

EU Nature Restoration Law – Regulation (EU) 2024/1991 on nature restoration

DG Environment

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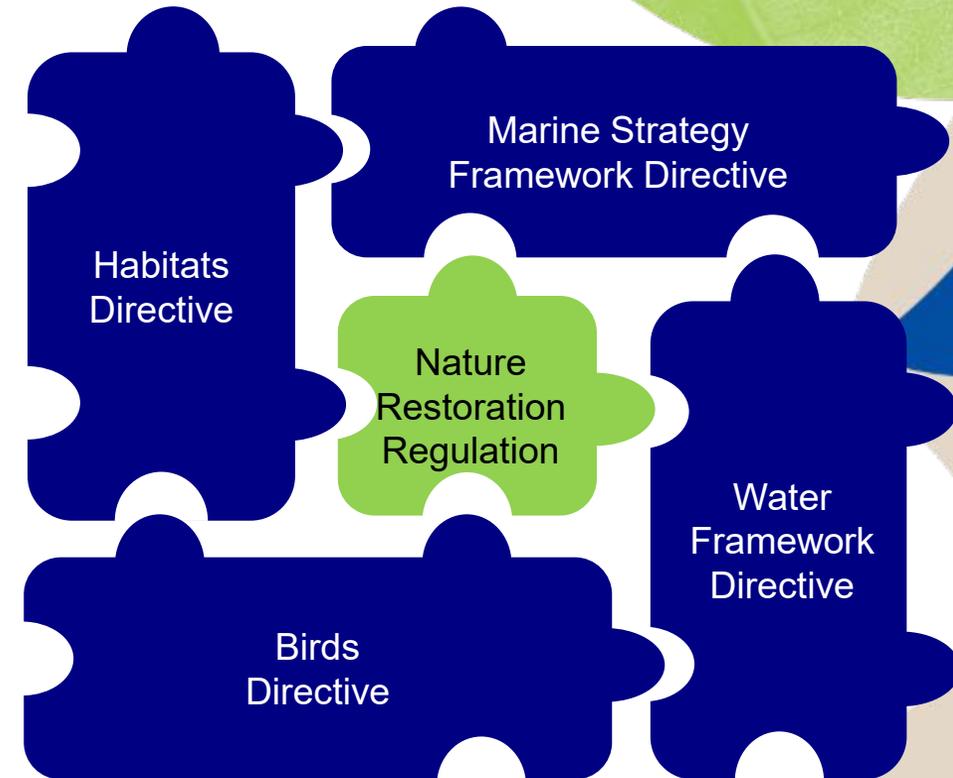
| The need for a legal instrument

- Continuing ecosystem degradation and biodiversity loss across the EU
- Existing framework not enough
 - **Protection needs to be strengthened**
 - **A reinforced approach on large -scale restoration**



| The architecture of the NRR

- Regulation applies directly, no transposition needed
- Complement & build on existing policies
- Focus on synergies between climate change and biodiversity



| The architecture of the NRR

General objectives

- Long-term and sustained recovery of **biodiverse and resilient ecosystems** through the restoration of degraded ecosystems
- Contribute to climate change **mitigation**, climate change **adaptation** and **land degradation neutrality**
- Enhance **food security**
- Meeting the EU's **international commitments**

General Restoration Measures

- On 20% of EU's land and sea areas **by 2030**
- On all ecosystems in need of restoration **by 2050**



| The architecture of the NRR

Article 3(3): ‘**restoration**’ means the **process of actively or passively assisting the recovery** of an ecosystem in order to improve its structure and functions with the aim of conserving or enhancing biodiversity and ecosystem resilience, through **improving** an area of a habitat type to **good condition, re-establishing favourable reference area, and improving** a habitat of a species to **sufficient quality and quantity** [...] including reaching **satisfactory levels for the indicators**[...];



The architecture of the NRR

Specific restoration targets

Protected
Habitat Types



Habitats of
protected
species



Marine
Habitats



Urban
ecosystems



River
connectivity



Pollinators



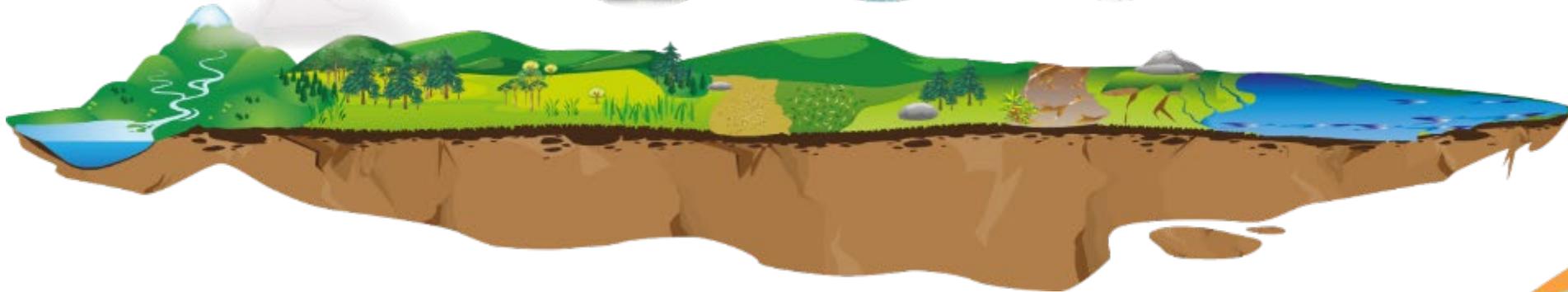
Agricultural
ecosystems



Forest
ecosystems



3 billion
additional
trees by 2030



| Agricultural ecosystems (Art. 11)

Enhance biodiversity of agricultural ecosystems

- Beyond habitats and habitat of species of Union's interest (Art. 4)

Indicators at national level

- Achieve an increasing trend until satisfactory levels are reached
- At least 2 out of 3 indicators
 - Grassland butterfly index;
 - Stock of organic carbon in cropland mineral soils;
 - Share of agricultural land with high-diversity landscape features;

Common farmland bird index

- Specific target to enhance by 2030/40/50 at national level



| Agricultural ecosystems (Art. 11)

Peatlands restoration and rewetting measures

- At least 30% by 2030, 40% by 2040 and 50% by 2050 of drained peatlands under agricultural use,
- 1/4 (2030) and 1/3 (2040 and 2050) of which shall be rewetted.

Temporary suspension (Art. 27)

- Unforeseeable, exceptional and unprovoked event **outside the control of the Union**, with severe Union-wide consequences for the availability of land required to secure sufficient agricultural production for **Union Food production**
- Suspension may not exceed 12 months. Renewal of the suspension is possible.



Preparation and content of NRPs

- **Long term planning:** NRP to cover the period up to 2050, including intermediate deadlines corresponding to targets and obligations
- **Description of necessary restoration measures and areas:** NRR leaves flexibility to MS on how, when and where to restore
- Any **derogations** used including their **justification**
- Indicate **financing** needs, support to affected stakeholders, means of intended financing
- Ensure **open and inclusive** preparation process, Directive 2001/42
- **Monitoring** of areas subject to restoration



Preparation and content of NRPs

Timeline for NRPs	
May 2025	Publication of uniform format for NRPs
By 1 Sept 2026	Submission of draft NRPs by MS
Within 6 months of receipt (~ March 2027)	Assessment + observations by the Commission of draft NRPs
Within 6 months of obs (~ Sept 2027)	NRP finalisation and submission to COM
2032, 2042 and then at least once every 10 years	Revised NRPs



| Access to Justice regarding NRPs

- International Obligation, Article 9(3) Aarhus Convention
- No dedicated Access to Justice provision like in EUDR



Access to Justice regarding NRPs

- International Obligation, Article 9(3) Aarhus Convention
- No dedicated Access to Justice provision like in EUDR
- Recital on applicability of Aarhus framework

(82) According to settled case law [...] it is for the **courts of the Member States** to ensure judicial protection of a person's rights under Union law. Furthermore, **Article 19(1) TEU** requires Member States to provide remedies sufficient to ensure effective judicial protection in the fields covered by Union law. The Union and the Member States are parties to [...] the 'Aarhus Convention'. Under the Aarhus Convention, Member States are to ensure that, in accordance with the relevant national legal system, **members of the public concerned have access to justice.**



Access to Justice regarding NRPs

- Standing
 - Individuals where they meet national requirement (impairment of rights)
 - Environmental NGOs

Commission Notice on access to justice in environmental matters
(2017/C 275/01)



Access to Justice regarding NRPs

- Scope of review – possible grounds of judicial review
 - Effective judicial review on procedural and substantive legality (East Sussex and Janecek)
 - Procedural legality

Article 14(20) Member States shall ensure that the preparation of the restoration plan is open, transparent, inclusive and effective and that the public, including all relevant stakeholders, is given early and effective opportunities to participate in its preparation. Consultations shall comply with the requirements set out in **Directive 2001/42/EC**.



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- early and effective opportunity within appropriate time frames to express their opinion
- Take into account opinions expressed in consultations
- Publication and information requirements



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Access to Justice regarding NRPs

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 - Contravene EU environmental law
 - Scrutiny of adequacy of measures (Janecek)
 - Scrutiny of coherent content (Stichting Natuur en Milieu)
 - Wider obligation to refrain from taking measures that could seriously compromise aim of NRR (Stichting Natuur en Milieu)



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