



To

Frans Timmermans
Executive Vice-President of the European Commission
European Green Deal

Virginijus Sinkevičius,
Commissioner for Environment, Oceans and Fisheries

Rue de la Loi / Wetstraat 200
1000 Brussels

November 28, 2022

Subject: EU Nature Restoration Law

Dear Vice-President Timmermans and Commissioner Sinkevičius,

We are writing to you to congratulate you on the proposal for a Regulation of the European Parliament and the Council on Nature Restoration. Because it has clear, measurable targets for land area, river length and sea area, and transparent deadlines for implementation, approving the regulation will be a milestone for the recovery of nature in the European Union and Europe in general. The past decades have shown that restoring biodiversity in the EU without legally binding targets is virtually impossible. The EU Nature Restoration Law will be the desperately needed incentive for the EU and its Member States to restore ecosystems by 2050, as set out in the EU Biodiversity Strategy for 2030.

We are especially content that the regulation is not limited to the Natura 2000 network, but also urges the Member States to put in place restoration measures in areas outside Natura 2000. Here we elaborate why this is important and ask you to consider our proposals (in bold text below) that would further improve the impact of the Regulation.

Non-deterioration of habitats outside Natura 2000

We support the prerequisite that areas with habitat types in good condition or with habitats of species of sufficient quality, both inside and outside Natura 2000 sites, should not deteriorate. Many animal species, including several Annex II and IV species, are currently in an unfavourable conservation state and depend on habitats outside the Natura 2000 network for at least part of their lifecycle. These include both species with large home ranges, such as large herbivores and carnivores, and also animals with migratory habits or complex life-cycles, such as bats. For some species, all or most of their range is outside Natura 2000 sites and therefore conservation outside these protected sites is critical. This cannot be stressed enough, and we strongly support the inclusion of this prerequisite in the Regulation.

Connectivity

Good connectivity between favourable habitat patches is widely recognised as critical to wildlife conservation, and it will become even more important in the future, as climate change compels animals to find new habitats and appropriate climatic conditions. The Regulation currently notes in several places that the connectivity between habitats must be taken into account. However, it is not clear what is meant by connectivity. In the ideal situation, connectivity is achieved with broad corridors of continuous suitable habitat of the species in consideration. In a crowded continent like Europe, realising this ideal situation is not always possible. Especially outside Natura 2000 sites, less perfect connections may be critical to population survival. These can be, for example, hedgerows or well vegetated ditches through agricultural land. For example, bats need protected corridors to connect roosting sites in urban or isolated areas to feeding areas within Natura 2000 areas, amphibians need a mixture of ponds, ditches and hedgerows, and dormice use hedgerows to disperse between otherwise isolated patches of woodland, ensuring genetic exchange between populations. Therefore, be it should be made clear in the text that the prerequisite that areas with habitats of species of sufficient quality should not deteriorate, both inside and outside Natura 2000 sites, also applies to habitat fragments too small to support a population on their own but which provide connectivity between good habitats.

Articles 6 and 9, which urge MS to increase green space and enhance biodiversity in urban and agricultural ecosystems, also provide an excellent opportunity to improve the connectivity for species depending on urban and agricultural areas. Taking connectivity into account when greening urban and agricultural areas will increase the impact and efficiency of these investments.

Therefore, we urge you to add a paragraph to Article 6 and Article 9 about the preservation (non-deterioration) and enhancement of connectivity between natural areas for species listed in Annexes II, IV and V to Directive 92/43/EEC.

We also propose adding a definition of connectivity to Article 3 Definitions of the Regulation. For example:

“Connectivity can be defined as the degree to which landscapes and seascapes allow species to move freely between habitat patches permitting ecological processes to function in an unimpeded manner.”

Climate change

Terrestrial animals, both flying and non-flying, depend heavily on good connections between favourable habitats in order to respond to climate change by changing their geographical range when their former habitats become unsuitable. The Regulation stresses that MS shall put in place restoration measures that are necessary to improve the quality and quantity of habitats to a sufficient level. In Article 3 ‘sufficient quality and quantity of habitat’ is defined in the sense that it should allow a species to maintain itself on a long-term basis as a viable component of its natural range. However, this fails to account for the fact that simply preserving or maintaining habitats within a species current natural range may be insufficient. **Therefore, the definition should be amended to also include changes in the natural range, because of ongoing or projected changes to environmental conditions due to climate change.**

The consequences of climate change for species and habitats are already becoming apparent, resulting in smaller, more vulnerable populations. To minimise the detrimental

effect of human activities on species, **we urge you to add an additional requirement on buffer zones, reflecting the ecological requirements of the species listed in Annexes II, IV and V to Directive 92/43/EEC, around areas with healthy populations of species of conservation concern.**

Landscape approach

Preserving and restoring sufficient quantity and quality of habitat requires meticulous landscape planning. Especially for species with large home ranges or migratory habits, it will take quite some effort to design a network of habitat patches and corridors amidst urban, industrial, and agricultural land, and transport infrastructure. To succeed, a landscape approach is needed. **The Member States must be encouraged to integrate their restoration plans in multi-annual national spatial planning, where the requirements of species and habitat types get the same attention as the projections of future urbanisation, industrialisation and agriculture and the connections between them.** Only this way will it be possible to restore thriving populations in a crowded Europe with an expanding human population.

Thank you for taking our recommendations into account in your deliberations.

Yours sincerely,

Undersigned organisations:

- Mammal Conservation Europe
- BatLife Europe
- Reptile and Amphibian Conservation Europe (RACE)
- The Habitat Foundation