

## Nature Restoration Law Policy Brief

This document is intended for use by BESTLIFE2030 applicants to grasp the specifics of the Nature Restoration Law, why it is relevant for them and how it applies to their region.



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## 1. The need for restoration

Biodiversity has continued to decline despite considerable efforts made worldwide. In the European Union (EU), only 15% of assessed habitats are in good conservation status, with 35% showing continued deterioration. On average, 6% of habitats have improved through targeted management, restoration measures, or habitat expansions, showing the pressing need for ecosystem restoration alongside conservation in the EU (EEA, 2020).

In 2020, the EU published its [EU Biodiversity Strategy to 2030](#) for the benefit of people, climate, and the planet. As a key pillar of the [EU Green Deal Initiative](#), it aims to restore Europe's biodiversity by 2030 and achieve the vision of "Living in harmony with nature" by 2050. Key commitments provided by this strategy are the protection of 30% of EU land and sea, and an EU nature restoration plan to restore degraded ecosystems throughout the EU's territory.

The EU Biodiversity Strategy was also instrumental to the Convention on Biological Diversity's (CBD) [Kunming-Montreal Global Biodiversity Framework](#) (GBF), adopted in December 2022. Like the EU's approach, key provisions of the GBF are protecting 30% of land and sea and restoring 30% of degraded ecosystems by 2030, to halt biodiversity loss and to live in harmony with nature by 2050. For the EU to continue to be a leader in global environmental discussions and exercise its responsibility, implementation of the EU Biodiversity Strategy – including pledges for protected areas and restoration action plans from Member States – is thus crucial. Moreover, the next CBD's Conference of the Parties (COP16) in October 2024 will be the moment to keep ambition high for biodiversity conservation and to move from agreement towards action, with all Parties being required to update their National Biodiversity Strategies and Action Plans (NBSAPs). The United Nations also declared the "Decade of Ecosystem Restoration" running from 2021 to 2030, a worldwide movement to restore degraded ecosystems and raise awareness of the importance of ecosystem restoration.

## 2. The upcoming Nature Restoration Law

The upcoming [EU Nature Restoration Law \(NRL\)](#) marks the EU's first comprehensive legislation for the long-term recovery of nature. Its overarching objective is **to restore 20% of degraded ecosystems by 2030 and all ecosystems by 2050** (Article 1), with time-bound targets for specific ecosystems, habitats and species. The law entails area-based and ecosystem-specific obligations. The NRL will also need to contribute to the EU's climate objectives, enhance food security, promote additional ecosystem services, and meet the

Union’s international commitments. Consequently, ecosystems with the most potential to capture and store carbon, and those that can help prevent and reduce the impact of disasters are prioritised.

The NRL expands on current EU environmental policies, including the [Birds and Habitats Directives](#), and actively encourages synergies with environmental and climate policies. The approach taken is to first focus on ecosystems with available data and monitoring systems, guided by Member States’ required reporting under the Nature Directives and additional marine legislation (Articles 4 and 5). Priority is given to areas within the [Natura 2000 network](#) until 2030, adding time-bound commitments for Member States. The law also provides obligations for areas outside Nature 2000 sites. For ecosystems lacking comprehensive data, like certain agricultural and forest habitats, Member States must demonstrate positive trends in key biodiversity indicators, while simultaneously an EU-wide methodology will be developed to set future restoration targets for these ecosystems.

Member States will be required to regularly submit National Restoration Plans (NRP), which will serve as the planning tool for the implementation of the NRL at a national level. The NRL leaves it up to each Member State to decide which specific restoration measures to apply within its own territory, and which habitat types they will restore first.

## 2.1. Key NRL targets

<b>Article 4: Terrestrial, coastal &amp; freshwater ecosystems</b>
30% restoration per habitat type by 2030
<b>Article 5: Marine ecosystems</b>
30% restoration per habitat type by 2030
<b>Article 8: Urban ecosystems</b>
Increase trend in urban green space from 2031
<b>Article 9: Rivers and floodplains</b>
Identify & remove barriers to river connectivity
<b>Article 10: Pollinators</b>
Reverse the decline of pollinators by 2030
<b>Article 11: Agricultural ecosystems</b>

Increase trend in two of three indicators
<b>Article 12: Forest ecosystems</b>
Achieve an increasing trend in six of seven indicators
<b>Article 13: Three billion trees</b>
Plant three billion additional trees at Union level

Article 4 (terrestrial, coastal and freshwater ecosystems) and Article 5 (marine ecosystems) require Member States to put in place **restoration measures to improve at least 30% of listed habitat types to good condition<sup>1</sup> by 2030** (60% by 2040, and 90% by 2050). In addition, Member States are obligated to re-established habitat types in additional areas to reach at least 30% of their favourable reference area<sup>2</sup> by 2030 (60% by 2040, and 100% by 2050). They are further obligated to continuously improve the quality and quantity<sup>3</sup> of the habitats and species listed under the Nature Directives. This includes their re-establishment, considering their connectivity and avoiding significant deterioration. There are some exceptions when deterioration is allowed, namely in case of a force majeure, climate change-induced habitat transformation, projects authorised under the Habitats Directive, or those of overriding public interest (outside Natura 2000 sites), including renewable energy sources (Article 6) and national defence (Article 7). In some instances, compensatory measures are allowed in biogeographical regions.

Article 8 outlines targets for urban ecosystems, requiring Member States to **expand their total area of urban green space and urban tree canopy cover** from 2031 until satisfactory levels are reached. Article 9 requires Member States to identify and remove artificial barriers to improve river connectivity and restore floodplains, contributing to the target of **restoring at least 25,000 km of rivers into free-flowing rivers** as outlined in the EU Biodiversity Strategy to 2030. In Article 10, Member States are mandated to put in place restoration measures to enhance pollinator diversity and achieve **an increasing trend of pollinator populations** from 2030 until satisfactory levels are reached. To foster this, the European Commission is to establish a scientific monitoring method to gather annual data on pollinator diversity and populations across ecosystems.

Furthermore, the NRL obligates Member States to put in place restoration measures to enhance biodiversity in agricultural ecosystems by achieving an increasing trend on at least two out of three of the following indicators: the grassland butterfly index, the stock of organic carbon in cropland mineral soils, and the share of agricultural land with high diversity landscape features, from 2030

<sup>1</sup> Good condition = key characteristics that reflect high ecological integrity, stability, and resilience to ensure its long-term maintenance

<sup>2</sup> Favourable reference area = total area of a habitat type needed for its long-term viability

<sup>3</sup> Sufficient quality and quantity = ecological requirements of a habitat or a species to ensure its long-term maintenance

until satisfactory levels are reached. A specific objective is also set at a national level to improve the common farmland bird index. In addition, Member States are required **to restore and partially rewet drained agricultural peatlands**, namely 30% by 2030 (of which at least a quarter rewetted), 40% by 2040 (a third rewetted), and 50% by 2050 (a third rewetted), with potential exemptions under certain circumstances.

Likewise, Member States are required to achieve an increasing trend on at least six out of seven of the following indicators to enhance biodiversity in forests: standing deadwood, lying deadwood, the share of forests with uneven-aged structure, forest connectivity, the stock of organic carbon, the share of forests dominated by native tree species, and tree species diversity, with potential exemptions under certain circumstances (e.g. disasters, uncontrolled wildfire). A specific objective is also set to improve the common forest bird index at a national level. When implementing restoration measures outlined in previous articles, Member States should also aim to contribute to the EU's commitment to plant **at least three billion additional trees by 2030**, as stated in the EU Biodiversity Strategy to 2030.

## 2.2. National Restoration Plans

According to the Law, Member States need to prepare **National Restoration Plans (NRPs)** by 2026, two years after the regulation entered into force (Articles 16 & 17). They will serve as the planning tool for the implementation of the NRL at a national level. The NRL includes provisions about their preparation, content, submission, assessment, and review. These NRPs need to be revised at least every 10 years, where the Commission can request supplementary measures when the progress made in a Member State is deemed insufficient (Article 19).

In these NRPs, Member States will outline their coherent restoration plan for delivering on the targets and obligations, and detail how they will monitor and report on their restoration progress (Article 15). Member States are also required to identify co-benefits for climate action and socio-economic impacts and benefits, estimate the financial needs for its implementation, and additionally outline the participatory approaches used.

Member States are required to conduct monitoring and research to prepare NRPs (Article 14) and **identify synergies with climate policies and other environmental instruments**, including renewable energy areas. They are also encouraged to collaborate with neighbouring countries, especially concerning marine ecosystems (Article 18). To understand the current state of ecosystems, Member States should start monitoring habitat types and indicators outlined in the NRL when it becomes effective (Article 20) and continue to **monitor and report on the progress every six years** from 2031 (Article 21). In areas with significant deterioration or those undergoing compensatory measures, monitoring and reporting are required every three years from 2028. Additionally, the annual monitoring of the grassland

butterfly index, common farmland and forest bird indexes, and pollinator species is mandated. These efforts will lead to EU-wide progress reports under the NRL every three to six years by the European Environment Agency, subsequently reported by the European Commission to the Parliament and Council.

The European Commission will assess the NRL before 2034 and may propose additional restoration targets (Article 26). The Commission is also authorised to propose amendments to the annexes based on technical and scientific progress (Articles 22 & 23). Furthermore, the Commission will compile a **report identifying financial resources** and additional information needed to fund the NRL's implementation. The NRL also describes the permission of a temporary suspension of Article 11 (agriculture) for a maximum of 12 months in case of an unforeseen event (Article 27).

### 3. Restoration in the EU Overseas

#### 3.1. The importance of healthy ecosystems in Outermost Regions and Overseas Countries and Territories

The EU Overseas feature unique and rich biodiversity. Both the Outermost Regions (ORs) and Overseas Countries and Territories (OCTs) contain a plethora of biodiversity hotspots, most of which are endemic. Together, these regions account for **more than 70% of the EU's biodiversity** and cover a wide range of ecosystems, including polar seas, volcanic islands, and tropical forests. These regions also contribute significantly to the EU's marine biodiversity with the ORs alone adding an area of more than 15 million km<sup>2</sup> (Petit & Prudent, 2008). They are therefore key actors in implementing international and regional conservation targets.

*“The ORs and OCTs are 22 additional political entities related to the EU. The nine ORs are part of France (6), Portugal (2) and Spain (1). While ORs are an integral part of the EU subject to its laws and obligations, their unique characteristics and constraints are considered in their application. Additionally, there are 13 OCTs associated to three EU Member States: the Netherlands (6), France (6) and Denmark (1). OCTs are not considered part of the EU territory and their laws do not apply directly. The purpose of this association is to promote their economic and social development, and to establish close economic relations. Additionally, Denmark has special arrangements with Greenland.”*

OR and OCT ecosystems are particularly vulnerable to new threats caused by human activities, including climate change. According to the [IUCN Red List assessment](#), ORs and OCTs harbour a significantly higher number of threatened species than the EU (Petit & Prudent, 2008). Nevertheless, WWF's latest report

highlights the lagging implementation of marine and environmental policies to protect biodiversity and vulnerable communities in these regions compared to the rest of the EU (WWF EURO, 2024).

Accordingly, the EU Biodiversity Strategy to 2030 emphasises **the need to protect and restore ecosystems in the EU's ORs and encourages similar environmental policies in the OCTs**. The European Commission has also strengthened the biodiversity dimension in the new [EU Strategy for Outermost Regions](#), adopted in 2022. Recent resolutions and opinions from the European Parliament and the European Committee of the Regions also called for EU action to support biodiversity in Overseas Territories. Member States are encouraged to include all ORs in the EU's Natura 2000 network, with the Macaronesian Outermost Regions of Portugal and Spain already included (European Commission, 2009). Member States and regional governments are also encouraged to develop targeted policies and actions to protect and restore their unique biodiversity, through initiatives like the BEST (Biodiversity and Ecosystem Services in Territories of European Overseas) Programme.

### 3.2. The facilitating role of the BESTLIFE2030 Programme

The Biodiversity and Ecosystem Services in Territories of European Overseas (BEST) Programme emerged as a response to the need for a dedicated European financial mechanism to support initiatives in the EU's ORs and associated OCTs. Since its start in 2011, BEST has promoted biodiversity conservation and the sustainable use of ecosystem services through investments in 153 projects thus enabling, empowering, and strengthening NGOs, CSOs and local authorities.

Building upon the success of the BEST Initiative, BESTLIFE2030 emerges as an 8-year Programme funded by the EU's Programme for Environment and Climate Action (LIFE) and by the Office français de la biodiversité (OFB). The Programme will distribute over 200 grants totalling more than 23 million euros by 2030 to support local conservation efforts. To achieve that, BESTLIFE2030 aims to:

- Establish a flexible small-grant Programme for EU Overseas stakeholders to achieve biodiversity conservation, ecosystem restoration and sustainable use of ecosystem services;
- Empower locals to simultaneously address regional challenges and biodiversity conservation;
- Coordinate with other grant programmes for interregional cooperation;
- Engage in key policy discussions at EU and international levels;
- Ensure project sustainability by sharing best practices and lessons learned;



- Contribute to global biodiversity, sustainable development, and climate objectives.

The BESTLIFE2030 Programme boasts a robust monitoring and evaluation system that is structured into six distinct clusters: biodiversity, enabling conditions, outreach, employment, protected areas, and climate vulnerability. These clusters encompass a comprehensive range of indicators aligned with the [LIFE Key Project Indicators \(KPIs\)](#).

## 4. Why is the NRL relevant for BESTLIFE2030 Applicants?

### 4.1. The NRL for the BESTLIFE2030 Programme

As envisioned in the EU Biodiversity Strategy 2030, protecting and restoring OR ecosystems should be prioritised given their exceptional biodiversity value. All provisions of the NRL apply to the ORs. An important exception is that the Birds and Habitats Directives do not apply in the French ORs. Nevertheless, there's a possibility that certain aspects of Articles 4 and 5, at least for some habitats and species, would apply to the French ORs (ICRI, 2023). The NRL does not directly apply to OCTs. In any case, in preparation for the NRPs, Member States should take the unique challenges of ORs into account, such as their remoteness, insularity, small size, difficult topography and climate. Member States are also encouraged to include specific restoration measures voluntarily in the ORs that are not directly covered by the NRL.

Overall, the adoption of the NRL will accelerate restoration action across the EU, including relevant developments for the ORs and OCTs. This entails time-bound, legally binding targets and commitments for specific areas and ecosystems. The European Commission will issue new methodologies for monitoring, indicators, and assessing good condition for those ecosystems, habitats and species for which this is not yet available, including certain ecosystems in the ORs, to form the basis for setting additional targets and baselines (European Commission, 2022).

There's also a focus on expanding the monitoring of marine ecosystems and prioritising ecosystems that help prevent disasters, crucial for insular regions. The European Commission will furthermore provide funding pathways for implementation, while the Member States are required to align their NRPs with climate action, and socio-economic impact, and involve relevant stakeholders in the process, considering their unique context.

## 4.2. Recommendations for BESTLIFE2030 Programme Applicants

It will be essential to tailor the restoration measures under the NRL to the specific needs and conditions of the local ecosystems and communities, recognising the unique climate risks in these regions. This will require the active involvement of subnational governments, as they already play a vital role in restoration programmes, from identifying vulnerable areas to supporting protection, and monitoring, ensuring policy coherence, and creating synergies between regional and local plans (CPMR, n.d.).

Local conservation initiatives will be essential for the facilitation of multilevel stakeholder engagement and shared ownership, considering the local conditions and needs. They also play an important role in strengthening the capacity for monitoring ecosystem health and restoration action, public engagement and environmental awareness, and in identifying the measures needed to support key sectors in their restoration efforts, such as fisheries, agriculture, tourism, and transport (Ferraro & Failler, 2024; Sieber, Borges, & Burkhard, 2018). In this context, the BESTLIFE2030 Programme offers financial and technical assistance to local conservation initiatives contributing to biodiversity conservation and sustainable use of natural resources, corresponding with the Programme's impact indicators. The following recommendations outline how the BESTLIFE2030 applicant can contribute to implementing the NRL in the EU Overseas.

**It would help to align the proposal's restoration efforts with the NRL's provisions.** By incorporating the specific targets and objectives of the NRL into the proposal, the local conservation initiatives can offer essential data, restoration measures, tools, and experiences for the unique ecosystem conditions and local needs of a specific territory. This may inform governmental conservation plans, contributing to national and international conservation targets.

*BESTLIFE20230 Impact indicators: biodiversity, protected areas, climate vulnerability*

**Consider including ways to evaluate the progress made on restoring ecosystems in the monitoring plan.** Where possible, include ways to assess the current condition of the ecosystem, and monitor the progress made in restoring these ecosystem(s). Ideally, focusing on the targets and indicators already included in the NRL. This could include indicators of biodiversity, soil health, water quality, and habitat connectivity.

*BESTLIFE20230 Impact indicators: biodiversity, outreach, employment*

**It could be helpful to explore the connections between biodiversity conservation and climate action.** Find and use the connections between biodiversity conservation and climate adaptation within the Programme, such as through the use of [Nature-based Solutions](#) (NBS). This will help to seek out

opportunities to integrate climate action with biodiversity conservation, thereby strengthening co-benefits.

*BESTLIFE20230 Impact indicators: biodiversity, climate vulnerability*

**Consider promoting participatory approaches in the local conservation initiative.** Recognise the invaluable insight and expertise that local communities possess about their ecosystems and species, and actively involve them in decision-making processes related to conservation planning, monitoring, and management. Additionally, explore ways to enhance public engagement with local stakeholders and raise environmental awareness among local citizens, for instance highlighting the socio-economic benefits of biodiversity restoration and protection.

*BESTLIFE20230 Impact indicators: biodiversity, enabling conditions, outreach, protected areas*

**The BESTLIFE2030 Programme could explore pathways to inform (sub)national restoration plans based on the Programme's outcomes.** The BESTLIFE2030 team could collect the data, resources and best practices from the local conservation initiatives to share with (sub)national and regional governments, informing their restoration and biodiversity plans. This approach would contribute to more comprehensive and impactful strategies for conservation and restoration based on the local context and needs.

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