

Nature restoration Law, EU consultation, 22.8.2022

We agree with the need of additional actions in Europe to stop the decreasing trend of nature biodiversity. However, the legislation must acknowledge the different circumstances, current programs and practices in different Member States (MS) and avoid regulation in detail. A directive would be more appropriate regulation to apply in this case than a common European law. Restoration measures must be based on solid biodiversity and ecosystem service indicators. There must be scenarios for their development in terms of time and quantity as part of the land use strategy and analysis of their relationship with other land use and protection.

Legislation must make it possible to replace fossil materials with wood and to increase the cost-effective use of renewable energy in line with the objectives set by the EU. E.g., there should be no administrative obstacles for solar energy development in former peat production areas.

Legislation must guarantee the cost-effective implementation of restoration measures and, more broadly, nature conservation in the MS. Automatic application of similar percentages for all habitat types does not promote cost-effectiveness. Restoration measures should therefore be conditioned on: cost estimates, estimates and targets for the response of restoration measures to ecosystem structures and functions, estimates of the time lag between measures, structural responses and species-specific responses. If the state of the area is poorly known, there cannot be an automatic obligation to take restoration measures.

We reject the fact that the Commission proposal is based on the same percentages for all MS, regardless of the number of habitats, the state of nature, the conservation areas already established, the economic significance of the habitats to be restored in the various MS, and the MS economic baseline or future prospects. This is a problematic approach and, in the case of Finland, leads to the highest estimated costs in Europe in relation to GDP (0.39%), while in many MS wealthier than Finland the costs are 0.01%. For Finland, it has been estimated that the area to be restored is between 22 514 km² and 86 953 km² (Impact Assessment, Part 1, p. 22 - 27). This is between 7% and 26% of the land area and clearly higher than in most other MS.

It is problematic that the proposal is based on the definition of a precise longterm target already at this stage (e.g. 100% by 2050). We consider the restoration policy for e.g. in case of all raised bogs to be premature at this stage. It is more important to achieve positive developments in the shorter term and the 2050 targets can be specified later.

Article 1(b): no separate legislation is required in the legislative proposal to combat climate change in the land use sector, as it already has a separate legislation (LULUCF). The bill supports the achievement of the objectives of the LULUCF Regulation in the MS, but, for example, references to Articles 9.2. (b) and 10.2. (f) are not required in this proposal. We welcome the creation of flexibility elements in Article 9.4., which increases national discretion.

Bioenergia ry

We consider the powers of Articles 17 and 19 to be very extensive for the Commission. Restoration should be based more on the expertise of the MS. It has not been assessed whether the requirements will lead to wood harvesting and what a multiplicity of economic impacts this would have. The content of the benefits has hardly been opened. In Finland, the benefits are projected in particular in peatland management. Assessment in euro is very difficult, at this stage, if there exist no functioning market for carbon in the LULUCF sector exists.

The proposal assumes that the EU can decide on the land-use of the MS and even on private property. Within the suggested implementation schedule there will be many legal and juridical, even constitutional challenges to be won.