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## **OUTCOME OF PROCEEDINGS**

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Subject:	Proposal for a Regulation of the European Parliament and of the Council on nature restoration - General approach = Statements

### **Statement of Latvia**

#### **Environment Council meeting on 20 June 2023**

#### **Proposal for a Regulation of the European Parliament and of the Council on nature restoration law**

Latvia supports the main aim of the proposal to bring nature back across the continent for the benefit of biodiversity, climate and people.

However, Latvia has concerns about the quantitative mandatory rewetting targets and provisions for organic soils in agricultural use (Article 9, Paragraph 4).

In our opinion, provisions on rewetting of organic soils will disproportionally affect certain Member States with specific climate conditions.

Latvia is a Member State with one of the lowest shares of agricultural land (*30% from total land area*) in the EU. At the same time Latvia is one of the few Member States with the highest share of organic soils.

Furthermore, organic soils can be found in small, scattered areas throughout the territory of Latvia. Agriculture lands and forest drainage systems are interconnected and combined into one large system. Moreover, these territories are owned by the state, municipalities and private owners.

Due to given specificities and circumstances, the quantitative and mandatory targets for rewetting will significantly affect agriculture, which is one of the priority economic sectors in Latvia.

During the Working Party Meetings on Environment Issues Latvia has shared results of peer reviewed reports that have assessed the appropriateness of rewetting. Several reports have concluded that other restoration measures (such as afforestation) may be more appropriate under specific circumstances and have significant climate benefits.

Rewetting also increases methane emissions, which is the second most contributing greenhouse gas. In some cases, rewetting may not contribute to the achievement of the LULUCF climate goals.

Additionally, given the high costs and technically sophisticated process of rewetting, Latvia sees greater value of reducing emissions when rewetting a thicker layer of organic soil, such as *histosols*, which is 40 cm thick or thicker.

Availability of funding will be an essential prerequisite for achieving the targets.

In order to facilitate the achievement of the EU's climate and environmental goals, Latvia supports the adoption of General approach at the Environment Council meeting on 20 June 2023.

### **Statement by the Republic of Malta**

Malta acknowledges the need for a more ambitious approach to conserve nature and that this Regulation will contribute towards the Global Biodiversity Framework as well as improve resilience to climate change.

However, Malta maintains that the applicability of this Regulation should be focused on those natural assets for which protection is not being attained by the existing European acquis. Malta is concerned with the applicability of this Regulation over the continental shelf area. It is important to ensure a level playing field in the application of measures and that such action does indeed attain the required level of protection.

Malta understands that the Council's General Approach provides flexibility in the application of the nature restoration targets enshrined in Articles 4 and 5, including the non-deterioration on land and marine waters, as well as the no net loss for urban ecosystems by 2030. This flexibility is key as it would allow a Member States with high population densities and limited spatial spreads such as Malta to determine the pathway of achieving such ambitions without compromising existing national legislations with regards to national development policies. We believe that it is paramount to ensure that Member States can effectively tailor their Nature Restoration Plans to address the specific pressures that they face.

Malta will strive to ensure that such flexibility remains at the core of the upcoming negotiations with the European Parliament.

## **Statement of Poland**

### **Statement by Poland on the draft Regulation on nature restoration**

The protection of biodiversity and nature restoration are important tasks for the Member States of the European Union, and Poland has been working for years to achieve these goals responsibly. That is why the Polish government is taking a critical stance towards the draft Regulation on nature restoration, noting that it is impossible to achieve the extremely ambitious targets set out in the draft in such a short time frame. Some of the actions in the draft Regulation replicate existing solutions as regards the implementation of directives, but these solutions have failed, as demonstrated by Commission reports, to produce the intended results.

During the negotiations, ongoing since June 2022, successive versions of the text have pointed in the right direction for change, for which Poland would like to thank both the Czech and the Swedish Presidencies. However, the current wording of the draft still raises reasonable doubts. Poland would like to draw particular attention to the issues affecting agriculture. Despite the changes to the text of the Regulation as regards agricultural ecosystems, the targets set for them are not achievable. In particular, the renaturalisation of drained peatlands remains a major concern. In Poland, by far the greater part of this land is currently permanent grassland, which is owned by farmers and used for production. Rewetting it would mean limiting the possibilities for agricultural use, which would create a risk for food security and the competitiveness of Polish and EU agriculture. Poland is particularly concerned that implementing the Regulation's targets will require changes in spatial planning and land use, which may result in economic operators having to change their business profile or natural persons having to change their livelihood.

It is worth noting that the draft Regulation confers broad powers on the European Commission. When checking the adequacy, effectiveness and efficiency of the steps taken by the Member States, the Commission will be able to demand the implementation of any arbitrarily determined additional measures. The criteria for this assessment and, in particular, the procedure for handling any disagreements between Member State experts and Commission officials, are not known. No proposal has been made for how to deal with disagreement between the Commission and a Member State.

In Poland's view, the proposed financing for such ambitious tasks is also far from sufficient, and the costs – as demonstrated in the course of the work – have been significantly underestimated. Poland has consistently raised the need to create a dedicated fund for nature restoration. The offices and institutions implementing the new solutions will also need significant staffing and financial support, which has not been taken into account in the draft.

It is also worth emphasising that, in Poland's view, the Regulation is impossible to apply directly, and implementing it would require the adoption of numerous amendments to national legislation.

In the context of Russia's increasingly brutal war, Poland is of the opinion that planning such costly activities or far-reaching changes in the way spaces are managed, including land involved in food production or energy security, seems dangerous from the point of view of the EU's economic and social stability.