

Concerning the release of genetically engineered gene drive organisms **(paragraph 158)**, the Commission underlines that all genetically modified organisms (GMOs) released into the environment in the EU need to be authorised following a thorough risk assessment according to Directive 2001/18/EC. This obligation is equally applicable to GMOs engineered with gene drives. The Commission is working to ensure that the EU legislation is properly applied and that GMOs have no harmful effects on human and animal health and the environment. In the international context, the Commission and the Member States are preparing the forthcoming negotiations under the Convention on Biological Diversity (COP15) and the Cartagena Protocol on Biosafety (COP-MOP10), where gene drives will be discussed. The EU will give due consideration to the different views on gene drives’ applications and the related uncertainties and risks, based on a precautionary approach.

With the European Green Deal and the EU Biodiversity Strategy for 2030, the Commission committed to integrate the protection of the environment and biodiversity in all external action **(paragraph 159)**. This includes continued and stepped up efforts to facilitate cooperation on the management of biodiversity, including transboundary ecosystems and migratory routes, capacity-building, knowledge transfer, technology sharing and skills training for partner countries to implement international agreements essential to the protection of biodiversity **(paragraph 163)**. This also contributes to enhance EU’s global responsible leadership as a global actor that walks the talk on its climate and environmental commitments.

The EU will continue to support initiatives in partner countries and regions, such as NaturAfrica and the Great Green Wall, to tackle environmental degradation and restore biodiversity across landscapes and watersheds, while enabling sustainable green development, climate resilience and benefits to local communities.Similar approaches, based on territorial development supported by protected areas, are also proposed in the Team Europe Initiatives presented by EU delegations in Asia/Pacific and in Latin America/Caribbean **(paragraph 164)**. The Commission will engage with partner countries’ national and subnational governments, businesses and citizens on the European Green Deal, including the EU Biodiversity Strategy, such as through public diplomacy endeavours and exchanges of best practices.

The Commission follows the debate on the definition and acknowledgement of ecocide as an international crime under the Rome Statute of the International Criminal Court (ICC). The EU is not a party to the Rome Statute and it would be for the state parties to decide on ecocide to be added to the Statute **(paragraph 167).** Should a new crime of ecocide be acknowledged, like for the other crimes under the jurisdiction of the ICC, the principle of complementarity applies, whereby national jurisdiction would have the primary responsibility to investigate and prosecute these crimes. The EU has already extensive capacity-building programmes aimed at enhancing the capacities of third countries’ domestic jurisdictions to address international crimes. The Commission could also consider the ecocide-related aspects in the context of the ongoing preparations for a proposal to revise the Environmental Crime Directive, which it envisages to adopt by the end of 2021.

The Commission fully agrees that EU trade policy should contribute to enhanced cooperation and ambitious biodiversity commitments in third countries. In line with the calls made by the Parliament **(paragraphs 168, 169, 170, 171 and 173)**, all recent free trade agreements concluded by the EU have a Chapter on Trade and Sustainable Development with the aim to foster mutual supportiveness between economic growth, social development and environmental protection – including biodiversity provisions. Trade policy must actively support and be part of the ecological transition. In line with the EU Biodiversity Strategy for 2030 and the Trade Policy Review[[2]](#footnote-2), the Commission will ensure full implementation and enforcement of the biodiversity provisions in all trade agreements. The upcoming review of the 15-point Action Plan on Trade and Sustainable Development will provide an opportunity to make further progress on that front. The Commission is also committed to better assess the impact of EU free trade agreements on biodiversity and ecosystems, such as forests and wetlands. In May, the Commission published a new [methodology for assessing the impacts of trade agreements on biodiversity and ecosystems](https://ec.europa.eu/environment/system/files/2021-05/Methodology-for-assessing-the-impacts-of-trade-agreements-on-biodiversity-and-ecosystems.pdf). It will contribute to further improve the sustainability impact assessments and ex-post evaluations of EU Free Trade Agreements. The methodology is already being tested in the context of the ex-post evaluation of the EU-Colombia/Ecuador/Peru trade agreement.

Regarding the call to the Commission to promote, in the context of the WTO climate and trade initiative, the inclusion of expertise on trade and environment in disputes arising from conflicts between trade commitments and environmental protection exceptions **(paragraph 175)**, the Commission points out that WTO rules already allow WTO Members to adopt legislation in order to achieve their environmental objectives. The Commission is currently engaging with like-minded countries to pursue a strong climate and environmental agenda at the WTO. Through the dedicated forum created to this end, the Trade and Environmental Sustainability Structured Discussions, co-coordinators are currently working to prepare a statement for the 12th Ministerial Conference. Draft elements have been shared with all the membership and currently include: i) launching dedicated discussions on how WTO members could reach long-term climate targets (including net-zero emissions) and how to foster the transition to low-carbon economies; ii) Develop best practices and voluntary actions and partnerships that Members could take to promote the transition to a green economy as well as sustainable supply chains; iii) support developing countries’, in particular LDCs, transition to green trade; and iv) explore modalities for possible future negotiations on environmental goods and services, including non-tariff measures.

As concerns exports from the EU of hazardous substances banned in the EU **(paragraph 174),** in line with the “do no significant harm” principle, the Chemicals strategy for sustainability adopted by the Commission on 14 October 2020 proposes the EU to lead by example and ensure that hazardous chemicals banned in the EU are not produced for export, including by amending relevant legislation if and as needed.

The EU is fully engaged in promoting a “One health” approach as part of the response to COVID 19, the Building Back Better agenda, and prevention of future similar pandemics. Regarding adopting a moratorium on imports of wild animals from reported emerging infectious disease hotspots **(paragraph 178)**, the Commission is not aware of such places being reported somewhere in a systematic, internationally (or even nationally) agreed manner. Public and animal health rules are already in place in the EU to prevent the incursion and spread of animal diseases and zoonoses through the movements of kept live animals, including captive wild animals. In particular the Animal Health Law provides for an appropriate EU legal framework, which allows a systematic “One Health” approach and rapid reaction to existing or emerging health problems in or arising from both kept and wild animals.

The Commission is currently evaluating the 2016 EU Action Plan against Wildlife Trafficking ([COM(2016) 87 final](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2016:87:FIN)) and also remains fully engaged in its fight against forest crime and IUU fishing. Regarding the suggested prohibition of export of nationally protected endangered species **(paragraph 176)**, and if this refers to exports from the EU it would be redundant as relevant species are already covered by the EU Wildlife Trade Regulations, with commercial exports prohibited for the most endangered species. If the reference is to exports from other countries to the EU, such a prohibition would first and foremost have to be established by the source countries. Those countries can always propose the listing of relevant species under CITES, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and the EU generally supports such efforts. The listing of species under CITES entails obligations on all Parties to the Convention (including the EU) to control the legality and sustainability of international trade.

The Commission has adopted a delegated act amending the EU rules on ivory trade to further reduce any risk of the EU market indirectly contributing to illegal ivory trading and elephant poaching, in line with the EU Biodiversity Strategy and the Parliament’s call **(paragraph 177)**. This act is currently under scrutiny by the European Parliament and the Council. Revised legal provisions will in particular remove exemptions for intra-EU ivory trade without certificates, thus facilitating the control of trade also in antique items and closing a potential loophole. The revised legal provisions will be supplemented by updated Commission guidance on ivory trade, recommending that Member States suspend the issuing of import and export permits for commercial ivory trade in the vast majority of hitherto tradeable items, while retaining exemptions for scientific and cultural exchanges and for trade in musical instruments, also in line with the Parliament’s call.

The Commission considers the international dimension of wildlife trafficking crucial and will promote the adoption of an additional protocol under the [UN Convention against Transnational Organized Crime](https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html) **(paragraph 192)**, as outlined in the recent Strategy against Organised Crime (COM(2021) 170 final).

As concerns the negotiations on a global agreement to ban harmful fisheries subsidies, **(paragraph 181)**, the EU’s objective is to effectively prohibit harmful subsidies while maintaining those that are not harmful to fish stocks or ecosystems. These negotiations are a direct implementation of the United Nations Sustainable Development Goals, and thus in line with the EU’s objective that trade policy should support wider values such as the stewardship of the environment.

Concerning the conclusion of an international agreement for the conservation and sustainable use of biodiversity of areas beyond national jurisdiction (BBNJ) at the UN level **(paragraph 182)**, the EU and its Member States have been engaging for more than a decade in global discussions and will continue to work towards its adoption at the final inter-governmental conference.

In international negotiations, the EU should advocate that marine minerals in the international seabed area cannot be exploited before the effects of deep-sea mining on the marine environment, biodiversity and human activities have been sufficiently researched, the risks are understood and the technologies and operational practices are able to demonstrate no serious harm to the environment, in line with the precautionary principle and taking into account the call of the European Parliament **(paragraphs 184 and 185)**. The role of the European Commission so far at the Council meetings of the International Seabed Authority has been limited to its capacity of observer. Following a mapping of EU competences involved – in particular in relation to the protection of the marine environment, theCommission presented in January 2021 a proposal for a Council decision on the position to be taken on behalf of the EU at the meetings of the Council and the Assembly of the International Seabed Authority ([COM(2021) 1 final](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021PC0001)), in view of achieving a coordinated position with the Member States at the next Council meeting of the International Seabed Authority in 2021, and ensuring a robust draft Exploitation Regulations (“Mining Code”) of the International Seabed Authority.

As concerns environmental crimes and offences **(paragraph 192)**, the [EU Strategy to tackle Organised Crime 2021-2025](https://ec.europa.eu/home-affairs/sites/default/files/pdf/14042021_eu_strategy_to_tackle_organised_crime_2021-2025_com-2021-170-1_en.pdf) recognised environmental crime as one of the specific forms of crime requiring a dedicated response from a legislative and policy perspective. Additionally, the [Commission Work Programme](https://ec.europa.eu/info/publications/2021-commission-work-programme-key-documents_en) plans for December 2021 a proposal for a revision of the Directive on the protection of the environment through criminal law (([Directive 2008/99/EC](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008L0099)).

The Commission takes note of the call by the European Parliament to dedicate a specific strategy to the protection of local communities and defenders of environmental human rights and land rights (**paragraph 195)**. The Commission shares the view that such support is of fundamental importance and that supporting the rights of Indigenous Peoples and Local Communities and environmental defenders and their involvement in programs benefiting biodiversity is crucial to rebalance our relationship with nature. EU development cooperation and partnerships systematically defend a rights-based approach and the Commission is fully supportive of associating Indigenous Peoples and Local Communities (IPLCs) to conception, steering and implementation of action to protect, conserve, sustainably use and restore ecosystems and biodiversity, as part of an integrated approach at global, regional, national and local levels.

As stipulated in the EU Biodiversity Strategy for 2030, the Commission will review the strategy in 2024 and if needed step up efforts **(paragraph 190)**. In addition, as part of the new biodiversity governance framework to be put in place by the end of 2021, the Commission will introduce new online tools to track the implementation of the biodiversity actions and progress towards the biodiversity objectives. It will draw on the reporting tools to present concise annual technical progress notes on the implementation of the Strategy. The Commission suggests a standing annual discussion point with the Parliament and the Council in order to exchange on progress achieved in the implementation of the EU Biodiversity Strategy to 2030.

1. Regulation (EU) 2021/1139 of the European Parliament and of the Council of 7 July 2021 establishing the European Maritime, Fisheries and Aquaculture Fund and amending Regulation (EU) 2017/1004 [↑](#footnote-ref-1)
2. (COM(2021) 66 final) [↑](#footnote-ref-2)