

Nature in the balance - update on the EU's Nature Restoration

Law

By Natalia Pujalte





Introduction

The European Union's planned Nature Restoration Law, a key strand of Europe's climate agenda which would introduce binding targets on member states to reverse the decline of Europe's flora and fauna, is facing growing resistance. In an unusual step, the European People's Party (EPP) Group, the largest in the European Parliament, withdrew from negotiations on the legislation following opposition from some agricultural groups and member states. Although other parties reached a preliminary agreement on the text, the EPP's boycott has raised questions about the outlook for the law ahead of a crucial vote by the European Parliament's Committee on the Environment, Public Health, and Food Safety (ENVI) due on 15 June.

This Dods EU Political Intelligence report provides a one-stop guide to the controversial Nature Restoration Law at this critical juncture, including details of its proposed measures, a range of political and stakeholder reactions, and expected next steps.

EPP boycott raises questions about Nature Restoration Law

On the evening of 1 June 2023, representatives from four political groups in the European Parliament announced they had come to a preliminary agreement on a common text for the Nature Restoration Law (NRL) after the European People's Party (EPP) Group boycotted the talks. A joint statement posted on twitter by Spanish socialist MEP César Luena, the rapporteur of the legislation, said the Parliament's Committee on the Environment, Public Health, and Food Safety (ENVI) would vote on it on 15 June. As well as Luena's Socialists and Democrats group, the deal was backed by Renew Europe, the Greens/EFA, and Left group.

However, just one day earlier, the EPP Group took the unusual step of withdrawing from negotiations on the law, raising questions about its outlook. In a <u>statement</u> that called for the European Commission to come up with a new proposal and impact assessment, group Chairman Manfred Weber said the current law would lead to less food production in Europe, push food prices even higher, and block climate transition projects. The boycott raised the stakes for the controversial legislation which has already been rejected by the parliament's <u>agriculture (AGRI)</u> and <u>fisheries (PECH)</u> committees.

The NRL was introduced by the Commission in June 2022 and aims to reverse the severe degradation of Europe's habitats and threat of extinction to numerous species by establishing binding targets to restore at least 20 percent of the EU's land and sea areas by 2030 and all ecosystems in need by 2050. By rejuvenating wetlands, rivers, forests, grasslands, and marine ecosystems along with the species they sustain, including pollinating insects, the proposed law seeks to foster biodiversity, safeguard vital ecosystem services such as water and air purification, crop pollination, and flood protection, and contribute to international efforts to limit global warming to below 1.5°C. Although environmentalists have pointed to droughts and flooding in parts of Europe in recent months as further evidence of climate change, some farming, fishing and forestry groups and member states are concerned the new law could have a detrimental impact on agriculture and land use across the EU.

Reactions

Political

In the EPP Group statement, MEP Christine Schneider, its group's chief negotiator on the NRL, said, "The law was poorly drafted in the first place and is an attack on European agriculture,



forestry and fisheries. Some proposals, such as the prohibition of deterioration, have already failed rural communities in Europe's Natura 2000 legislation...The European Commission cannot expect the EPP to simply accept the proposal without a comprehensive impact assessment on food security, reduced farmland and the renewable energy roll-out. This is not negotiable. If the Commission is serious about nature restoration, it should come up with a new proposal as soon as possible."

<u>Luena</u>, the ENVI committee rapporteur, tweeted on the evening of 1 June that political groups had reached a deal on a common text for the NRL, saying "Today, EPP decided to leave the negotiations on the #NatureRestoration Law, but we continued working." Earlier, he had issued a <u>statement</u> saying he was appalled by the EPP's withdrawal after efforts to accommodate their concerns and demands over six rounds of political negotiations and countless technical meetings.

Luena had previously pushed for the Commission's NRL original proposal to be strengthened. In a <u>draft report</u> on the proposed law published in December 2022 he called for boosting the overall restoration target to 30 percent of the EU's land and seas by 2030, as well as increasing specific objectives for terrestrial, coastal, freshwater, and marine ecosystems, because biodiversity loss and ecosystem degradation was continuing at an alarming rate in the EU and globally. Luena also proposed enhancing provisions in the legislation related to transparency, information-sharing, public participation, best practices exchange, and financing. He also called for the Commission to present new restoration targets beyond 2030 and intermediate targets by 2040.

German MEP Jutta Paulus, the Greens/EFA shadow rapporteur for the NRL in the Environment Committee, put her name to the 1 June agreement statement. In an earlier <u>statement</u> she said: "Blocking the Nature Restoration Law harms food security and small farms, which are particularly dependent on healthy soils. Healthy ecosystems are the prerequisite for productive agriculture. Manfred Weber's obsession with damaging [Commission President] Ursula von der Leyen and his ignorance of the urgency of the ecological crisis endangers our livelihoods, those of future generations and European agriculture."

Pascal Canfin, a liberal French MEP and Chair of the ENVI Committee, said the EPP move was "totally irresponsible at a time where climate impact is growing everywhere in Europe...If the EPP kills the first text of the package and wants to kill the second one on pesticides, there will be no [Green] Deal anymore", Euractiv <u>reported</u>.

Frans Timmermans, Executive Vice-President of the European Green Deal, <u>said</u> on 22 May that the Commission would not be coming up with another NRL proposal as there was not enough time, and rejected calls for new impact assessments. He told the AGRI and <u>ENVI</u> committees that while the Commission was open to discussing the details of the proposal and finding solutions, killing it off would imperil the EU's green ambitions.

Member states

Some member states have also raised issues with the NRL. On 22 May Belgian Prime Minister Alexander De Croo questioned the timing of the NRL, saying in a <u>speech</u>: "The same with the revision of REACH or the new Nature Restoration Law: is this the right time for these new legislations when our industry is crucial to make the energy transition happen? By overburdening people with rules and regulations, we risk losing public support for the green agenda". Irish Taoiseach (prime minister) Leo Varadkar has also <u>expressed</u> reservations about certain aspects of the proposed NRL, stating that they go too far and fail to acknowledge the specific land usage in Ireland, according to reports.





In the AGRIFISH Council of 24 April, member representatives discussed the NRL and its impact on agriculture and forestry. Member states expressed differing views on indicators and monitoring intervals, with the Swedish Presidency proposing more flexibility. Some member states also raised concerns about the costs, flexibility, and potential impact on food security, particularly regarding peatlands. They called for a balanced approach, considering national specificities and the need for additional financing. Discussions also touched on indicators, monitoring, and the alignment of the NRL with other EU regulations. The representatives stressed the importance of food security, climate protection, and maintaining competitiveness for the agricultural sector.

Stakeholders

A group of 150 scientists from across the world signed a joint statement in May expressing their support, saying "If the EU is to restore the health, productivity and resilience of its lands and seas, and have nature continue supporting European food security, employment, climate change mitigation, and the economy, it must approve and implement its Nature Restoration Law."

In a <u>statement</u> following the rejections from the AGRI and PECH Committees, Dr Antonia Leroy, Head of Ocean Policy at the WWF European Policy Office, said, "While false narratives claim the Nature Restoration Law is a threat, in reality, it is the lack of thriving nature and our ocean's degraded health that cause increased resource scarcity and threaten the EU's goals for climate change mitigation. It's now up to the Environment Committee and all MEPs in plenary to put the European Parliament on the right course for an ambitious and strong Nature Restoration Law."

Ioannis Agapakis, nature conservation lawyer at ClientEarth, <u>said</u> in a statement on 23 May that "Agriculture isn't separate to nature – it relies on it. Today's outcome shows that the [AGRI] Committee has either not fully grasped this or chosen to ignore it.

Copa Cogeca, the farming and agri-cooperative industry group, took part in a protest by farmers outside the European Parliament on 1 June, which asked "Where do we fit in the picture" due to increased pressure on the sector. At the event, which it filmed and <u>posted</u> on twitter, Lode Ceyssens, president of Belgian farming association, said "The impact of this proposal will be devastating...by imposing binding restoration objectives for all ecosystems a lot of agricultural land will be lost." Speaking at the same event, Tim Cullinan, President of the Irish Farmers' Association (IFA), <u>called</u> for a new impact assessment, adding "Mr Timmermans...wake up and look after European famers."

Previously, Copa Cogeca had commended the agriculture committee for its decision, but said it regretted that it did not have full authority over the articles most relevant to the work of its members, namely Article 9 and Article 10, which focused on agri-ecosystems and forest ecosystems respectively.

Next Steps

The ENVI Committee, which has decision-making authority on the NRL, is scheduled to vote on the text agreed by the rapporteurs on 15 June. While the rejections in the AGRI and PECH committees darkened the outlook for the legislation, they have limited binding power. After that, MEPs are set to vote on the negotiating position during the plenary week of 10-13 July.

The adopted report will reflect the European Parliament's position during subsequent trilogue negotiations with the European Commission and Council (representing member states) to finalize



the NRL. The Presidency of the Council hopes to reach a consensus during the Environment Council in June 20.

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