



**2022/0195(COD)**

19.1.2023

## **DRAFT OPINION**

of the Committee on Agriculture and Rural Development

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council  
on nature restoration  
(COM(2022)0304 – C9-0208/2022 – 2022/0195(COD))

Rapporteur for opinion: Anne Sander

(\* ) Associated committee – Rule 57 of the Rules of Procedure

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## SHORT JUSTIFICATION

The Commission proposal seeks to implement the commitment under the Green Deal to halt biodiversity loss by restoring nature. In this regard, the proposed legislation must build up the resilience of ecosystems and ecosystem services.

The changes that have taken place around the world and in Europe could not have been anticipated when the Biodiversity Strategy was adopted. The opinion highlights the need to determine the exact parameters of this new legislation in relation to food safety, supply chains and the affordability of food.

It is difficult to predict some of its consequences insofar as a number of the provisions preempt other European regulations that have just entered into force, such as the CAP via the national strategic plans, or that are currently being examined, such as the proposed regulation on carbon certification. The opinion thus seeks to prevent any overlaps.

Moreover, the objectives and approaches adopted must be realistic and attainable. Climate change is already having a significant impact on ecosystems and these changes have to be taken into account when setting the targets to be achieved and when preparing and implementing future national restoration plans. The opinion also introduces elements where synergies must be sought in relation to this new process, namely the special characteristics and vibrancy of territories, land use, the viability of farms and generational renewal.

Finally, in order to achieve the ambitious objectives proposed, additional, adequate funding will have to be provided.

## AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation

##### Recital 7

*Text proposed by the Commission*

(7) The EU Biodiversity Strategy for 2030 aims to ensure that Europe's biodiversity will be put on the path to recovery by 2030 for the benefits of people, the planet, the climate and our economy. It sets out an ambitious EU nature restoration plan with a number of key commitments, including a commitment to put forward a proposal for legally

*Amendment*

(7) The EU Biodiversity Strategy for 2030 aims to ensure that Europe's biodiversity will be put on the path to recovery by 2030 for the benefits of people, the planet, the climate and our economy. It sets out an ambitious EU nature restoration plan with a number of key commitments, including 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.

binding EU nature restoration targets to restore degraded ecosystems, in particular those with the most potential to capture and store carbon, ***to maintain the productivity of certain ecosystems***, and to prevent and reduce the impact of natural disasters.

Or. fr

## Amendment 2

### Proposal for a regulation Recital 8 a (new)

*Text proposed by the Commission*

*Amendment*

***(8a) In its resolution of 24 November 2022 on the protection of livestock farming and large carnivores in Europe, the European Parliament calls on the Commission to assess progress in achieving the conservation status for species at the level of biogeographical regions and/or EU-wide populations, and insists that the Commission develop an assessment procedure without delay to enable the protection status of populations in particular regions to be amended as soon as the desired conservation status has been reached, in accordance with Article 19 of the Habitats Directive.***

Or. fr

## Amendment 3

### Proposal for a regulation Recital 9 a (new)

*Text proposed by the Commission*

*Amendment*

***(9a) In its resolution of 20 October 2021 on a farm to fork strategy for a fair, healthy and environmentally-friendly food system, the European Parliament recalled***

*that impact assessments are an integral part of the EU rulemaking process. It also stressed that these ex-ante scientific impact assessments should include robust environmental assessments, should cover the three dimensions of sustainability (environmental, economic and social, including health) in a holistic and systemic approach and consider cumulative effects, and should include the cost of non-action in terms of immediate and long-term impact on human health, the environment, biodiversity and general sustainability, as well as taking into account generational renewal, possible trade-offs between policy goals, the availability of means to achieve the targets and the different farming models across the EU Member States.*

Or. fr

#### **Amendment 4**

#### **Proposal for a regulation**

#### **Recital 11**

##### *Text proposed by the Commission*

(11) The EU Biodiversity Strategy for 2030 sets out a target to ensure that there is no deterioration in conservation trends or in the status of protected habitats and species and that at least 30 % of species and habitats not currently in favourable status will fall into that category or show a strong positive trend towards falling into that category by 2030. The guidance<sup>52</sup> developed by the Commission in cooperation with Member States and stakeholders to support the achievement of these targets highlights that maintenance and restoration efforts are likely to be required for most of those habitats and species, either by halting their current negative trends by 2030 or by maintaining current stable or improving trends, or by

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preventing the decline of habitats and species with a favourable conservation status. The guidance further emphasises that those restoration efforts primarily need to be planned, implemented and coordinated at national or regional levels and that, in selecting and prioritising the species and habitats to be improved by 2030, synergies with other Union and international targets, in particular environmental or climate policy targets, are to be sought.

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<sup>52</sup> Available at Circabc (europa.eu)  
[Reference to be completed]

preventing the decline of habitats and species with a favourable conservation status. The guidance further emphasises that those restoration efforts primarily need to be planned, implemented and coordinated at national or regional levels *in order to take account of the special characteristics of each territory*, and that, in selecting and prioritising the species and habitats to be improved by 2030, synergies with other Union and international targets, in particular environmental or climate policy targets *but also food security issues*, are to be sought.

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<sup>52</sup> Available at Circabc (europa.eu)  
[Reference to be completed]

Or. fr

## Amendment 5

### Proposal for a regulation Recital 12

#### *Text proposed by the Commission*

(12) The Commission's State of Nature Report from 2020<sup>53</sup> noted that the Union has not yet managed to stem the decline of protected habitat types and species whose conservation is of concern to the Union. That decline is caused mostly by *abandonment of extensive agriculture, intensifying management practices*, the modification of hydrological regimes, urbanisation and pollution as well as unsustainable forestry activities *and species exploitation*. Furthermore, invasive alien species and climate change represent major and growing threats to native Union flora and fauna.

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<sup>53</sup> Report from the Commission to the European Parliament, the Council and the

#### *Amendment*

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<sup>53</sup> Report from the Commission to the European Parliament, the Council and the

European Economic and Social Committee  
“The state of nature in the European Union  
Report on the status and trends in 2013 -  
2018 of species and habitat types protected  
by the Birds and Habitats Directives”,  
COM/2020/635 final.

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2018 of species and habitat types protected  
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COM/2020/635 final.

Or. fr

## Amendment 6

### Proposal for a regulation Recital 13

#### *Text proposed by the Commission*

(13) It is appropriate to set an overarching objective for ecosystem restoration to foster economic and societal transformation, the creation of high-quality jobs and sustainable growth. Biodiverse ecosystems such as wetland, freshwater, forest as well as agricultural, sparsely vegetated, marine, coastal and urban ecosystems deliver, if in good condition, a range of essential ecosystem services, and **the** benefits **of** restoring degraded ecosystems to good condition in all land and sea areas **far outweigh the costs of restoration**. Those services contribute to a broad range of socio-economic benefits, depending on the economic, social, cultural, regional and local characteristics.

#### *Amendment*

(13) It is appropriate to set an overarching objective for ecosystem restoration to foster economic and societal transformation, the creation of high-quality jobs and sustainable growth. Biodiverse ecosystems such as wetland, freshwater, forest as well as agricultural, sparsely vegetated, marine, coastal and urban ecosystems deliver, if in good condition, a range of essential ecosystem services, and **there are many** benefits **to** restoring degraded ecosystems to good condition in all land and sea areas. Those services contribute to a broad range of socio-economic benefits, depending on the economic, social, cultural, regional and local characteristics. **Restoration should focus on pragmatism and resilience, giving due consideration to the changes in environmental conditions inherent in climate change, which affect ecosystems, species and varieties.**

Or. fr

## Amendment 7

### Proposal for a regulation Recital 17

*Text proposed by the Commission*

(17) The Commission's Communication on adaptation to climate change from 2021<sup>60</sup> emphasises the need to promote nature-based solutions and recognises that cost-effective adaptation to climate change can be achieved by protecting and restoring wetlands and peatlands as well as coastal and marine ecosystems, by developing urban green spaces and installing green roofs and walls and by promoting and sustainably managing forests and farmland. Having a greater number of biodiverse ecosystems leads to a higher resilience to climate change and provides more effective forms of disaster reduction and prevention.

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<sup>60</sup> Communication from the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change (COM/2021/82 final).

*Amendment*

(17) The Commission's Communication on adaptation to climate change from 2021<sup>60</sup> emphasises the need to promote nature-based solutions and recognises that cost-effective adaptation to climate change can be achieved by protecting and restoring wetlands and peatlands as well as coastal and marine ecosystems, by developing urban green spaces and installing green roofs and walls and by promoting and sustainably managing forests and farmland, ***while maintaining the productivity of these ecosystems***. Having a greater number of biodiverse ecosystems leads to a higher resilience to climate change and provides more effective forms of disaster reduction and prevention.

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<sup>60</sup> Communication from the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change (COM/2021/82 final).

Or. fr

## **Amendment 8**

### **Proposal for a regulation Recital 19**

*Text proposed by the Commission*

(19) Geo-political developments have further underlined the need to safeguard the resilience of food systems<sup>62</sup>. Evidence shows that restoring agro-ecosystems has positive impacts on food productivity in the long-term, and that the restoration of nature acts as an insurance policy to ensure

*Amendment*

(19) Geo-political developments have further underlined the need to safeguard the resilience of food systems<sup>62</sup>, ***the maintenance of farms through their economic and financial sustainability, generational renewal, and thus agricultural productivity***. Evidence shows

the EU's long-term sustainability and resilience.

that restoring agro-ecosystems has positive impacts on food productivity in the long-term, and that the restoration of nature acts as an insurance policy to ensure the EU's long-term sustainability and resilience. ***This requires large-scale investment and support for the agricultural sector, including financial support.***

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<sup>62</sup> Communication from the Commission to the European Parliament, the Council, the European, Economic and Social Committee and the Committee of the Regions, Safeguarding food security and reinforcing the resilience of food systems, COM (2022) 133 final.

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Or. fr

## Amendment 9

### Proposal for a regulation Recital 19 a (new)

*Text proposed by the Commission*

*Amendment*

***(19a) In its resolution of 21 March 2022 on the need for an urgent EU action plan to ensure food security inside and outside the EU in light of the Russian invasion of Ukraine, the European Parliament stressed that the EU must be able to ensure food security at all times by increasing resilience in sectors where the EU is highly dependent on imports. In response to this major food security challenge, the European Parliament called on the Commission to identify solutions to support agricultural, fisheries and aquaculture production. It also called on the Commission to ensure that agricultural land is primarily used only for the purposes of producing food and feed.***

Or. fr

## Amendment 10

### Proposal for a regulation Recital 23

*Text proposed by the Commission*

(23) Council Directive 92/43/EEC<sup>65</sup> and Directive 2009/147/EC of the European Parliament and of the Council<sup>66</sup> aim to ensure the long-term protection, conservation and survival of Europe's most valuable and threatened species and habitats as well as the ecosystems of which they are part. Natura 2000, which was established in 1992 and is the largest coordinated network of protected areas in the world, is the key instrument implementing the objectives of those two Directives.

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<sup>65</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

<sup>66</sup> Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

*Amendment*

(23) Council Directive 92/43/EEC<sup>65</sup> and Directive 2009/147/EC of the European Parliament and of the Council<sup>66</sup> aim to ensure the long-term protection, conservation and survival of Europe's most valuable and threatened species and habitats as well as the ecosystems of which they are part. Natura 2000, which was established in 1992 and is the largest coordinated network of protected areas in the world, is the key instrument implementing the objectives of those two Directives. ***In 2019, it covered almost 18% of land and 9.7% of marine waters.***

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<sup>65</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

<sup>66</sup> Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

Or. fr

## Amendment 11

### Proposal for a regulation Recital 24

*Text proposed by the Commission*

(24) A framework and guidance<sup>67</sup> already exist to determine good condition of habitat types protected under Directive 92/43/EEC and to determine sufficient

*Amendment*

(24) A framework and guidance<sup>67</sup> already exist to determine good condition of habitat types protected under Directive 92/43/EEC and to determine sufficient

quality and quantity of the habitats of species falling within the scope of that Directive. Restoration targets for those habitat types and habitats of species can be set based on that framework and guidance. However, such restoration *will* not be enough to reverse biodiversity loss and recover all ecosystems. Therefore, ***additional obligations should be established based on specific indicators in order to enhance biodiversity at the scale of wider ecosystems.***

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<sup>67</sup> DG Environment. 2017, “Reporting under Article 17 of the Habitats Directive: Explanatory notes and guidelines for the period 2013-2018” and DG Environment 2013, “Interpretation manual of European Union habitats Eur 28”.

quality and quantity of the habitats of species falling within the scope of that Directive. Restoration targets for those habitat types and habitats of species can be set based on that framework and guidance. However, such restoration *might* not be enough to reverse biodiversity loss and recover all ecosystems. ***It is therefore particularly important to establish a broad picture of what has been achieved as a result of the implementation of Directive 92/43/EEC.***

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<sup>67</sup> DG Environment. 2017, “Reporting under Article 17 of the Habitats Directive: Explanatory notes and guidelines for the period 2013-2018” and DG Environment 2013, “Interpretation manual of European Union habitats Eur 28”.

Or. fr

## Amendment 12

### Proposal for a regulation Recital 25

#### *Text proposed by the Commission*

(25) Building on Directives 92/43/EEC and 2009/147/EC and in order to support the achievement of the objectives set out in those Directives, Member States should put in place restoration measures to ensure the recovery of protected habitats and species, including wild birds, across Union areas, ***also in areas that fall outside*** Natura 2000.

#### *Amendment*

(25) Building on Directives 92/43/EEC and 2009/147/EC and in order to support the achievement of the objectives set out in those Directives, Member States should put in place restoration measures to ensure the recovery of protected habitats and species, including wild birds, across Union areas, ***focusing primarily, and as a priority, on*** Natura 2000 ***areas.***

Or. fr

## Amendment 13

### Proposal for a regulation Recital 29

#### *Text proposed by the Commission*

(29) It is necessary that the restoration measures for habitat types are adequate and suitable to reach good condition and the favourable reference areas as swiftly as possible, with a view to achieving their favourable conservation status. It is important that the restoration measures are those necessary to achieve the time-bound and quantified area-based targets. It is also necessary that the restoration measures for the habitats of the species are adequate and suitable to reach their sufficient quality and quantity as swiftly as possible with a view to achieving the favourable conservation status of the species.

#### *Amendment*

(29) It is necessary that the restoration measures for habitat types are adequate and suitable to reach good condition and the favourable reference areas as swiftly as possible, with a view to achieving their favourable conservation status, ***giving due consideration to the developments linked to climate change***. It is important that the restoration measures are those necessary to achieve the time-bound and quantified area-based targets. It is also necessary that the restoration measures for the habitats of the species are adequate and suitable to reach their sufficient quality and quantity as swiftly as possible with a view to achieving the favourable conservation status of the species.

Or. fr

## Amendment 14

### Proposal for a regulation Recital 45

#### *Text proposed by the Commission*

(45) The EU Biodiversity Strategy for 2030 requires greater efforts to restore freshwater ecosystems and the natural functions of rivers. The restoration of freshwater ecosystems should include efforts to restore the natural longitudinal and lateral connectivity of rivers as well as their riparian areas and floodplains, including through the removal of barriers with a view to supporting the achievement of favourable conservation status for rivers, lakes and alluvial habitats and species living in those habitats protected by

#### *Amendment*

(45) The EU Biodiversity Strategy for 2030 requires greater efforts to restore freshwater ecosystems and the natural functions of rivers. The restoration of freshwater ecosystems should include efforts to restore the natural longitudinal and lateral connectivity of rivers as well as their riparian areas and floodplains, including through the removal of barriers ***that have been specifically proven to be harmful to ecosystems through a local impact study involving the local authorities and stakeholders responsible***

Directives 92/43/EEC and 2009/147/EC, and the achievement of one of the key objectives of the EU Biodiversity Strategy for 2030, namely, the restoration of **at least 25 000 km of** free-flowing rivers. When removing barriers, Member States **should** primarily address obsolete barriers, which are those that are no longer needed for renewable energy generation, inland navigation, water supply or other uses.

**for managing the ecosystems**, with a view to supporting the achievement of favourable conservation status for rivers, lakes and alluvial habitats and species living in those habitats protected by Directives 92/43/EEC and 2009/147/EC, and the achievement of one of the key objectives of the EU Biodiversity Strategy for 2030, namely, the restoration of free-flowing rivers, **where appropriate**. When removing barriers, Member States **must** primarily address obsolete barriers, which are those that are no longer needed for renewable energy generation, inland navigation, **flood protection**, water supply or other uses.

Or. fr

## Amendment 15

### Proposal for a regulation Recital 45 a (new)

*Text proposed by the Commission*

*Amendment*

**(45a) When considering removing barriers, Member States should also take into account previous experiences and measures. Moreover, they should ensure that such removal will not jeopardise the good condition of freshwater ecosystems, wetlands and rivers, for example by causing seasonal drying-up of rivers or curbing groundwater replenishment. They should take into account the potential benefits of anthropogenic structures that have over centuries contributed to the development of existing ecosystems.**

Or. fr

## Amendment 16

### Proposal for a regulation Recital 48

#### *Text proposed by the Commission*

(48) The proposal for a Regulation of the European Parliament and of the Council on the sustainable use of plant protection products [for adoption on 22 June 2022, include title and number of the adopted act when available] aims to regulate one of the drivers of pollinator decline ***by prohibiting the use of pesticides in ecologically sensitive areas, many of which are covered by this Regulation, for example areas sustaining pollinator species which the European Red Lists<sup>76</sup> classify as being threatened with extinction.***

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<sup>76</sup> *European Redlist - Environment - European Commission (europa.eu)*

#### *Amendment*

(48) The proposal for a Regulation of the European Parliament and of the Council on the sustainable use of plant protection products [for adoption on 22 June 2022, include title and number of the adopted act when available] aims to regulate one of the drivers of pollinator decline.

Or. fr

## Amendment 17

### Proposal for a regulation Recital 49

#### *Text proposed by the Commission*

(49) Sustainable, resilient and biodiverse agricultural ecosystems are needed to provide safe, sustainable, nutritious and affordable food. Biodiversity-rich agricultural ecosystems also increase agriculture's resilience to climate change and environmental risks, while ensuring food safety and security and creating new jobs in rural areas, in particular jobs linked to organic farming as well as rural tourism and recreation. Therefore, the Union needs to improve the biodiversity in its

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(49) Sustainable, resilient and biodiverse agricultural ecosystems are needed to provide safe, sustainable, nutritious and affordable food. Biodiversity-rich agricultural ecosystems also increase agriculture's resilience to climate change and environmental risks, while ensuring food safety and security and creating new jobs in rural areas, in particular jobs linked to ***conventional and*** organic farming as well as rural tourism and recreation. Therefore, the Union needs to improve the

agricultural lands, through a variety of existing practices beneficial to or compatible with the biodiversity enhancement, including extensive agriculture. Extensive agriculture is vital for the maintenance of many species and habitats in biodiversity rich areas. There are many extensive agricultural practices which have multiple and significant benefits on the protection of biodiversity, ecosystem services and landscape features such as precision agriculture, organic farming, agro-ecology, agroforestry and low intensity permanent grassland.

biodiversity in its agricultural lands, through a variety of existing practices beneficial to or compatible with the biodiversity enhancement, including extensive agriculture. Extensive agriculture is vital for the maintenance of many species and habitats in biodiversity rich areas. There are many extensive agricultural practices which have multiple and significant benefits on the protection of biodiversity, ecosystem services and landscape features such as precision agriculture, organic farming, agro-ecology, agroforestry and low intensity permanent grassland.

Or. fr

## Amendment 18

### Proposal for a regulation Recital 50

#### *Text proposed by the Commission*

(50) Restoration measures need to be put in place to enhance the biodiversity of agricultural ecosystems across the Union, including in the areas not covered by habitat types that fall within the scope of Directive 92/43/EEC. ***In the absence of a common method for assessing the condition of agricultural ecosystems that would allow setting specific restoration targets for agricultural ecosystems, it is appropriate to set a general obligation to improve biodiversity in agricultural ecosystems and measure the fulfilment of that obligation on the basis of existing indicators.***

#### *Amendment*

(50) Restoration measures need to be put in place to enhance the biodiversity of agricultural ecosystems across the Union, including in the areas not covered by habitat types that fall within the scope of Directive 92/43/EEC, ***ensuring that adequate funding is available.***

Or. fr

## Amendment 19

### Proposal for a regulation Recital 52

*Text proposed by the Commission*

*Amendment*

**(52) *High-diversity landscape features on agricultural land, including buffer strips, rotational or non-rotational fallow land, hedgerows, individual or groups of trees, tree rows, field margins, patches, ditches, streams, small wetlands, terraces, cairns, stonewalls, small ponds and cultural features, provide space for wild plants and animals, including pollinators, prevent soil erosion and depletion, filter air and water, support climate change mitigation and adaptation and agricultural productivity of pollination-dependent crops. Productive trees that are part of arable land agroforestry systems and productive elements in non-productive hedges can also be considered as high biodiversity landscape features provided that they do not receive fertilizers or pesticide treatment and if harvest takes place only at moments where it would not compromise high biodiversity levels. Therefore, a requirement to ensure an increasing trend for the share of agricultural land with high-diversity landscape features should be set out. Such a requirement would enable the Union to achieve one of the other key commitments of the EU Biodiversity Strategy for 2030, namely, to cover at least 10 % of agricultural area with high-diversity landscape features. Increasing trends should also be achieved for other existing indicators, such as the grassland butterfly index and the stock of organic carbon in cropland mineral soils.*** *deleted*

Or. fr

## Amendment 20

### Proposal for a regulation Recital 53

*Text proposed by the Commission*

(53) The Common Agricultural Policy (CAP) aims to **support and strengthen** environmental protection, including biodiversity. The policy **has among its specific objectives to contribute** to halting and reversing biodiversity loss, **enhance** ecosystem services and **preserve** habitats and landscapes. The new CAP conditionality standard Nr. 8 on Good Agricultural and Environmental Conditions (GAEC 8)<sup>77</sup>, requires beneficiaries of area related payments to have at least 4% of arable land at farm level devoted to non-productive areas and features, including land lying fallow **and to retain existing landscape features**. The 4% share to be attributed to compliance with that GAEC standard can be reduced to 3 % if certain pre-requisites are met<sup>78</sup>. **That obligation will contribute to Member States reaching a positive trend in high-diversity landscape features on agricultural land.** In addition, under the CAP, Member States have the possibility to set up eco-schemes for agricultural practices carried out by farmers on agricultural areas that may include maintenance **and creation of landscape features or** non-productive areas. Similarly, in their CAP strategic plans, Member States can also include agri-environment-climate commitments **including the enhanced management of landscape features** going beyond conditionality GAEC 8 and/or eco-schemes. LIFE nature and biodiversity projects will also help to put Europe's biodiversity on agricultural land on a path to recovery by 2030, by supporting the implementation of Directive 92/43/EEC and Directive 2009/147/EC as well as the EU Biodiversity Strategy for 2030.

*Amendment*

(53) ***In accordance with Regulation (EU) 2021/2115 of the European Parliament and of the Council<sup>76a</sup>, the Common Agricultural Policy (CAP) aims to maintain the functioning of the internal market and a level playing field between farmers in the Union, and, in accordance with the principle of subsidiarity, support from the EAGF and the EAFRD aims to further improve the sustainable development of agriculture, food and rural areas. The CAP helps to foster a smart, competitive, resilient and diversified agricultural sector ensuring long-term food security. It supports and strengthens environmental protection, including biodiversity, and climate action, and it contributes to achieving the environmental and climate-related objectives of the Union, including its commitments under the Paris Agreement. It also strengthens the socio-economic fabric of rural areas.***

The policy *thus contributes* to halting and reversing biodiversity loss, *enhances* ecosystem services and *preserves* habitats and landscapes. The new CAP conditionality standard Nr. 8 on Good Agricultural and Environmental Conditions (GAEC 8)<sup>77</sup>, requires beneficiaries of area related payments to have at least 4% of arable land at farm level devoted to non-productive areas and features, including land lying fallow. The 4% share to be attributed to compliance with that GAEC standard can be reduced to 3% if certain pre-requisites are met<sup>78</sup>. In addition, under the CAP, Member States have the possibility to set up eco-schemes for agricultural practices carried out by farmers on agricultural areas that may include maintenance of non-productive areas. Similarly, in their CAP strategic plans, Member States can also include agri-environment-climate commitments going beyond conditionality GAEC 8 and/or eco-schemes. LIFE nature and biodiversity projects will also help to put Europe's biodiversity on agricultural land on a path to recovery by 2030, by supporting the implementation of Directive 92/43/EEC and Directive 2009/147/EC as well as the EU Biodiversity Strategy for 2030.

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<sup>76a</sup> ***Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1).***

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<sup>77</sup> Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on

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support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013, OJ L 435, 6.12.2021, p. 1,

<sup>78</sup> Where a farmer commits to devote at least 7% of his/her arable land to non-productive areas or features, including land lying fallow, under an enhanced eco-scheme or if there is a minimum share of at least 7 % of arable land at farm level that includes also catch crops or nitrogen fixing crops, cultivated without the use of plant protection products.

support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013, OJ L 435, 6.12.2021, p. 1,

<sup>78</sup> Where a farmer commits to devote at least 7% of his/her arable land to non-productive areas or features, including land lying fallow, under an enhanced eco-scheme or if there is a minimum share of at least 7 % of arable land at farm level that includes also catch crops or nitrogen fixing crops, cultivated without the use of plant protection products.

Or. fr

## Amendment 21

### Proposal for a regulation Recital 70

#### *Text proposed by the Commission*

(70) To ensure the achievement of the targets and obligations set out in this Regulation, it is of utmost importance that adequate private and public investments are made in restoration, Member States should integrate expenditure for biodiversity objectives, including in relation to opportunity and transition costs resulting from the implementation of the national restoration plans, in their national budgets and reflect how Union funding is used. Regarding the Union funding, expenditure under the Union budget and Union financing programmes, such as the Programme for the Environment and Climate Action (LIFE)<sup>96</sup>, the European Maritime Fisheries and Aquaculture Fund (EMFAF)<sup>97</sup>, the European Agricultural

#### *Amendment*

(70) To ensure the achievement of the targets and obligations set out in this Regulation, it is of utmost importance that adequate private and public investments are made in restoration, Member States should integrate expenditure for biodiversity objectives, including in relation to opportunity and transition costs resulting from the implementation of the national restoration plans, in their national budgets and reflect how Union funding is used. Regarding the Union funding, expenditure under the Union budget and Union financing programmes, such as the Programme for the Environment and Climate Action (LIFE)<sup>96</sup>, the European Maritime Fisheries and Aquaculture Fund (EMFAF)<sup>97</sup>, the European Agricultural

Fund for Rural Development (EAFRD)<sup>98</sup>, the European Agricultural Guarantee Fund (EAGF), the European Regional Development Fund (ERDF), the Cohesion Fund<sup>99</sup> and the Just Transition Fund<sup>100</sup>, as well as the Union framework programme for research and innovation, Horizon Europe<sup>101</sup>, contributes to biodiversity objectives ***with the ambition to dedicate 7,5 % in 2024, and 10 % in 2026 and in 2027 of annual spending under the 2021-2027 Multiannual Financial Framework<sup>102</sup> to biodiversity objectives.*** The Recovery and Resilience Facility (RRF)<sup>103</sup> is a further source of funding for the protection and restoration of biodiversity and ecosystems. With reference to the LIFE Programme, special attention should be given to the appropriate use of the Strategic Nature Projects (SNaPs) as a specific tool that could support the implementation of this Regulation, by way of mainstreaming available financial resources in an effective and efficient way.

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<sup>96</sup> Regulation (EU) 2021/783 of the European Parliament and of the Council of 29 April 2021 establishing a Programme for the Environment and Climate Action (LIFE), and repealing Regulation (EU) No 1293/2013 (OJ L 172, 17.5.2021, p. 53).

<sup>97</sup> 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 (OJ L 247, 13.7.2021, p. 1).

<sup>98</sup> Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013,

Fund for Rural Development (EAFRD)<sup>98</sup>, the European Agricultural Guarantee Fund (EAGF), the European Regional Development Fund (ERDF), the Cohesion Fund<sup>99</sup> and the Just Transition Fund<sup>100</sup>, as well as the Union framework programme for research and innovation, Horizon Europe<sup>101</sup>, contributes to biodiversity objectives. The Recovery and Resilience Facility (RRF)<sup>103</sup> is a further source of funding for the protection and restoration of biodiversity and ecosystems. With reference to the LIFE Programme, special attention should be given to the appropriate use of the Strategic Nature Projects (SNaPs) as a specific tool that could support the implementation of this Regulation, by way of mainstreaming available financial resources in an effective and efficient way.

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<sup>96</sup> Regulation (EU) 2021/783 of the European Parliament and of the Council of 29 April 2021 establishing a Programme for the Environment and Climate Action (LIFE), and repealing Regulation (EU) No 1293/2013 (OJ L 172, 17.5.2021, p. 53).

<sup>97</sup> 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 (OJ L 247, 13.7.2021, p. 1).

<sup>98</sup> Regulation (EU) 2020/2220 of the European Parliament and of the Council of 23 December 2020 laying down certain transitional provisions for support from the European Agricultural Fund for Rural Development (EAFRD) and from the European Agricultural Guarantee Fund (EAGF) in the years 2021 and 2022 and amending Regulations (EU) No 1305/2013,

(EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022 (OJ L 437, 28.12.2020, p. 1).

<sup>99</sup> Regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund (OJ L 231, 30.6.2021, p. 60).

<sup>100</sup> Regulation (EU) 2021/1056 of the European Parliament and of the Council of 24 June 2021 establishing the Just Transition Fund (OJ L 231 30.06.2021, p. 1).

<sup>101</sup> Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

<sup>102</sup> ***Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027 (OJ L 4331, 22.12.2020, p. 11).***

<sup>103</sup> Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

(EU) No 1306/2013 and (EU) No 1307/2013 as regards resources and application in the years 2021 and 2022 and Regulation (EU) No 1308/2013 as regards resources and the distribution of such support in respect of the years 2021 and 2022 (OJ L 437, 28.12.2020, p. 1).

<sup>99</sup> Regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund (OJ L 231, 30.6.2021, p. 60).

<sup>100</sup> Regulation (EU) 2021/1056 of the European Parliament and of the Council of 24 June 2021 establishing the Just Transition Fund (OJ L 231 30.06.2021, p. 1).

<sup>101</sup> Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013 (OJ L 170, 12.5.2021, p. 1).

<sup>103</sup> Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17).

Or. fr

## **Amendment 22**

### **Proposal for a regulation Recital 75**

*Text proposed by the Commission*

(75) In order to ensure the necessary adaptation of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission ***in respect of amending Annexes I to VII to adapt the group of habitats, to update the information on the common farmland bird index, as well as to adapt the list of biodiversity indicators for agricultural ecosystems, the list of biodiversity indicators for forest ecosystems and the list of marine species to the latest scientific evidence and the examples of restoration measures.*** It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>52</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

*Amendment*

(75) In order to ensure the necessary adaptation of this Regulation, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>52</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. fr

**Amendment 23**

**Proposal for a regulation**  
**Recital 76**

*Text proposed by the Commission*

(76) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission ***in order***

*Amendment*

(76) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to set out

*to specify the method for monitoring pollinators, to specify the methods for monitoring the indicators for agricultural ecosystems listed in Annex IV to this Regulation and the indicators for forest ecosystems listed in Annex VI to this Regulation, to develop a framework for setting the satisfactory levels of pollinators, of indicators for agricultural ecosystems listed in Annex IV to this Regulation and of indicators for forest ecosystems listed in Annex VI to this Regulation,* to set out a uniform format for the national restoration plans, to set out the format, structure and detailed arrangements for reporting data and information electronically to the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council<sup>108</sup>.

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<sup>108</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

a uniform format for the national restoration plans, to set out the format, structure and detailed arrangements for reporting data and information electronically to the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council<sup>108</sup>.

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<sup>108</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. fr

## **Amendment 24**

### **Proposal for a regulation Article 1 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) the continuous, long-term and sustained recovery of biodiverse and resilient nature across the Union's land and sea areas through the restoration of ecosystems;

*Amendment*

(a) the continuous, long-term and sustained recovery of biodiverse and resilient nature across the Union's land and sea areas through the restoration of ecosystems *to favourable conditions as specified by Council Directive 92/43/EEC<sup>1a</sup> and Directive 2009/147/EC*

*of the European Parliament and of the Council<sup>1b</sup>;*

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<sup>1a</sup> *Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild flora and fauna, (OJ L 206, 22.7.1992, p. 7).*

<sup>1b</sup> *Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).*

Or. fr

## Amendment 25

### Proposal for a regulation

#### Article 1 – paragraph 1 – point b

*Text proposed by the Commission*

(b) achieving the Union’s overarching objectives concerning climate change mitigation **and** climate change adaptation;

*Amendment*

(b) achieving the Union’s overarching objectives concerning climate change mitigation, climate change adaptation **and food security**;

Or. fr

## Amendment 26

### Proposal for a regulation

#### Article 1 – paragraph 2

*Text proposed by the Commission*

2. This Regulation establishes a framework within which Member States shall put in place, without delay, effective and area-based restoration measures which together shall cover, by 2030, at least 20 % of the Union’s land and sea areas and, by 2050, all ecosystems in need of restoration.

*Amendment*

2. This Regulation establishes a framework within which Member States shall put in place **and communicate, through their national plans**, effective and area-based restoration measures which together shall cover, by 2030, at least 20 % of the Union’s land and sea areas and, by 2050, all ecosystems in need of restoration. **All the measures envisaged shall strike a**

*balance between the protection and sustainable use of ecosystems.*

Or. fr

## Amendment 27

### Proposal for a regulation Article 3 – paragraph 1 – point 3

*Text proposed by the Commission*

(3) ‘restoration’ means the process of actively or passively assisting the recovery of an ecosystem *towards* or to *good condition*, of a habitat type to the highest level of condition attainable *and to its favourable reference area*, of a habitat of a species to a sufficient quality and quantity, or of species populations to satisfactory levels, as a means of conserving or enhancing biodiversity and ecosystem resilience;

*Amendment*

(3) ‘restoration’ means the process of actively or passively assisting the recovery of an ecosystem *to good condition* or *attempting to bring it towards good condition*, of a habitat type to the highest level of condition attainable, *restoring a state in which it provides important ecosystem services, including production services*, of a habitat of a species to a sufficient quality and quantity, or of species populations to satisfactory levels, as a means of conserving or enhancing biodiversity and ecosystem resilience;

Or. fr

## Amendment 28

### Proposal for a regulation Article 3 – paragraph 1 – point 4

*Text proposed by the Commission*

(4) ‘good condition’ means a state where the key characteristics of an ecosystem, namely its physical, chemical, compositional, structural and functional state, and its landscape and seascape characteristics, reflect the high level of ecological integrity, stability and resilience necessary to ensure its long-term maintenance;

*Amendment*

(4) ‘good condition’ means a state where the key characteristics of an ecosystem, namely its physical, chemical, *biological*, compositional, structural and functional state, and its landscape and seascape characteristics, reflect the high level of ecological integrity, stability and resilience necessary to ensure its long-term maintenance *and productivity, without precluding land use or economic activity*

*on it,*

Or. fr

*Justification*

*The restoration of ecosystems to a good condition should not, in and of itself, exclude the possibility of carrying out economic activities, be they agricultural, forestry, energy or tourism. Nature, once restored, in addition to its contribution to the fight against climate change, must be able to provide ecosystem services based on sustainable development.*

**Amendment 29**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 5**

*Text proposed by the Commission*

(5) ‘favourable reference area’ means the total area of a habitat type in a given biogeographical region or marine region at national level that is considered the minimum necessary to ensure the long-term viability of the habitat type and its species, ***and all its significant ecological variations in its natural range***, and which is composed of the area of the habitat type and, if that area is not sufficient, the area necessary for the re-establishment of the habitat type;

*Amendment*

(5) ‘favourable reference area’ means the total area of a habitat type in a given biogeographical region or marine region at national level that is considered the minimum necessary to ensure the long-term viability of the habitat type and its species and which is composed of the area of the habitat type and, if that area is not sufficient, the area necessary for the re-establishment of the habitat type, ***while taking account of the effects of climate change on the habitat type that have been already observed, provided that recovery is possible and the measures put in place do not affect the productive capacity of that habitat type, in particular for agriculture and forestry***;

Or. fr

**Amendment 30**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 6**

*Text proposed by the Commission*

(6) ‘sufficient quality of habitat’ means the quality of a habitat of a species which allows the ecological requirements of a species to be met at any stage of its biological cycle so that it is maintaining itself on a long-term basis as a viable component of its habitat in its natural range;

*Amendment*

(6) ‘sufficient quality of habitat’ means the quality of a habitat of a species which allows the ecological requirements of a species to be met at any stage of its biological cycle so that it is maintaining itself on a long-term basis as a viable component of its habitat in its natural range, ***taking account of present and future climate realities***;

Or. fr

**Amendment 31**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 7**

*Text proposed by the Commission*

(7) ‘sufficient quantity of habitat’ means the quantity of a habitat of a species which allows the ecological requirements of a species to be met at any stage of its biological cycle so that it is maintaining itself on a long-term basis as a viable component of its habitat in its natural range;

*Amendment*

(7) ‘sufficient quantity of habitat’ means the quantity of a habitat of a species which allows the ecological requirements of a species to be met at any stage of its biological cycle so that it is maintaining itself on a long-term basis as a viable component of its habitat in its natural range, ***taking account of present and future climate realities***;

Or. fr

**Amendment 32**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 8**

*Text proposed by the Commission*

(8) ‘pollinator’ means a wild animal which transports pollen from the anther of a plant to the stigma of a plant, enabling fertilisation and the production of seeds;

*Amendment*

(8) ‘pollinator’ means a wild ***or domestic*** animal which transports pollen from the anther of a plant to the stigma of a plant, enabling fertilisation and the

production of seeds;

Or. fr

## Amendment 33

### Proposal for a regulation Article 4 – paragraph 1

#### *Text proposed by the Commission*

1. Member States shall put in place the restoration measures that are necessary to **improve** to good condition areas of habitat types listed in Annex I which are not in good condition. **Such measures** shall be in **place on at least 30 %** of the **area of each group** of habitat types listed in Annex I that **is** not in good condition, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least **60 %** by 2040, and on at least 90 % by 2050.

#### *Amendment*

1. Member States shall put in place the restoration measures that are necessary to **restore, provided that current and future climatic conditions so permit**, to good condition areas of habitat types listed in Annex I which are not in good condition, **following an assessment throughout the Union of habitat types and species protected under Directive 92/43/EEC, Directive 2009/147/EC and of the status of Natura 2000 areas through a harmonised methodology ensuring comparability of the data collected between Member States. This assessment shall be carried out in accordance with the conditions laid down in Article 11(2). Once the assessment of the above-mentioned areas has been carried out, the restoration measures shall be put in place in the areas** of habitat types listed in Annex I that **are** not in good condition, **prioritising Natura 2000 areas**, as quantified in the national restoration plan referred to in Article 12, by 2030, on at least **50 %** by 2040, and on at least 90 % by 2050. **These restoration measures must be put in place taking into account the effects of climate change on the areas to be restored.**

Or. fr

#### *Justification*

*D'après le rapport de la Commission européenne sur l'état de conservation de la nature dans l'Union européenne (COM(2020) 635) le réseau Natura 2000 est composé de zones de*

*protection spéciale (ZPS) classées en vertu de la directive «Oiseaux» et de zones spéciales de conservation (ZSC) désignées en vertu de la directive «Habitats». Il représente le plus grand réseau coordonné de zones protégées dans le monde et constitue le principal outil de l'Union européenne pour maintenir/rétablir l'état de conservation des habitats et des espèces protégés. Fin 2019, Natura 2000 couvrait 17,9 % du territoire terrestre de l'Union et 9,7 % et sa superficie avait doublé par rapport à la période précédente. Or, les données récoltées d'un Etat membre à un autre n'étant pas comparables, il est difficile d'établir un véritable état des lieux de ces zones. Il est donc nécessaire de d'abord évaluer de manière commune l'état des zones protégées et en particulier les zones Natura 2000 qui constituent déjà un outil précieux de protection de la biodiversité et dont les périmètres sont déjà dégagés.*

## **Amendment 34**

### **Proposal for a regulation Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Member States shall put in place the restoration measures that are necessary to re-establish the habitat types listed in Annex I in areas not covered by those habitat types. Such measures shall be in place on areas **representing at least 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.

*Amendment*

2. **Taking into account the specificities of each territory, including the agricultural, forestry and economic activities essential for the vitality of rural areas**, Member States shall put in place the restoration measures that are necessary to re-establish, **provided that current and climatic conditions so permit**, the habitat types listed in Annex I in areas not covered by those habitat types, **once the assessment provided for in Article 11(2) has been carried out**. Such measures shall be in place on areas **to attain** the additional overall surface needed to reach the favourable reference area of **the groups** of habitat types listed in Annex I, as quantified in the national restoration plan referred to in Article 12, at least **50 %** of that surface by 2040, and **90 %** of that surface by 2050.

**The re-establishment targets for each group of habitat types referred to in this paragraph may be achieved by restoring the respective share within another habitat group, where duly justified by the Member State.**

Or. fr

## Amendment 35

### Proposal for a regulation Article 4 – paragraph 3

*Text proposed by the Commission*

3. Member States shall put in place the restoration measures for the terrestrial, coastal and freshwater habitats of the species listed in **Annexes II, IV and V** to Directive 92/43/EEC and of the terrestrial, coastal and freshwater habitats of wild birds covered by Directive 2009/147/EC that are necessary to improve the quality and quantity of those habitats, including by **re-establishing them, and to enhance connectivity**, until sufficient quality and quantity of those habitats is achieved.

*Amendment*

3. Member States shall put in place the restoration measures for the terrestrial, coastal and freshwater habitats of the species listed in **Annex IV** to Directive 92/43/EEC **in Natura 2000 areas, to the extent that those species have not achieved a favourable conservation status.**

**Member States shall put in place the restoration measures for the terrestrial, coastal and freshwater habitats of the species listed in Annex II to Directive 92/43/EEC** and of the terrestrial, coastal and freshwater habitats of wild birds covered by Directive 2009/147/EC that are necessary to improve the quality and quantity of those habitats, including by **ensuring their re-establishment, insofar as this is justified by the effects of climate change**, until sufficient quality and quantity of those habitats is achieved.

Or. fr

## Amendment 36

### Proposal for a regulation Article 4 – paragraph 4

*Text proposed by the Commission*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 of

*Amendment*

4. The determination of the most suitable areas for restoration measures in accordance with paragraphs 1, 2 and 3 of

this Article shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex I, measured by the structure and functions which are necessary for their long-term maintenance including their typical species, as referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3 of this Article. Areas where the habitat types listed in Annex I are in unknown condition shall be *considered as not being in good condition*.

this Article shall be based on the best available knowledge and the latest scientific evidence of the condition of the habitat types listed in Annex I, measured by the structure and functions which are necessary for their long-term maintenance including their typical species, as referred to in Article 1(e) of Directive 92/43/EEC, and of the quality and quantity of the habitats of the species referred to in paragraph 3 of this Article ***and the social and economic consequences of the establishment of such areas, in particular on production activities***. Areas where the habitat types listed in Annex I are in unknown condition shall be ***the subject of an analysis on the basis of data collected by Member States in accordance with the methodology set out in Article 11(2)***.

Or. fr

## Amendment 37

### Proposal for a regulation Article 4 – paragraph 5

#### *Text proposed by the Commission*

5. The restoration measures referred to in paragraphs 1 and 2 shall consider the need for ***improved*** connectivity between the habitat types listed in Annex I and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types.

#### *Amendment*

5. The restoration measures referred to in paragraphs 1 and 2 shall consider the need for connectivity between the habitat types listed in Annex I and take into account the ecological requirements of the species referred to in paragraph 3 that occur in those habitat types, ***taking account of any competing requirements between species and habitats***.

Or. fr

## Amendment 38

### Proposal for a regulation Article 4 – paragraph 6

*Text proposed by the Commission*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3 show a continuous improvement in the condition of the habitat types listed in Annex I until good condition is reached, **and a continuous improvement of the quality of the habitats of the species referred to in paragraph 3, until the sufficient quality of those habitats is reached.** Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate.

*Amendment*

6. Member States shall ensure that the areas that are subject to restoration measures in accordance with paragraphs 1, 2 and 3, **in particular Natura 2000 areas,** show a continuous improvement in the condition of the habitat types listed in Annex I until good condition is reached. Member States shall ensure that areas in which good condition has been reached and in which the sufficient quality of the habitats of the species has been reached do not deteriorate, **taking account of the impact of the change in climatic conditions and the shifting of natural ranges.**

Or. fr

### **Amendment 39**

#### **Proposal for a regulation Article 4 – paragraph 7**

*Text proposed by the Commission*

7. Member States shall ensure that areas where the habitat types listed in Annex I occur do not deteriorate.

*Amendment*

7. Member States shall ensure that areas where the habitat types listed in Annex I occur, **in particular in Natura 2000 areas,** do not deteriorate, **taking account of the impact of the effects of climate change.**

Or. fr

### **Amendment 40**

#### **Proposal for a regulation Article 4 – paragraph 8 – point a**

*Text proposed by the Commission*

(a) force majeure;

*Amendment*

(a) force majeure, **including natural**

*disasters or risks of major disruptions in food supply chains;*

Or. fr

#### **Amendment 41**

##### **Proposal for a regulation**

##### **Article 4 – paragraph 8 – point b**

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are ***directly*** caused by climate change; or

*Amendment*

(b) unavoidable habitat transformations which are caused by climate change; or

Or. fr

#### **Amendment 42**

##### **Proposal for a regulation**

##### **Article 4 – paragraph 8 – point c**

*Text proposed by the Commission*

(c) a project of overriding public interest ***for which no less damaging alternative solutions are available, to be determined on a case by case basis.***

*Amendment*

(c) a project of overriding public interest, ***in accordance with the choices made by Member States in their national restoration plans;***

Or. fr

#### **Amendment 43**

##### **Proposal for a regulation**

##### **Article 4 – paragraph 8 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) measures aimed at ensuring food security, including food production and affordability;***

#### Amendment 44

##### Proposal for a regulation

##### Article 4 – paragraph 9 – point a

*Text proposed by the Commission*

(a) force majeure;

*Amendment*

(a) force majeure, ***including natural disasters or risks of major disruptions to food supply chains***;

Or. fr

#### Amendment 45

##### Proposal for a regulation

##### Article 4 – paragraph 9 – point b

*Text proposed by the Commission*

(b) unavoidable habitat transformations which are ***directly*** caused by climate change; or

*Amendment*

(b) unavoidable habitat transformations which are caused by climate change; or

Or. fr

#### Amendment 46

##### Proposal for a regulation

##### Article 4 – paragraph 10 – point a

*Text proposed by the Commission*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least 90 % is in good condition and until the favourable reference area ***for each habitat type in each biogeographic region of their territory*** is reached;

*Amendment*

(a) an increase of habitat area in good condition for habitat types listed in Annex I until at least 90 % is in good condition and until the favourable reference area is reached, ***taking into account the requirements for the establishment of that area in accordance with Article 11(2)(a)(iii).***

**Amendment 47****Proposal for a regulation****Article 4 – paragraph 10 – point b***Text proposed by the Commission*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in *Annexes II, IV and V* to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC.

*Amendment*

(b) an increasing trend towards the sufficient quality and quantity of the terrestrial, coastal and freshwater habitats of the species referred to in *Annex IV* to Directive 92/43/EEC and of the species covered by Directive 2009/147/EC, ***in accordance with the national restoration plan and provided that the effects of climate change have been taken into account.***

**Amendment 48****Proposal for a regulation****Article 7 – paragraph 1***Text proposed by the Commission*

1. Member States shall make an inventory of barriers to longitudinal and lateral connectivity of surface waters ***and*** identify the barriers that need to be removed to contribute to the achievement of the restoration targets set out in Article 4 of this Regulation and of the objective of restoring ***at least 25 000 km of*** rivers into free-flowing rivers in the Union by 2030, without prejudice to Directive 2000/60/EC, in particular Articles 4(3), 4(5) and 4(7) thereof, and Regulation 1315/2013, in particular Article 15 thereof.

*Amendment*

1. Member States shall make an inventory of barriers to longitudinal and lateral connectivity of surface waters ***where such barriers have been specifically demonstrated by a local impact study to be harmful to ecosystems, such a study involving local administrative authorities and the stakeholders active in managing such ecosystems; they shall*** identify the barriers that need to be removed to contribute to the achievement of the restoration targets set out in Article 4 and following of this Regulation and of the objective of restoring rivers into free-flowing rivers in the Union by 2030 ***where relevant***, without prejudice to Directive

2000/60/EC, in particular Articles 4(3), 4(5) and 4(7) thereof, and Regulation 1315/2013, in particular Article 15 thereof.

Or. fr

### *Justification*

*Many small water retention structures on rivers and streams are essential to ensure sufficient water levels in rivers and to fill the water tables.*

*The destruction of many small structures has led to a drop in the water levels of the rivers on which they were installed, sometimes for decades. The drop in river levels has disastrous consequences for fish populations in rivers and for the availability of water resources.*

## **Amendment 49**

### **Proposal for a regulation Article 7 – paragraph 2**

#### *Text proposed by the Commission*

2. Member States shall remove the barriers to longitudinal and lateral connectivity of surface waters identified under paragraph 1 of this Article, in accordance with the plan for their removal referred to in Article 12(2), point (f). When removing barriers, Member States shall ***primarily*** address obsolete barriers, which are those that are no longer needed for renewable energy generation, inland navigation, water supply or other uses.

#### *Amendment*

2. Member States shall remove the barriers to longitudinal and lateral connectivity of surface waters identified under paragraph 1 of this Article, in accordance with the plan for their removal referred to in Article 12(2), point (f). When removing barriers, Member States shall address obsolete barriers, which are those that are no longer needed for renewable energy generation, inland navigation, water supply or other uses.

Or. fr

## **Amendment 50**

### **Proposal for a regulation Article 8 – paragraph 1**

#### *Text proposed by the Commission*

1. Member States shall ***reverse*** the decline of pollinator populations by ***2030 and achieve thereafter an increasing***

#### *Amendment*

1. Member States shall ***put measures in place to halt*** the decline of pollinator populations, ***both wild and domestic***, by

*trend of pollinator populations, measured every three years after 2030, until satisfactory levels are achieved, as set out in accordance with Article 11(3).*

*2035, in order to maintain the role played by pollination in the ecosystem. These measures must be sustainable and put in place taking into account their impact on agricultural production and the changes brought about by climate change on pollinator populations. The levels shall be raised regularly in accordance with the national restoration plan.*

Or. fr

## **Amendment 51**

### **Proposal for a regulation Article 8 – paragraph 3**

*Text proposed by the Commission*

3. The method referred to in the paragraph 2 shall provide a standardised approach for collecting annual data on the abundance *and* diversity of pollinator species *and for assessing pollinator population trends*.

*Amendment*

3. The method referred to in the paragraph 2 shall provide a standardised approach for collecting annual data on the abundance, diversity, *evolution, food resources and habitats* of pollinator species, *both wild and domestic*.

Or. fr

## **Amendment 52**

### **Proposal for a regulation Article 9 – paragraph 1**

*Text proposed by the Commission*

1. Member States shall put in place the restoration measures *necessary to* enhance biodiversity in agricultural ecosystems, in addition to the areas that are subject to restoration measures under Article 4(1), (2) and (3).

*Amendment*

1. Member States shall put in place the *appropriate* restoration measures, *taking into account the economic and food needs of the population, and shall* enhance biodiversity in agricultural ecosystems, in addition to the areas that are subject to restoration measures under Article 4(1), (2) and (3).

Or. fr

## Amendment 53

### Proposal for a regulation Article 9 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**2. Member States shall achieve an increasing trend at national level of each of the following indicators in agricultural ecosystems, as further specified in Annex IV, measured in the period from the date of entry into force of this Regulation until 31 December 2030, and every three years thereafter, until the satisfactory levels, identified in accordance with Article 11(3), are reached:**

*deleted*

- (a) grassland butterfly index;**
- (b) stock of organic carbon in cropland mineral soils;**
- (c) share of agricultural land with high-diversity landscape features.**

Or. fr

#### *Justification*

*This article pre-empts the competences laid down in other legislation (CAP and also carbon farming).*

## Amendment 54

### Proposal for a regulation Article 9 – paragraph 3 – point a

*Text proposed by the Commission*

*Amendment*

**(a) 110 by 2030, 120 by 2040 and 130 by 2050, for Member States listed in Annex V with historically more depleted populations of farmland birds;**

**(a) 110 by 2035, 120 by 2045 and 130 by 2055, for Member States listed in Annex V with historically more depleted populations of farmland birds;**

Or. fr

## Amendment 55

### Proposal for a regulation Article 9 – paragraph 3 – point b

*Text proposed by the Commission*

(b) 105 by **2030**, 110 by **2040** and 115 by **2050**, for Member States listed in Annex *IV* with historically less depleted populations of farmland birds.

*Amendment*

(b) 105 by **2035**, 110 by **2045** and 115 by **2055**, for Member States listed in Annex *V* with historically less depleted populations of farmland birds.

Or. fr

## Amendment 56

### Proposal for a regulation Article 9 – paragraph 4 – subparagraph 1 – introductory part

*Text proposed by the Commission*

For organic soils in agricultural use constituting drained peatlands, Member States shall put in place restoration measures. Those measures shall **be** in place on at least:

*Amendment*

For organic soils in agricultural use constituting drained peatlands, Member States shall put in place restoration measures. Those measures shall **aim to put** in place on at least:

Or. fr

## Amendment 57

### Proposal for a regulation Article 9 – paragraph 4 – subparagraph 1 – point a

*Text proposed by the Commission*

(a) **30 %** of such areas by 2030, of which at least a quarter shall be rewetted;

*Amendment*

(a) **15 %** of such areas by 2030, of which at least a quarter shall be rewetted;

Or. fr

## Amendment 58

### Proposal for a regulation

#### Article 9 – paragraph 4 – subparagraph 1 – point b

*Text proposed by the Commission*

(b) **50 %** of such areas by 2040, of which at least half shall be rewetted;

*Amendment*

(b) **25 %** of such areas by 2040, of which at least half shall be rewetted;

Or. fr

## Amendment 59

### Proposal for a regulation

#### Article 9 – paragraph 4 – subparagraph 1 – point c

*Text proposed by the Commission*

(c) **70 %** of such areas by 2050, of which at least half shall be rewetted.

*Amendment*

(c) **35 %** of such areas by 2050, of which at least half shall be rewetted.

Or. fr

## Amendment 60

### Proposal for a regulation

#### Article 9 – paragraph 4 – subparagraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***Member States shall ensure that measures to restore areas adjacent to agricultural ecosystems do not hamper the productive functions of those ecosystems, in particular by encroachment on agricultural land.***

Or. fr

## Amendment 61

### Proposal for a regulation

#### Article 9 – paragraph 4 – subparagraph 3 b (new)

*Text proposed by the Commission*

*Amendment*

***Member States shall put in place measures to prevent the deterioration of productive or protected areas which are threatened by natural disasters such as floods, storms or fires, in accordance with the conditions laid down in Article 12.***

Or. fr

## Amendment 62

### Proposal for a regulation

#### Article 10 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. Member States shall put in place the restoration measures necessary to enhance biodiversity in agricultural ecosystems, in addition to the areas that are subject to restoration measures under Article 4(1), (2) and (3).

1. Member States shall put in place, ***taking into account the multifunctionality of forests, including socio-economic functions and environmental and climatic conditions***, the restoration measures necessary to enhance ***the resilience of the biodiversity of forest ecosystems in the long term***, in addition to the areas that are subject to restoration measures pursuant to Article 4(1), (2) and (3).

Or. fr

## Amendment 63

### Proposal for a regulation

#### Article 10 – paragraph 2 – introductory part

*Text proposed by the Commission*

*Amendment*

2. Member States shall achieve ***an increasing*** trend at national level ***of each***

2. ***On the basis of the environmental and climatic conditions in each region,***

of the following *indicators in forest ecosystems, as further* set out in Annex VI, measured in the period from the date of entry into force of this Regulation until 31 December 2030, and every *three* years thereafter, until the satisfactory levels identified in accordance with Article 11(3) are reached:

Member States shall achieve *a trend towards improvement* at national level of the following *criteria, as defined in the State of Europe's forests 2020<sup>1a</sup>* and set out in Annex VI, measured in the period from the date of entry into force of this Regulation until 31 December 2030, and every *eight* years thereafter, until the satisfactory levels identified in accordance with Article 11(3) are reached:

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<sup>1a</sup> *FOREST EUROPE, 2020: State of Europe's Forests 2020.*

Or. fr

#### Amendment 64

##### Proposal for a regulation Article 10 – paragraph 2 – point a

*Text proposed by the Commission*

*Amendment*

(a) *standing deadwood;*

*deleted*

Or. fr

#### Amendment 65

##### Proposal for a regulation Article 10 – paragraph 2 – point b

*Text proposed by the Commission*

*Amendment*

(b) *lying deadwood;*

*deleted*

Or. fr

#### Amendment 66

##### Proposal for a regulation Article 10 – paragraph 2 – point c

*Text proposed by the Commission*

*Amendment*

**(c) share of forests with uneven-aged structure;** *deleted*

Or. fr

#### **Amendment 67**

##### **Proposal for a regulation**

##### **Article 10 – paragraph 2 – point d**

*Text proposed by the Commission*

*Amendment*

**(d) forest connectivity;** *deleted*

Or. fr

#### **Amendment 68**

##### **Proposal for a regulation**

##### **Article 10 – paragraph 2 – point e**

*Text proposed by the Commission*

*Amendment*

**(e) common forest bird index;** *deleted*

Or. fr

#### **Amendment 69**

##### **Proposal for a regulation**

##### **Article 10 – paragraph 2 – point f**

*Text proposed by the Commission*

*Amendment*

**(f) stock of organic carbon.** *deleted*

Or. fr

## **Amendment 70**

### **Proposal for a regulation**

#### **Article 10 – paragraph 2 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(fa) maintenance and appropriate enhancement of forest resources and their contribution to global carbon cycles;***

Or. fr

## **Amendment 71**

### **Proposal for a regulation**

#### **Article 10 – paragraph 2 – point f b (new)**

*Text proposed by the Commission*

*Amendment*

***(fb) maintenance of forest ecosystem health and vitality;***

Or. fr

## **Amendment 72**

### **Proposal for a regulation**

#### **Article 10 – paragraph 2 – point f c (new)**

*Text proposed by the Commission*

*Amendment*

***(fc) support for the productive functions of forests;***

Or. fr

## **Amendment 73**

### **Proposal for a regulation**

#### **Article 10 – paragraph 2 – point f d (new)**

*Text proposed by the Commission*

*Amendment*

**(fd) maintenance, conservation and appropriate enhancement of biological diversity in forest ecosystems;**

Or. fr

#### **Amendment 74**

##### **Proposal for a regulation Article 10 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Member States may also take into account, as an alternative to one of the indicators introduced in Article 10(2)(a) and defined in Annex VI, the share of forests with a sustainable management document or plan approved by a national or local administrative authority.**

Or. fr

#### **Amendment 75**

##### **Proposal for a regulation Article 11 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Member States shall prepare national restoration plans and carry out the preparatory monitoring and research needed to identify the restoration measures that are necessary to meet the targets and obligations set out in Articles 4 to 10, taking into account the latest scientific evidence.

1. Member States shall prepare national restoration plans and carry out the preparatory monitoring and research needed to identify the restoration measures that are necessary to meet the targets and obligations set out in Articles 4 to 10, taking into account the latest scientific evidence, **the opinions of the stakeholders concerned, the most cost-effective measures and the socio-economic impact of those measures.**

## Amendment 76

### Proposal for a regulation

#### Article 11 – paragraph 2 – point a – point i

*Text proposed by the Commission*

(i) the total habitat area and a map of its current distribution;

*Amendment*

(i) the total habitat area – ***including outside the Member State, in particular for border areas*** – and a map of its current distribution;

Or. fr

## Amendment 77

### Proposal for a regulation

#### Article 11 – paragraph 2 – point a – point ii

*Text proposed by the Commission*

(ii) the habitat area not in good condition;

*Amendment*

(ii) the habitat area ***assessed as not being*** in good condition, ***in accordance with the methodology set out in Article 11(2)***;

Or. fr

## Amendment 78

### Proposal for a regulation

#### Article 11 – paragraph 2 – point a – point iii

*Text proposed by the Commission*

(iii) the favourable reference area taking into account the documented losses ***over at least the last 70 years*** and the projected changes to environmental conditions due to climate change;

*Amendment*

(iii) the favourable reference area taking into account the ***relevant*** documented ***territory-specific*** losses and the projected changes to environmental conditions due to climate change.

***For the purpose of determining that area,***

*Member States shall take the latest scientific evidence into account, provided that recovery is possible given the effects of climate change already identified in the areas concerned and that the measures put in place do not disproportionately affect the production capacity of those areas, in particular as regards agriculture and forestry.*

*Where new scientific evidence emerges to justify a reassessment of the size of the areas concerned, a review of their size must be carried out.*

Or. fr

#### *Justification*

*There is no uniform way of assessing the conservation status of favourable reference areas across all the Member States over the last 70 years, and nor can they necessarily be compared. What is more, the first measures to protect biodiversity were not introduced until the 1980s, and they were then stepped up from the 1990s onwards. With that in mind it would seem inappropriate to set a reference date that is so long ago.*

#### **Amendment 79**

##### **Proposal for a regulation**

##### **Article 11 – paragraph 2 – point a – point iv**

###### *Text proposed by the Commission*

(iv) the areas most suitable for the re-establishment of habitat types in view of ongoing and projected changes to environmental conditions due to climate change;

###### *Amendment*

(iv) the areas most suitable for the re-establishment of habitat types in view of **land use and** ongoing and projected changes to environmental conditions due to climate change;

Or. fr

#### **Amendment 80**

##### **Proposal for a regulation**

##### **Article 11 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) the sufficient quality and quantity of the habitats of the species required for achieving their favourable conservation status, taking into account the areas most suitable for re-establishment of those habitats, ***and the connectivity needed between habitats in order for the species populations to thrive, as well as ongoing and projected changes to environmental conditions due to climate change.***

*Amendment*

(b) the sufficient quality and quantity of the habitats of the species required for achieving their favourable conservation status, taking into account the areas most suitable for re-establishment of those habitats ***bearing in mind changes due to climate change and the roles that the land plays in terms of food production.***

Or. fr

**Amendment 81**

**Proposal for a regulation  
Article 11 – paragraph 3**

*Text proposed by the Commission*

***3. Member States shall set, by 2030 at the latest, satisfactory levels for each of the indicators referred to in Articles 8(1), 9(2) and 10(2), through an open and effective process and assessment, based on the latest scientific evidence and, if available, the framework referred to in Article 17(9).***

*Amendment*

***deleted***

Or. fr

**Amendment 82**

**Proposal for a regulation  
Article 11 – paragraph 4**

*Text proposed by the Commission*

4. Member States shall identify and map the agricultural and forest areas in need of restoration, in particular the areas that, ***due to intensification or other***

*Amendment*

4. Member States shall identify and map the agricultural and forest areas in need of restoration, in particular the areas that are in need of enhanced connectivity.

*management factors*, are in need of enhanced connectivity *and landscape diversity*.

*With this in mind, Member States shall inform and consult farmers and foresters.*

Or. fr

### Amendment 83

#### Proposal for a regulation

#### Article 11 – paragraph 5 – introductory part

*Text proposed by the Commission*

5. Member States shall *identify* synergies with climate change mitigation, *climate change adaptation* and disaster prevention and prioritise restoration measures accordingly. Member States shall also take into account:

*Amendment*

5. Member States shall *foster* synergies with *policies on* climate change mitigation *and adaptation, on food security* and *on* disaster prevention, and prioritise restoration measures accordingly. Member States shall also take into account:

Or. fr

### Amendment 84

#### Proposal for a regulation

#### Article 11 – paragraph 7 – point g a (new)

*Text proposed by the Commission*

*Amendment*

*(ga) forestry strategies or programmes introduced at national level;*

Or. fr

### Amendment 85

#### Proposal for a regulation

#### Article 11 – paragraph 7 – point g b (new)

*Text proposed by the Commission*

*Amendment*

*(gb) measures taken at national level as part of a food strategy;*

## Amendment 86

### Proposal for a regulation

#### Article 11 – paragraph 7 – point g c (new)

*Text proposed by the Commission*

*Amendment*

**(gc) *the principle of good administration;***

Or. fr

## Amendment 87

### Proposal for a regulation

#### Article 11 – paragraph 11

*Text proposed by the Commission*

*Amendment*

11. Member States shall ensure that the preparation of the restoration plan is open, inclusive and effective and that the public *is* given early and effective opportunities to participate in *its elaboration*. Consultations shall comply with the requirements set out in Articles 4 to 10 of Directive 2001/42/EC.

11. Member States shall ensure that the preparation of the restoration plan is open, inclusive and effective and that the public, ***as well as farmers and foresters, are*** given early and effective opportunities to participate in ***the preparation of the plan***. Consultations shall comply with the requirements set out in Articles 4 to 10 of Directive 2001/42/EC.

Or. fr

## Amendment 88

### Proposal for a regulation

#### Article 12 – paragraph 2 – point a

*Text proposed by the Commission*

*Amendment*

(a) the quantification of the areas to be restored to reach the restoration targets set out in Articles 4 to 10 based on the preparatory work undertaken in accordance

(a) the quantification of the areas to be restored to reach the restoration targets set out in Articles 4 to 10 based on the preparatory work undertaken in accordance

with Article 11 and geographically referenced maps of those areas;

with Article 11 and **accurate**, geographically referenced maps of those areas;

Or. fr

## Amendment 89

### Proposal for a regulation

#### Article 12 – paragraph 2 – point j

*Text proposed by the Commission*

(j) the estimated co-benefits for climate change mitigation associated with the restoration measures over time, as well as wider socio-economic benefits of those measures;

*Amendment*

(j) the estimated co-benefits for climate change mitigation associated with the restoration measures over time, as well as wider socio-economic benefits **and costs** of those measures;

Or. fr

## Amendment 90

### Proposal for a regulation

#### Article 12 – paragraph 2 – point k – point iv a (new)

*Text proposed by the Commission*

*Amendment*

***(iva) the need for transparency and proper information not only for the general public but also for farmers and foresters;***

Or. fr

## Amendment 91

### Proposal for a regulation

#### Article 12 – paragraph 2 – point k – point iv b (new)

*Text proposed by the Commission*

*Amendment*

***(ivb) the need to cooperate with farmers***

*and foresters;*

Or. fr

## Amendment 92

### Proposal for a regulation

#### Article 12 – paragraph 2 – point l

*Text proposed by the Commission*

(l) the estimated financing needs for the implementation of the restoration measures, which shall include the description of the support to stakeholders affected by restoration measures or other new obligations arising from this Regulation, and the means of intended financing, public or private, including (co-) financing with Union funding instruments;

*Amendment*

(l) the estimated financing needs for the implementation of the restoration measures, which shall include the description of the support to stakeholders affected by restoration measures or other new obligations arising from this Regulation, ***the compensation envisaged for stakeholders affected by yield losses in particular,*** and the means of intended financing, public or private, including (co-) financing with Union funding instruments;

Or. fr

## Amendment 93

### Proposal for a regulation

#### Article 12 – paragraph 2 – point n

*Text proposed by the Commission*

(n) a summary of the process for preparing and establishing the national restoration plan, including information on public participation and ***of*** how the needs of local communities and stakeholders have been considered;

*Amendment*

(n) a summary of the process for preparing and establishing the national restoration plan, including information on public participation and ***on*** how the needs of local communities and stakeholders – ***including farmers and foresters*** – have been considered;

Or. fr

## Amendment 94

### Proposal for a regulation

#### Article 12 – paragraph 2 – point o a (new)

*Text proposed by the Commission*

*Amendment*

***(oa) an explanation of how to take into account the need to maintain agricultural and forestry production in the territories concerned in order to avoid, in particular, any risk of food production moving elsewhere;***

Or. fr

## Amendment 95

### Proposal for a regulation

#### Article 12 – paragraph 2 – point o b (new)

*Text proposed by the Commission*

*Amendment*

***(ob) an additional impact assessment on the effects the measures set out in the national restoration plan will have on European agricultural and forestry production;***

Or. fr

## Amendment 96

### Proposal for a regulation

#### Article 12 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***2a. In their national restoration plans the Member States shall identify the areas most suitable for the introduction of restoration measures. They shall also identify areas in which production could be restored as well as areas where natural disasters such as floods or forest fires***

*could be prevented.*

Or. fr

#### **Amendment 97**

##### **Proposal for a regulation Article 13 – title**

*Text proposed by the Commission*

*Amendment*

Submission of the *draft* national restoration  
*plan*

Submission of the national restoration  
*plans*

Or. fr

*Justification*

*The Commission does not formally approve the national restoration plans.*

#### **Amendment 98**

##### **Proposal for a regulation Article 13 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

Member States shall submit a draft of the national restoration plan referred to in Articles 11 and 12 to the Commission by... [OP please insert the date = the first day of the month following **24** months after the date of entry into force of this Regulation].

Member States shall submit a draft of the national restoration plan referred to in Articles 11 and 12 to the Commission by... [OP please insert the date = the first day of the month following **36** months after the date of entry into force of this Regulation].

Or. fr

*Justification*

*Given the extent of the assessments the Member States will be required to provide, it is very important that they have enough time to draw up their national restoration plans.*

## Amendment 99

### Proposal for a regulation Article 14 – paragraph 1

*Text proposed by the Commission*

1. The Commission shall **assess** the **draft** national restoration plans within six months of the date of receipt. When carrying out that **assessment**, the Commission shall act in close cooperation with the Member State concerned.

*Amendment*

1. The Commission shall **analyse** the national restoration plans within six months of the date of receipt. When carrying out that **analysis**, the Commission shall act in close cooperation with the Member State concerned.

Or. fr

*Justification*

*The Commission does not formally approve the national restoration plans. As the Commission is only consulted by the Member States, it is not in a position to evaluate the plans. This means it will simply check them.*

## Amendment 100

### Proposal for a regulation Article 14 – paragraph 2

*Text proposed by the Commission*

2. When **assessing** the **draft** national restoration plan, the Commission shall **evaluate** its compliance with Article 12, as well as its adequacy for meeting the targets and obligations set out in Articles 4 to 10, as well as the Union's overarching objectives referred to in Article 1, the specific objectives referred to in Article 7(1) **to restore at least 25 000 km of rivers into free-flowing rivers in the Union by 2030 and the 2030 objective of covering at least 10% of the Union's agricultural area with high-diversity landscape features.**

*Amendment*

2. When **analysing** the national restoration plan, the Commission shall **analyse** its compliance with Article 12, as well as its adequacy for meeting the targets and obligations set out in Articles 4 to 10, as well as the Union's overarching objectives referred to in Article 1 **and** the specific objectives referred to in Article 7(1). **The Commission shall also analyse the impact of the national restoration plan in particular on agricultural and forestry production in order to ensure that it does not result in production moving outside the European Union.**

Or. fr

## Amendment 101

### Proposal for a regulation Article 14 – paragraph 3

*Text proposed by the Commission*

3. For the purpose of the **assessment** of the draft national restoration plans, the Commission shall be assisted by experts or the EEA.

*Amendment*

3. For the purpose of the **analysis** of the draft national restoration plans, the Commission shall be assisted by experts or the EEA.

Or. fr

## Amendment 102

### Proposal for a regulation Article 14 – paragraph 4

*Text proposed by the Commission*

4. The Commission may address observations to Member States within six months of the date of receipt of the **draft** national restoration plan.

*Amendment*

4. The Commission may address observations to Member States within six months of the date of receipt of the national restoration plan.

Or. fr

## Amendment 103

### Proposal for a regulation Article 14 – paragraph 5

*Text proposed by the Commission*

5. **Member States shall take due account of any observations from the Commission in its final national restoration plan.**

*Amendment*

**deleted**

Or. fr

## Amendment 104

### Proposal for a regulation Article 15 – paragraph 1

*Text proposed by the Commission*

1. Member States shall review their national restoration plan at least once every 10 years, in accordance with Articles 11 and 12, taking into account progress made in the implementation of the plans, the best available scientific evidence as well as available knowledge of changes or expected changes in environmental conditions due to climate change.

*Amendment*

1. Member States shall review their national restoration plan at least once every 10 years, in accordance with Articles 11 and 12, taking into account progress made in the implementation of the plans, the best available scientific evidence, ***best practice, particularly for cost-effectiveness under the principle of sound financial management, food security, funding needs*** as well as available knowledge of changes or expected changes in environmental conditions due to climate change.

Or. fr

## Amendment 105

### Proposal for a regulation Article 15 – paragraph 2

*Text proposed by the Commission*

2. When it becomes apparent that the measures set out in the national restoration plan will not be sufficient to comply with the targets and obligations set out in Articles 4 to 10, based on the monitoring in accordance with Article 17, Member States shall ***revise the national restoration plan and include supplementary measures.***

*Amendment*

2. When it becomes apparent that the measures set out in the national restoration plan will not be sufficient to comply with the targets and obligations set out in Articles 4 to 10, ***taking into account proven or expected changes in environmental conditions owing to climate change, and*** based on the monitoring in accordance with Article 17, Member States shall ***take account of the Commission's remarks in their national restoration plans.***

Or. fr

## Amendment 106

### Proposal for a regulation Article 15 – paragraph 3

*Text proposed by the Commission*

3. Based on the information referred to in Article 18(1) and (2) and the assessment referred to in Article 18(4) and (5), if the Commission considers that the progress made by a Member State is insufficient to comply with the targets and obligations set out in Articles 4 to 10, ***the Commission may request the Member State concerned to submit an updated draft national restoration plan with supplementary measures. That updated national restoration plan with supplementary measures shall be published and submitted within six months from the date of receipt of the request from the Commission.***

*Amendment*

3. Based on the information referred to in Article 18(1) and (2) and the assessment referred to in Article 18(4) and (5), if the Commission considers that the progress made by a Member State is insufficient to comply with the targets and obligations set out in Articles 4 to 10, ***on the basis of a scientific analysis taking into account the feasibility of the objectives for the geographical area concerned, the Commission may propose that the Member State concerned submit an updated draft national restoration plan with supplementary measures.***

Or. fr

## Amendment 107

### Proposal for a regulation Article 16 – paragraph 2

*Text proposed by the Commission*

2. Member States shall determine what constitutes a sufficient interest and impairment of a right, consistently with the objective of providing the public with wide access to justice. For the purposes of paragraph 1, any non-governmental organisation promoting environmental protection and meeting any requirements under national law shall be deemed to have rights capable of being impaired and their interest shall be deemed sufficient.

*Amendment*

2. Member States shall determine what constitutes a sufficient interest and impairment of a right, consistently with the objective of providing the public with wide access to justice. For the purposes of paragraph 1, any ***farmers' or foresters' organisation or*** non-governmental organisation promoting environmental protection and meeting any requirements under national law shall be deemed to have rights capable of being impaired and their interest shall be deemed sufficient.

Or. fr

## Amendment 108

### Proposal for a regulation Article 17 – paragraph 1 – point c

*Text proposed by the Commission*

(c) *the indicators of biodiversity in agricultural ecosystems listed in Annex IV;*

*Amendment*

*deleted*

Or. fr

## Amendment 109

### Proposal for a regulation Article 17 – paragraph 1 – point f

*Text proposed by the Commission*

(f) the abundance and diversity of pollinator species, according to the method established in accordance with Article 8(2);

*Amendment*

(f) the abundance and diversity of **wild or domesticated** pollinator species, according to the method established in accordance with Article 8(2);

Or. fr

## Amendment 110

### Proposal for a regulation Article 17 – paragraph 5

*Text proposed by the Commission*

5. *The monitoring in accordance with paragraph 1, points (a), (b) and (c), of this Article, concerning the stock of organic carbon in cropland mineral soils and the share of agricultural land with high-diversity landscape features, and (e) concerning the standing deadwood, the lying deadwood, the share of forests with uneven-aged structure, the forest connectivity and the stock of organic*

*Amendment*

5. The monitoring in accordance with that paragraph, point (c) concerning the grassland butterfly index, that paragraph, points (d) and (e) concerning the common forest bird index, and that paragraph, point (f) concerning pollinator species shall be carried out every year. The monitoring in accordance with that paragraph, points (g) and (h), shall be carried out at least every six years and shall be coordinated with the

***carbon, shall be carried out at least every three years, and, where possible, every year.*** The monitoring in accordance with that paragraph, point (c) concerning the grassland butterfly index, that paragraph, points (d) and (e) concerning the common forest bird index, and that paragraph, point (f) concerning pollinator species shall be carried out every year. The monitoring in accordance with that paragraph, points (g) and (h), shall be carried out at least every six years and shall be coordinated with the reporting cycle under Article 17 of Directive 92/43/EEC.

reporting cycle under Article 17 of Directive 92/43/EEC.

Or. fr

#### *Justification*

*This amendment aims to bring the whole text into line with the amendments proposed above.*

#### **Amendment 111**

##### **Proposal for a regulation Article 17 – paragraph 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***8a. The Commission shall conduct a comprehensive impact assessment taking into account the consequences of the implementation of this legislation not only on climate change, biodiversity but also on food security and in particular on farming output, including the potential relocation of farming output to third countries.***

Or. fr

#### **Amendment 112**

##### **Proposal for a regulation Article 17 – paragraph 8 b (new)**

*Text proposed by the Commission*

*Amendment*

**8b. The Commission shall develop a harmonised method of data collection and analysis with a view to laying down an assessment methodology as referred to in Article 4. This database shall enable a comparable analysis of the status of protected areas already established under Directives 92/43/EEC and 2009/147/EC and in particular of Natura 2000 areas.**

Or. fr

*Justification*

*The data collected from one Member State to another, particularly on the status of Natura 2000 areas, are not comparable and do not allow definitive conclusions to be drawn on the effectiveness of the Natura 2000 network. The Commission should therefore proceed to establish a common assessment methodology, in particular for Natura 2000 areas, with a view to taking further restoration measures.*

### **Amendment 113**

#### **Proposal for a regulation**

#### **Article 17 – paragraph 9 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) specify the methods for monitoring the indicators for agricultural ecosystems listed in Annex IV;** **deleted**

Or. fr

### **Amendment 114**

#### **Proposal for a regulation**

#### **Article 17 – paragraph 9 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) specify the methods for monitoring the indicators for forest ecosystems listed** **deleted**



***Funding***

***Article 18(a)***

***Funding***

- 1. Prior to the entry in force of this Regulation and with a view to ensuring the proper implementation of the requirements set out herein, the Commission shall identify the available funding.***
- 2. With a view to the revision of the Multiannual Financial Framework and the preparation of a multiannual financial framework for the next programming period, the Commission shall conduct an assessment of the funds needed to support Member States in implementing the requirements set out in this Regulation. On the basis of this assessment, the Commission shall look into and identify the existing potential solutions or, where appropriate, ensure the requisite funding is available to implement the provisions of this Regulation.***
- 3. Any review of national restoration plans shall be accompanied by an examination of the funds needed for the proposed changes.***

Or. fr

***Justification***

*If we wish to enable the effective restoration of ecosystems in need of such action, adequate financial support must be provided. This support can only be provided if sufficient EU funding is available.*

**Amendment 118**

**Proposal for a regulation  
Article 19 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

**1. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex I in order to adapt the groups of habitat types.** *deleted*

Or. fr

## **Amendment 119**

### **Proposal for a regulation Article 19 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex II in order to adapt the list of habitat types and the groups of habitat types.** *deleted*

Or. fr

## **Amendment 120**

### **Proposal for a regulation Article 19 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4. The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex IV, in order to adapt the description, unit and methodology of indicators for agricultural ecosystems in accordance with the latest scientific evidence.** *deleted*

Or. fr

## Amendment 121

### Proposal for a regulation Article 19 – paragraph 6

*Text proposed by the Commission*

*Amendment*

6. *The Commission is empowered to adopt delegated acts in accordance with Article 20 to amend Annex VI in order to adapt the description, unit and methodology of indicators for forest ecosystems in accordance with the latest scientific evidence.*

*deleted*

Or. fr

## Amendment 122

### Proposal for a regulation Article 19 – paragraph 7 a (new)

*Text proposed by the Commission*

*Amendment*

7a. *The Commission shall be empowered to adopt delegated acts in accordance with Article 20 to supplement this Regulation by devising a methodology for data collection and analysis with a view to the establishment of the database referred to in Article 17(8)(b).*

Or. fr

## Amendment 123

### Proposal for a regulation Article 22 – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. The Commission shall present *a report on the main findings of the evaluation* to the European Parliament, the Council, the European Economic and

2. The Commission shall present to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the *Regions a report*

Social Committee, and the Committee of Regions. *Where the Commission finds it appropriate, the report shall be accompanied by a legislative proposal for amendment of relevant provisions of this Regulation, taking into account the need to establish additional restoration targets, based on common methods for assessing the condition of ecosystems not covered by Articles 4 and 5, and the most recent scientific evidence.*

*on the main findings of this evaluation, analysing in particular its impact on the various sectors, in particular agriculture and forestry, as well as an examination of the availability and appropriateness of the financial resources deployed to apply of this Regulation.*

*(The purpose of the review should be primarily to analyse the proper implementation of this Regulation without prejudice to the need for amendments to this Regulation).*

Or. fr

#### Amendment 124

##### Proposal for a regulation Annex IV

*Text proposed by the Commission*

*Amendment*

*[...]*

*deleted*

Or. fr

#### Amendment 125

##### Proposal for a regulation Annex VI – table – row 2

*Text proposed by the Commission*

*Standing deadwood*

*Description: This indicator shows the amount of non-living standing woody biomass in forest and other wooded land.*

*Unit: m<sup>3</sup>/ha.*

*Methodology: as developed and used by FOREST EUROPE, State of Europe's Forests 2020, FOREST EUROPE 2020, and in the description of national forest inventories in Tomppo E. et al., National*

*Forest Inventories, Pathways for Common Reporting, Springer, 2010, and taking into account the methodology as set out in Annex V of Regulation 2018/1999 in accordance with the 2006 IPCC Guidelines for National Greenhouse Gas Inventories.*

*Amendment*

*Maintenance and appropriate enhancement of forest resources and their contribution to global carbon cycles*

*Methodology: as developed and used by FOREST EUROPE, State of Europe's Forests 2020, FOREST EUROPE 2020*

Or. fr

**Amendment 126**

**Proposal for a regulation  
Annex VI – table – row 3**

*Text proposed by the Commission*

*Lying deadwood*

*Description: This indicator shows the amount of non-living woody biomass lying on the ground in forest and other wooded land.*

*Unit: m<sup>3</sup>/ha.*

*Methodology: as developed and used by FOREST EUROPE, State of Europe's Forests 2020, FOREST EUROPE 2020, and in the description of national forest inventories in Tomppo E. et al., National Forest Inventories, Pathways for Common Reporting, Springer, 2010, and taking into account the methodology as set out in Annex V of Regulation 2018/1999 in accordance with the 2006 IPCC Guidelines for National Greenhouse Gas Inventories.*

*Amendment*

*Maintenance of forest ecosystem health and vitality*

*Methodology: as developed and used by FOREST EUROPE, State of Europe's Forests 2020, FOREST EUROPE 2020*

Or. fr

## Amendment 127

### Proposal for a regulation Annex VI – table – row 4

*Text proposed by the Commission*

*Share of forests with uneven-aged structure*

**Description:** *This indicator refers to the share of forests available for wood supply (FAWS) with uneven-aged structure in forests as compared to even-aged structure in forests.*

**Unit:** *Percent of FAWS with uneven-aged structure.*

**Methodology:** *as developed and used by FOREST EUROPE, State of Europe's Forests 2020, FOREST EUROPE 2020, and in the description of national forest inventories in Tomppo E. et al., National Forest Inventories, Pathways for Common Reporting, Springer, 2010.*

*Amendment*

*Support for the productive functions of forests*

**Methodology:** *as developed and used by FOREST EUROPE, State of Europe's Forests 2020, FOREST EUROPE 2020*

Or. fr

## Amendment 128

### Proposal for a regulation Annex VI – table – row 5

*Text proposed by the Commission*

*Forest connectivity*

**Description:** *Forest connectivity is the degree of compactness of forest covered areas. It is defined in the range of 0 to 100.*

**Unit:** *Index.*

**Methodology:** *as developed by FAO, Vogt P., et al., FAO – State of the World's Forests: Forest Fragmentation, JRC Technical Report, Publications Office of the European Union, Luxembourg, 2019.*

*Amendment*

***Maintenance, conservation and appropriate enhancement of biological diversity in forest ecosystems***

***Methodology: as developed and used by FOREST EUROPE, State of Europe's Forests 2020, FOREST EUROPE 2020***

Or. fr

**Amendment 129**

**Proposal for a regulation  
Annex VI – table – row 6**

*Text proposed by the Commission*

***Stock of organic carbon***

***Description: This indicator describes the stock of organic carbon in the litter and in the mineral soil at a depth of 0 to 30 cm in forest ecosystems.***

***Unit: tonnes of organic carbon/ha.***

***Methodology: as set out in Annex V of Regulation 2018/1999 in accordance to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories, and as supported by the Land Use and Coverage Area frame Survey (LUCAS) Soil, Jones A. et al., LUCAS Soil 2022, JRC technical report, Publications Office of the European Union, 2021.***

*Amendment*

***deleted***

Or. fr