

To: Agriculture and Environment Ministers of EU Member States

Cc: Executive Vice-President for the European Green Deal and Commissioners for Environment, Agriculture, Health and Food Safety and the Chair of the European Parliament Environment Committee

Re: Input to the EU Agriculture and Fisheries Council Meeting, Brussels, 21 November 2022

Brussels, 15 November 2022

Dear Minister,

On behalf of the European Environmental Bureau, I am writing to share with you our views on some of the issues on the agenda of the upcoming meeting of the EU Agriculture and Fisheries Council on 21 November 2022. Both, forest protection and management, as well as nature restoration are fundamentally environmental matters, and we therefore call upon you to closely collaborate with your Environment Ministers who should be leading in developing the national positions on the (upcoming) legal proposals.

I invite you to take our concerns into account during the final official level preparations, as well as at the meeting itself. We have structured the letter according to our understanding of the agenda for the meeting on 21 November.

1. The implementation of the New EU Forest Strategy for 2030

Forests play a crucial role in bending the curve of biodiversity loss, bring significant potential for climate mitigation and adaptation and enhance our resilience against climate-induced extreme weather events. The EU Forest Strategy for 2030 includes encouraging commitments to protect and improve the health and resilience of the EU's forests, such as the focus on strictly protecting old growth and primary forests or shifting the Union to closer to nature forestry. To assess the current status of the EU's forests, as well as the impact and effectiveness of upcoming and ongoing policy measures, a solid monitoring framework is essential. Therefore, a strong Forest Monitoring and Strategic Planning Law that assesses the impacts of forest management practices on biodiversity and the climate is crucial.

The EU has a strong mandate to act on the protection of forests and the Strategy fully respects the principle of subsidiarity. There is a long history of EU measures supporting certain forest-related activities in coordination with Member States. Art. 191 of the Treaty on the Functioning of the European Union (TFEU) provides clear competence for the EU to take environmental protection measures which also provides for competence when the proposed measures also touch upon forestry issues, as clarified by the Court of Justice of the EU in 1999.¹ The Strategy further fully complies with the principle of subsidiarity as set out in Art. 5(3) of the Treaty of the European Union (TEU) as the environmental protection objectives cannot be sufficiently achieved at Member State level alone given the necessary EU-level scale of the actions as well as the heightened effectiveness of addressing the monitoring and protection of forests at EU level.

We therefore call upon the Agriculture Council to:

- **Fully engage in the implementation of the EU's Forest Strategy in its entirety and closely collaborate with Environment Ministers** and the environment formation of the Council to ensure coherency, consistency and an integrated approach to overlapping commitments of the EU's Forest, Biodiversity and Farm to Fork Strategies;

European Environmental Bureau

• Rue des Deux Églises 14-16, 1000 Brussels, Belgium • ☎ +32 228 91090 • eeb@eeb.org • www.eeb.org

*International non-profit association • Association internationale sans but lucratif (AISBL) • EC register for interest representatives:
ID number: 06798511314-27 • BCE ID number: 0415.814.848 • RPM Tribunal de l'entreprise francophone de Bruxelles*

- **Strongly support the development of a legislative proposal for an EU Framework for Forest Monitoring and Strategic Plans** that ensures:
 - Harmonised definitions and criteria as well as a uniform reporting format for comparable data across all Member States;
 - Maximum transparency through fully public and accessible information, in line with access to information obligations under the Aarhus Convention;
 - Holistic indicators on the impact of management practices on biodiversity and climate and a monitoring of the effectiveness of policy interventions.
- **Fully endorse the forest targets of the Nature Restoration Law**, supporting Environment Ministers and the environment formation of the Council in adopting a strong Council mandate towards the timely and adequate adoption of the proposed Regulation.

2. Regulation on nature restoration – Agricultural aspects

The legal proposal for a Nature Restoration Law is a huge opportunity to bring nature back to Europe, benefiting biodiversity, climate, and people alike. The restoration of ecosystems such as peatlands, forests, and seagrass meadows can help reduce emissions and sequester millions of tonnes of carbon each year. Nature restoration is our best insurance policy for climate adaptation as it will increase our resilience to droughts, floods and other extreme weather events, and is the basis of long-term food security.

Restoring and preserving nature can also bring many socio-economic benefits such as additional jobs in rural areas, sustainable farming, recreation opportunities, and broader human health benefits. Restoration can also help to address key climate risks for agriculture by decreasing flood or drought risks. Therefore, nature restoration is undoubtedly one of the best investments we can make. The European Commission's impact assessment concluded that investing in nature restoration adds between €8 to €38 in economic value for each €1 spent given the many ecosystem services which play an invaluable role in supporting food security, climate and ecosystem resilience and mitigation, and human health.

The legal proposal is therefore an important milestone to reverse the tide of both biodiversity loss and climate change, with the potential to make a real impact at the scales required if implemented in a timely and well considered manner.

We therefore call upon the Agriculture Council to:

- **Fully support the proposal for the Nature Restoration Law and positions of the Environment Ministers** who should continue to lead the discussions on the proposal towards a strong Council position that can ensure the timely and adequate adoption of the law;
- **Endorse the agricultural targets** in recognition of the important role of high-diversity landscape features for farmland biodiversity, pollination, climate adaptation and with that long-term food security;
- **Endorse the forest restoration targets (both in articles 4 and 10)**, proposed in full compliance with the principle of subsidiarity, based on the EU's competence for environmental matters and crucial for climate mitigation and adaptation as well as the long-term survival of a forest industry;
- **Support the demands for a dedicated nature restoration fund** and integrate a commitment in the legal proposal to consider such a fund as part of the next Multiannual Financial Framework period.

3. Communication on Ensuring availability and affordability of fertilisers

On 9 November, the European Commission published the Fertiliser Communication in which it outlined actions aimed to maintain EU fertilisers' production and ways ahead to help farmers optimise their fertiliser use and reduce their dependencies. Unfortunately, the European Commission did not seek any input either from the civil society or the scientific community. As a result, the Commission's Communication favours short-term benefits of the increased use of harmful synthetic fertilisers and proposes to subsidise the fertiliser industry despite the profits the industry is expected to make.²

The EU's nutrient flows are beyond sustainable levels, largely driven by imports and excessive use of synthetic and mineral fertiliser, with dire consequences for the environment and human health, including eutrophication, nitrate pollution of surface and groundwater including sources of drinking water, harmful air pollution, greenhouse gas emissions, deteriorating soil quality, and biodiversity loss – which ultimately threatens long-term food security. These issues need to be addressed in an integrated approach that puts reduction of inputs to the already overloaded system front and centre, while supporting re-cycling and efficient nutrient use.


Short-term solutions that funnel money to profit-making industry is a waste of public funds, that should be used to support farmers in their transitioning to sustainable practices that will end their current exposure to volatile markets. Efforts to break the EU's dependency on imports of N and P fertiliser, as well as fossil gas for fertiliser production, will not only improve the self-sufficiency and resilience of the Union but are also necessary to achieve the EU's zero-pollution ambition, climate targets, and biodiversity commitments.

We therefore call upon the Agriculture Council to:

- **Insist that the European Commission delivers the long-awaited Integrated Nutrient Management Action Plan (INMAP)** which promotes an integrated approach to short- and long-term nutrients and fertiliser management, while delivering on the Biodiversity and Farm to Fork Strategy targets as well as advancing the EU towards the zero-pollution ambition;
- **Steer clear of the short-term solutions** that will not support the necessary transition to a climate-neutral and circular economy. **Focus instead on phasing out synthetic fertilisers use in the EU** as part of a transition to agroecological farming, accompanied by a cut in food waste and a shift to sustainable diets;

Thank you in advance for your consideration of these points which support the ambitions of the European Green Deal and will help catalyse progress in meeting the environmental and agricultural challenges facing Europe and the planet. This will respond to scientific evidence and support EU and national legitimacy in the eyes of a public which broadly supports increased action at EU level to protect the environment.

Yours sincerely,



Patrick ten Brink
Secretary General, European Environmental Bureau (EEB)