

FACE POLICY BRIEFING ON THE PROPOSAL FOR A NATURE RESTORATION LAW



What is the **Nature Restoration Law**?

As part of the European Green Deal, the European Commission adopted the EU Biodiversity Strategy for 2030. This strategy includes a commitment to put forward a proposal for legally binding EU nature restoration targets 'to restore degraded ecosystems, in particular those with the most potential to capture and store carbon, and to prevent and reduce the impact of natural disasters'.

On 22 June 2022, the European Commission presented its proposal on binding restoration targets through an EU regulation (the so-called Nature Restoration Law). It builds on existing nature policy, including setting targets for restoring habitat types and habitats of species covered by the Habitats and Birds Directives, and seeks to create synergies with climate policy.





FACE's key messages:

- FACE welcomes the proposal, as we have long advocated for greater priority for restoration and maintenance of habitats. See press releases ([link1](#), [link2](#)) and FACE's initial recommendations on the proposal ([link](#)).
- Our main request is clear: We want this Regulation to deliver results for ecosystems and habitats for small game, especially wetlands and farmlands.
- FACE also wants hunters to be recognised as key partners, because of their contribution to Europe's nature restoration agenda. As restoration requires a landscape-level approach, the role of stakeholders, including farmers, land managers and hunters, is key to develop workable conservation measures.
- Many restoration projects will take place on private land, so the right incentives to promote community-based conservation must be provided to increase local acceptance and support. This will be essential for success.

What are the **targets**?

The proposal aims at putting in place¹:

- **Overarching EU targets - 20% of EU's land and sea areas must be restored by 2030 and all ecosystems in need of restoration by 2050.**
- **Time-bound obligations to restore to good condition of terrestrial, coastal, freshwater, and marine ecosystems - 30% of each area of each group of habitat types listed in Annex I² by 2030, 60% by 2040 and 90% by 2050.**
- **Time-bound obligations to re-establish terrestrial, coastal, freshwater, and marine ecosystems³.**
- **In agricultural ecosystems, the aim is to increase biodiversity, towards a positive trend for grassland butterflies, farmland birds, organic carbon in cropland mineral soils and high-diversity landscape features on agricultural land.**
- In forest ecosystems, the aim is to increase biodiversity towards a positive trend for forest connectivity, deadwood, share of uneven-aged forests, forest birds and stock of organic carbon.
- Reversing the decline of pollinator populations by 2030 and increasing their populations from there on.
- **Removing river barriers so that at least 25 000 km of rivers would be turned into free-flowing rivers by 2030.**
- No net loss of green urban spaces by 2030, a 5% increase by 2050, a minimum of 10% tree canopy cover in every European city, town, and suburb, and net gain of green space that is integrated to buildings and infrastructure.
- The ambitious objectives will be achieved via Member States adopting national restoration plans.

¹ The points in bold are the most relevant for small game.

² Annex I of the Nature Restoration Law is largely derived from Annex I of the Habitats Directive, with modifications for marine habitats.

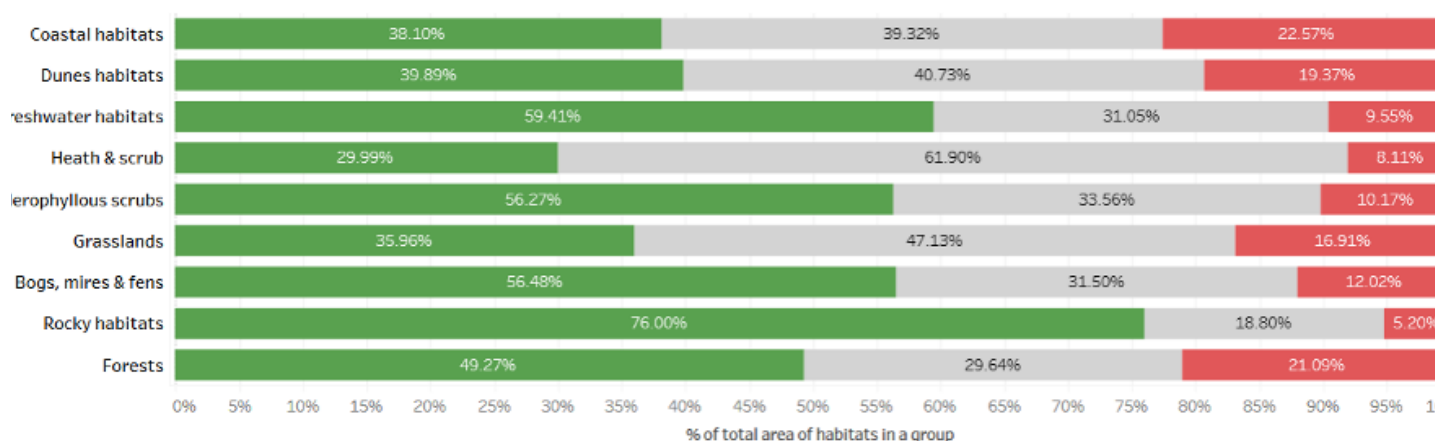
³ 30 % of the additional overall surface needed to reach the total favourable reference area of each group of habitat types listed in Annex I, as quantified in the national restoration plan referred to in Article 12, by 2030, at least 60 % of that surface by 2040, and 100 % of that surface by 2050.

How far are we to reaching the **targets** (under Article 4)?

Article 4 (terrestrial, coastal and freshwater ecosystems) and Article 5 (marine ecosystems) of the proposal are based on data reported by Member States under the Nature Directives, and other sources for marine ecosystems. For Article 4, there are three key parameters: Good condition (4§1), Favorable Reference Area (4§2), and quality and quantity of habitats (4§3).

The first parameter '**Good Condition**' has the most consolidated baseline data, as good condition has already been defined under the reporting format of the Habitats Directive.

Below, the proportion of Annex I Habitat types with good, unknown, or not good condition. For all Member States (2013-2018). Source, European Environment Agency ([link](#)).



It is currently possible for Member States to calculate the area for which restorations measures would have to be put in place by 2030, as should be quantified in national restoration plans. While the figure above is for all Member States, the situation is highly variable between Member States. For example:

- **Germany** has a total area of **18,284 km² Annex I forest habitats**, with 2,368 km² in not-good or unknown condition. So, to reach the 30% area target under article 4§1 restoration measures would need to be put in place on **710 km² of Annex I forests habitats by 2030**.
- **France** has a total area of **84,482 km² Annex I forest habitats**, 65,685 km² in not-good or unknown condition. So, to reach the 30% area target under article 4§1 restoration measures to be put in place on **19,705 km² of Annex I forests habitats by 2030**.

This illustrates the significance of past reporting and quantification of Annex I habitat types at national level. A point that would need consideration in the development of national restoration plans.

For additional comparison, note that only a proportion of Annex I habitat types are covered by the Natura 2000 network. Germany has 7,480 km² (40%) of Annex I forest habitat inside Natura 2000, comparable to France with 30,090 km² (36%) Annex I forest habitat inside Natura 2000. Therefore, restoration will be required inside and outside Nature 2000 areas.

For **‘Favorable Reference Area’ (FRA)** which is referred to in the second paragraph of Article 4, it should be noted that while the extent of existing Annex I Habitat types is well quantified, the FRA is not. In many cases, the reports indicate that the surface area is either sufficient, more is needed, or much more is needed. As this target concerns the re-establishment of habitat types, it will be challenging to identify the most suitable areas at national level, particularly with regard the implications of projected climatic change. It is logical that this target will need measures outside Natura 2000, to restore the most degraded ecosystems.

For the third paragraph of Article 4, on quality and quantity of habitats of species there is also lack of quantitative data. There is information on the status of habitats for species under the Habitats Directive, but not for the Birds Directive.

In addition, the concept and definition of quality and quantity is less well established than for ‘good condition’ and FRA. However, the restoration measures included in the ecosystem specific articles 6 to 10 will cover habitats in the wider landscape.



Where are we on the **specific ecosystem targets** (Article 6 to 10)?

How ambitious is restoring at least **25,000 km of rivers to free flowing** (Article 7)?

Research has shown that there may be over 100,000 obsolete barriers that could be removed to help reconnect Europe's rivers, supporting the restoration of wetlands. By acting on only 2.5% of these barriers 25,000 km of rivers could be restored to free flowing. Article 7 gives a deadline (by 2030) for making an inventory of barriers, but their actual removal is not time-bound. More importantly measures are needed to improve their ecological functions. Rivers are good example where landscape level restoration makes sense.

Regarding agriculture and forest ecosystems, which are not included in Annex I to the proposal, methodologies to assess their good condition have not yet been fully developed. In light of this, the restoration of agricultural ecosystems (Article 9) and forest ecosystems (Article 10) both require Member States **“to put in place the restoration measures necessary to enhance biodiversity in agricultural and forest ecosystems”**.

The proposal lists specific indicators which have to show an increasing trend until a satisfactory level is achieved. As clarified by art. 11(3), Member States have to establish what constitutes a satisfactory level for each of the indicators through an open and effective process and assessment, based on the latest scientific evidence.

If this is not sufficient, the Commission might then develop a framework for setting up a satisfactory level.

With regard to agriculture ecosystems, the indicators are (a) grassland butterfly index; (b) stock of organic carbon in cropland mineral soils; (c) share of agricultural land with high-diversity landscape features.

Further, the farmland bird indexes at national level which are listed in Annex V to the proposal have to achieve certain values by 2030, which differ for Member States with historically depleted populations of farmland birds and Member States with historically less depleted populations of farmland birds. Further information concerning the indicators is provided in Annex IV and V to the proposal.

Moreover, specific percentage of drained peatlands used for agriculture have to be restored (e.g., converting these areas in grasslands), a fraction of them has to be rewetted.

With regard to forest ecosystems, the indicators are

- (a) standing deadwood;
- (b) lying deadwood;
- (c) share of forests with uneven-aged structure;
- (d) forest connectivity;
- (e) common forest bird index;
- (f) stock of organic carbon.

Further information concerning the indicators is provided in Annex VI to the proposal. The indicators have to be monitored once from the date of entry into force of the regulation to 2030 and then every 3 years until the satisfactory levels are reached.

It goes without saying that national restoration plans and CAP strategic plans will need alignment in the future to support nature restoration on farmland.





The importance of **stakeholder** support and **community-based conservation**

FACE believes that restoration requires a landscape-level approach with the support of local communities. Hence, the role of community-based conservation involving hunters, farmers, land managers, environmental groups and others will be key to developing successful restoration plans and measures at local, regional, and national levels. As many restoration projects will also take place on private land, strong support by relevant stakeholders is essential to achieve targets.

The FACE Biodiversity Manifesto demonstrates that hunters are already actively engaged and have the motivation and the skills needed for supporting restoration at the landscape scale. Hunters deserve better recognition for their conservation work, and decision makers should design policies in a way which enables them to be part of the solution for nature restoration.



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