

GUIDANCE AND RECOMMENDATIONS FOR AMBITIOUS NATURE RESTORATION PLANS



#RESTORENATURE



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ABOUT IEPP

The Institute for European Environmental Policy (IEEP) is a sustainability think tank with offices in Brussels and London. As a not-for-profit research organisation with over 40 years of experience, we are committed to advancing evidence-based and impact-driven sustainability policy across the EU and the world. To learn more, please visit: <https://ieep.eu/>.

ABOUT THE #RESTORENATURE CAMPAIGN

The **Restore Nature** campaign, coordinated by WWF European Policy Office, Birdlife Europe and Central Asia, European Environmental Bureau and Client Earth, brings together over 200 NGOs and multiple stakeholders such as businesses, scientists and activists, who have been jointly advocating for the EU Nature Restoration Law. The campaign collected almost 1.2 million signatures and messages from citizens who urged decision-makers to adopt the law to restore nature, with the support of organisations such as Avaaz and WeMove.



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EXECUTIVE SUMMARY

The newly adopted Nature Restoration Law (NRL) is the most significant piece of nature legislation in the EU since the adoption of the Habitats Directive in 1992. It holds huge potential to bring some of Europe's lost nature back, protect us from extreme weather events, and tackle the intertwined biodiversity and climate crises. The law sets legally-binding targets for Member States to restore 20% of land areas and 20% of seas by 2030, and all ecosystems in need of restoration by 2050. It includes ecosystem-specific targets for terrestrial, coastal and freshwater, marine, urban, agricultural and forest ecosystems as well as for pollinator populations.

The Nature Restoration Law is a powerful tool that can significantly improve the state of Europe's degraded ecosystems. It has received strong support from scientists, civil society organisations, businesses, activists, and more. However, the law's success and transformative impact depend on its effective implementation by Member States. The NRL requires Member States to develop and adopt National Restoration Plans (NRPs) detailing how they will achieve the law's targets and obligations. It also mandates the inclusion of all relevant actors, including civil society organisations, in the planning process to ensure they can provide relevant input.

Drafting coherent and ambitious NRPs is key to successfully implementing the Nature Restoration Law. This report provides insights and guidance to help navigate the legal requirements of the law, focusing on the preparation, drafting and finalisation of NRPs. For steps 1 to 3, it outlines the main elements that Member States must include in their plans, along with recommendations on how to implement these requirements most efficiently. The detailed explanations provided in the report will be useful for civil society organisations, Member State authorities and all relevant actors involved in the process.

The report outlines **the stepwise approach for Member States to develop their NRPs:**

STEP 1 PREPARING NATIONAL RESTORATION PLANS

Member States must initiate preparatory monitoring and research to identify necessary restoration measures and address knowledge gaps. This includes quantifying the area that needs restoration, mapping urban ecosystems, and setting satisfactory levels for indicators related to pollinators and agricultural and forest ecosystems.

STEP 2 DRAFTING AND SUBMITTING NRPs

NRPs must describe restoration measures and how their effectiveness will be monitored, quantify areas to be restored, describe the foreseen socio-economic impacts and outline financing methods. Draft NRPs must be submitted within two years of the NRL's entry into force, with detailed plans for the period up to 2032 and strategic overviews up to 2050.



STEP 3 ASSESSING AND FINALISING NRPs

The European Commission will assess the draft NRPs and provide observations within six months, which Member States must incorporate into their final plans. Member States must implement the plans to achieve targets by intermediate deadlines and should start implementing the relevant measures even before submitting their plans.

STEP 4 REVIEWING NRPs

NRPs must be reviewed and revised by 2032 and 2042, taking into account progress, scientific evidence, and changes in environmental conditions due to climate change. If progress is insufficient, the Member States must include supplementary measures, which will be reviewed by the Commission.

The report also underlines the importance of **policy coherence**. Nature restoration requires a holistic approach to make significant progress across various EU environmental policies, including climate change mitigation, water and air quality, and more. Implementing the NRL will help achieve these policies' environmental objectives and speed up their implementation. NRPs will be pivotal in directing resources and capacity to support other policy processes and will strengthen monitoring and reporting systems. However, some policies, mainly the Renewable Energy Directive, the Common Agricultural Policy and the Common Fisheries Policy, might prove to be antagonistic with the objectives of the NRL if hastily implemented or inappropriately interpreted, without carefully considering how these might be developed jointly to harness synergies.

The recommendations in this report aim to facilitate efficient and effective implementation, emphasising the importance of early preparation, stakeholder engagement, and policy coherence. By adhering to these guidelines and leveraging the expertise of civil society, Member States can create robust NRPs that not only meet legal requirements but also drive impactful nature restoration efforts across the EU.

SECTION 1

INTRODUCTION: OVERVIEW OF NATIONAL RESTORATION PLANS AND THE IMPORTANCE OF ENGAGING IN THE PROCESS

The Nature Restoration Law (NRL) has been adopted by the European Parliament in February 2024 and by the Council of the EU in June 2024, two years after the publication of its proposal by the European Commission¹. The negotiations on the NRL were marked by profound pushback from conservative groups who attempted to undermine the proposal and even have it withdrawn. Hence, the final text reflects the difficult discussions and compromises that have had to be agreed upon to ensure its final adoption. The NRL is nonetheless still an ambitious and binding piece of legislation, which aims to put in place restoration measures covering 20% of land areas and 20% of seas by 2030, and for all ecosystems in need of restoration by 2050. It includes ecosystem-specific targets for terrestrial, coastal and freshwater, marine, urban, agricultural and forest ecosystems as well as for pollinator populations (Articles 4 to 12, summarised in Annex I). The NRL also puts in place important provisions relating to the implementation process, as well as monitoring and reporting, to ensure all the tools are available to achieve the NRL's targets and objectives².

Once the NRL enters into force, Member States will be required to develop and adopt National Restoration Plans (NRPs) outlining how they will achieve the targets and obligations set out in the regulation to restore degraded ecosystems in the EU by 2050. Member States will need to follow a stepwise approach, by which NRPs will initially need to provide detailed information for the period up to 2032, as well as a strategic overview of measures and actions planned to 2050.

The development of ambitious and coherent NRPs is essential for the successful implementation of the NRL. Member States will need to kick off the process early on and make sure that all the relevant Member State government departments and civil society actors are able to participate and provide

¹ European Commission, Proposal for a Regulation of the European Parliament and of the Council on nature restoration. COM2022 (304) final, https://environment.ec.europa.eu/publications/nature-restoration-law_en.

² Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202401991



inputs. They need to ensure synergies with the other relevant legislations and policies and avoid any delays in subsequent implementation of the regulation.

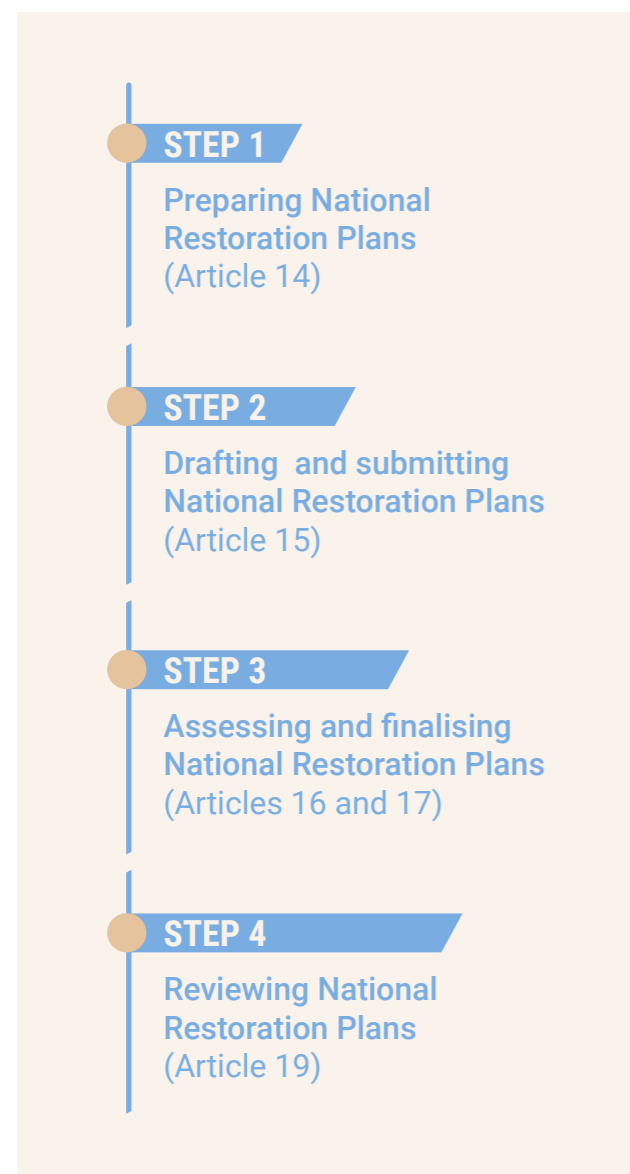
National environmental NGOs and other civil society actors have a crucial role to play in this process. They can share their knowledge and expertise on nature restoration and related policies and assist national competent authorities and agencies in preparing and implementing the required measures. In addition, they can ensure a critical look at the NRL implementation process.

This report aims to provide insights and guidance to national environmental NGOs to help them participate in the national processes of preparing and drafting NRPs. The content of the report, including its recommendations, can also be useful for other organisations, Member State authorities and all relevant actors who will play a part in successfully implementing the NRL through the national restoration planning process.

SECTION 2

THE ROAD TO SUCCESSFUL IMPLEMENTATION

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► **Figure 1** – Timetable summarising the various stages in the implementation of the Nature Restoration Law.

A more detailed timeline of the various stages in the implementation of the NRL from its entry into force to 2050 is available in Annex II of this report.

STEP 1 PREPARING NATIONAL RESTORATION PLANS

As soon as the NRL has entered into force, Member States will need to start working on their NRPs. The NRL includes legal requirements related to the preparation of the plans, such as carrying out the relevant monitoring and research, which will help identify the necessary restoration measures to be implemented (Article 14). During the preparation phase, Member States will also need to identify synergies with relevant policies, which should be taken into account when preparing the plans (see section 4 on policy coherence).

STEP 2 DRAFTING AND SUBMITTING NATIONAL RESTORATION PLANS

The NRL also includes a series of legal requirements related to the drafting of the plans, including the description of the restoration measures, the quantification of areas to be restored, how the measures will be financed, etc. (Article 15).

Member States will need to submit their draft NRPs by 1 September 2026 (Article 16). Following the stepwise approach, the plans will need to include detailed information on the measures planned by 2032, and a more strategic overview of the required information for the period up to 2050.

STEP 3 ASSESSING AND FINALISING NATIONAL RESTORATION PLANS

Once Member States have submitted their NRPs, the European Commission will assess them in cooperation with Member States. The Commission will share its observations within six months of their submission, which Member States have to take into account in their final NRPs³. Finally, Member States will adapt, publish and submit their plan to the European Commission within six months of their receipt of the observations from the Commission (Article 17).

Member States will then be bound to implement their plans with the aim of achieving the targets by the intermediate deadlines. However, countries do not need to wait for their plans to be submitted to implement restoration measures. Rather, they should start putting in place the relevant measures before these deadlines to ensure the targets are achieved in a timely manner.

STEP 4 REVIEWING NATIONAL RESTORATION PLANS

Member States will need to review and revise their NRPs and include supplementary measures by 30 June 2032 and then again by 30 June 2042. They must take into account progress made in implementation of the NRPs, the best available scientific evidence as well as available knowledge of changes or expected changes in environmental conditions due to climate change (Article 19).

³ According to Article 17, Member States have to ‘take account of any observations from the Commission in its final national restoration plan’. Therefore, Member States are not legally required to take the Commission’s comments into account in their final plan, but they will most likely have to respond to these comments, even if they choose to ignore them. This provision may ensure that these responses are in the public domain.

The European Commission may consider that progress made by a Member State is insufficient to meet the law’s targets based on reporting by Member States under Article 21 and the European Environmental Agency’s (EEA) assessment of global progress towards the targets. After consulting this with the Member State concerned, it may request the submission of a revised draft NRP with supplementary measures to fill the gaps identified. The revised NRP shall be submitted within six months after having received the request for revision (this may be extended to twelve months upon request and where duly justified) (Article 19(3)).

Steps 1 to 3 are further detailed in the sections below, with guidance and recommendations on how to follow and go beyond the legal requirements for efficient and effective implementation of the NRL’s targets and objectives. For each step, the report presents the key elements that Member States must include in the plans, followed by targeted recommendations on how to implement them. These recommendations are then summarised at the end of this report. Finally, the report includes a section on policy coherence which analyses the synergies and trade-offs between nature restoration and key policies which must be included and/or considered by the NRPs.

Please note that the present document does not constitute a technical implementation guidance. The following section (Section 3) is only summarising the main requirements arising from Articles 14, 15 and 17 of the NRL and it is not to be read as a complete and comprehensive description of these provisions.

SECTION 3

LEGAL REQUIREMENTS RELATING TO NATIONAL RESTORATION PLANS

STEP 1

PREPARING NATIONAL RESTORATION PLANS

What are Member States required to do?

✓ PREPARATORY MONITORING, QUANTIFICATION AND ADDRESSING KNOWLEDGE GAPS

According to Article 14, Member States must **carry out preparatory monitoring and research to identify the necessary restoration measures** to meet the targets and obligations of the law (Article 14(1)). They must therefore take stock of any knowledge gaps that might hinder the adoption of the appropriate restoration measures and to identify ways to address them. They will also need to do the following for specific ecosystems:

- For the restoration of terrestrial, coastal and freshwater and marine ecosystems: quantify the area that needs to be restored (Article 14(2)). This refers to the habitat types listed under the Habitats Directive (the Annex I habitats) and the other marine habitats listed in the regulation's Annex II (the NRL's annexes are listed in Annex III of this report).
- For urban ecosystems: determine and map urban ecosystem area for all their cities, towns and suburbs and set satisfactory levels (according to a guiding framework) for urban green space and urban tree canopy cover (Article 14(4)).
- For pollinators: set satisfactory levels for indicators for pollinators by 2030 (Article 14(5)(a)).
- For agricultural and forest ecosystems: set satisfactory levels for the indicators they have chosen in relation to agricultural and forest ecosystems targets by 2030. They shall identify and map the agricultural and forest areas in need of restoration and existing practices that contribute to the law's objectives (Articles 14(5)(b)(c)) and (6)).

Box 1 provides information on where Member States can gather some of the information needed to prepare NRPs in relation to Articles 4 to 12 (these articles are summarised in Annex I).

Member States have been given the flexibility to address these knowledge gaps following a phased approach, meaning that they may provide only a strategic overview for the period beyond June 2032. They must however focus their efforts in filling the gaps for the period before June 2032.

BOX 1 - WHERE CAN MEMBER STATES GET THE INFORMATION THEY NEED TO PREPARE NRPS?

Member States can and should use mechanisms for monitoring and reporting under existing frameworks to gather information for the following NRL articles:

→ **ARTICLE 4:** Under the Habitats Directive, Member States must measure or estimate and map the areas of the **Annex I habitat types** which occur in their territory (separately for each biogeographical region), and report on their condition (their structure and function) every six years in their Article 17 report. Member States must also define the favourable habitat area of each habitat. Importantly, the EEA has made estimations of the areas of each Annex I habitat that would need to be restored in order to achieve favourable conservation status⁴.

→ **ARTICLE 5:** For the **marine Annex I habitats** listed in the Habitats Directive, Member States may use the same reports as for Article 4. For the marine EUNIS habitats listed in Annex II of the regulation, Member States will need to have access to additional marine habitat maps (e.g. through Emodnet and Copernicus marine service⁵). They may use data from reporting under the Marine Strategy Framework Directive (MSFD), which also follows a six-year cycle. Member States should cooperate with the European regional seas organisations for joint monitoring and use of existing databases (HELCOM Commission for the Baltic Sea; OSPAR Commission for the North-East Atlantic; Barcelona Convention for the Mediterranean; see [recommendation 4](#)).

→ **ARTICLE 9:** The AMBER project publishes annual inventories of **river barriers**⁶. Member States should also plan river barrier removal in their River Basin Management Plans under the Water Framework Directive.

→ **ARTICLE 10:** **Wild pollinator** monitoring systems are being set up in many EU countries. The Commission will publish a baseline assessment of the status of wild pollinator populations in 2026⁷. After that, the EU Pollinator Monitoring Scheme will generate regular measurements of the indicator.

→ **ARTICLE 11:** The Common Farmland Bird index and the **Grassland Butterflies index** are already available and published annually by EUROSTAT. For **soil organic carbon**, there is currently no EU wide monitoring⁸, but the proposed Soil Monitoring Law would establish this indicator and require the roll out of monitoring to all farmed soils⁹.

→ **ARTICLE 12:** Member States currently survey the **forest indicators** for their national forest inventories and report the data voluntarily to Forest Europe: when the proposed Forest Monitoring Regulation becomes EU law, these indicators and their monitoring will be legally binding on Member States.

RECOMMENDATION 1. IDENTIFY AND ADDRESS KNOWLEDGE GAPS.

Member States should do that in coordination with experts and civil society to gather the latest evidence and insights on habitats and species condition. Member States should also take stock of gaps in institutional capacity, train relevant personnel and identify the fora that will enable them to find the relevant information.

⁴ Röschel, L et al, State of Nature in the EU — Methodological paper. Methodologies under the Nature Directives reporting 2013-2018 and analysis for the State of Nature 2000. ETC/BD Technical paper 2/2020, ETC/BD report to the EEA.

⁵ See [EMODnet Seabed Habitats and EUSeaMap at https://marine.copernicus.eu/services/use-cases/copernicus-marine-sup-port-emodnet-seabed-habitats](https://marine.copernicus.eu/services/use-cases/copernicus-marine-sup-port-emodnet-seabed-habitats).

⁶ AMBER Consortium, The AMBER Barrier Atlas. A Pan-European database of artificial instream barriers. Version 1.0 June 29 2020. <https://amber.international/european-barrier-atlas/>.

⁷ Check the EU Pollinator Information Hive at <https://wikis.ec.europa.eu/display/EUPKH/EU+Pollinator+monitoring+framework>.

⁸ The EU LUCAS Soil survey is a sample-based survey that measures soil carbon levels at over 25 000 points across the EU – but the dataset is not comprehensive enough to really meet the NRL indicator need

⁹ European Commission, Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on Soil Monitoring and Resilience (Soil Monitoring Law) COM/2023/416 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023P-C0416&%3Bqid=1706624227744>.

Box 2 explains the link between reporting under the Habitats Directive and the mapping and quantifying of habitats under Articles 4 and 5 of the NRL and how the former can be used to address knowledge gaps in relation to the preparation of NRPs.

BOX 2 – MAPPING AND QUANTIFYING AREAS OF TERRESTRIAL, FRESHWATER, COASTAL AND MARINE ECOSYSTEMS – ADDRESSING KNOWLEDGE GAPS

The main data source for the extent of terrestrial, freshwater and coastal habitat areas and their condition is the reporting by Member States under the EU Habitats Directive (Article 17). Any uncertainties or gaps in this information pose challenges to the restoration planning process.

Member States report the habitat area estimates in square kilometres (as a minimum-maximum interval or a best single value) and the habitat presence on a 10-kilometre square grid map. They must state whether the habitat area was obtained using a complete survey of all habitat occurrences, an estimate based on a partial survey and modelling, or an expert estimate. These data are available from the EEA¹⁰. For the 2013 to 2018 reporting period, there were some clear problems with the quality of the habitat area estimates in certain country reports, which should be resolved in the next period, together with knowledge gaps that resulted in reporting the condition of some areas as unknown¹¹.

Independent expert views are also important to improve the data analysis. When the EEA examines the data reported by Member States, they carry out a public consultation allowing for comments from a wide range of stakeholders. Around 230 valid comments were submitted on the 2013-2018 data, showing the importance of independent expert views in improving the data analysis¹². Several developments in habitat mapping will soon be available to help fill knowledge gaps, so it is important to consult national experts to make sure all available data are being used¹³.

✓ SYNERGIES AND COORDINATION

Member States must identify synergies with climate change mitigation and adaptation, land degradation neutrality and disaster prevention, and take into account a range of (other) policies (see Section 4 on Policy coherence) (Articles 14(9), (14) and (15)). They will also identify synergies with existing agricultural and forestry practices, which contribute to the NRL objectives (Article 14(10)).

¹⁰ Publicly available in the EIONET Article 17 webtool at <https://nature-art17.eionet.europa.eu/article17/>

¹¹ Overall, 4.6% of the 818 habitat assessments of the 2013-18 period were reported as being in unknown condition. EEA indicator at <https://www.eea.europa.eu/en/analysis/indicators/conservation-status-of-habitats-under>

¹² Röschel, L et al, State of Nature in the EU — Methodological paper. Methodologies under the Nature Directives reporting 2013-2018 and analysis for the State of Nature 2000. ETC/BD Technical paper 2/2020, ETC/BD report to the EEA.

¹³ For example, the new Irish LIFE Strategic Nature Project LIFE SNaP Ireland (2024-2032) will build an Integrated Data Platform to consolidate and manage all data relating to nature conservation in Ireland, including reporting and sharing. The project will implement data sharing arrangements and will demonstrate delivery and value for money of conservation measures, identifying where future intervention is needed. Another example is the INTERREG Connecting Nature project in Austria and the Czech Republic (2017-2021) which brought together six large protected areas to map ecological corridors, and particularly, to map and safeguard large carnivore migration routes, between the sites (see https://www.at-cz.eu/at/ibox/pa-2-umwelt-und-ressourcen/atcz45_connat-at_cz).

They will need to coordinate the development of their NRP with the mapping of areas to meet their national contribution towards the 2030 renewable energy target and the designation of renewable acceleration areas (see section 4 on policy coherence) (Article 14(13)).

Finally, they will have to try to foster synergies with the NRPs of other Member States, especially for cross-border ecosystems, or where they share a marine region or subregion (Article 14(17)).

RECOMMENDATION 2. IDENTIFY AND BUILD ON SYNERGIES WITH NRPS OF OTHER MEMBER STATES.

There are opportunities for Member States to cooperate when preparing and drafting their NRPs, especially relating to transboundary ecosystems. National NGOs can identify these synergies and create partnerships to support these initiatives and find opportunities, such as sharing information and cooperation on implementing the restoration measures.



✓ PARTICIPATION OF CIVIL SOCIETY

Member States must include the public and all other relevant stakeholders from the start of the preparation process and make sure this process is open, transparent, inclusive and effective (Article 14(20)).

RECOMMENDATION 3. CIVIL SOCIETY ACTORS AND STAKEHOLDERS MUST BE INVOLVED FROM THE START OF THE PREPARATION PROCESS.

While the obligation stemming from the NRL is in itself quite weak, it is however backed by specific provisions of the Aarhus Convention on public participation and subsequent case law related to plans, programmes and policies relating to the environment¹⁴. Under Article 7 of the Aarhus Convention, parties are required to create an appropriate, fair and transparent framework for the public to participate during the preparation of plans relating to the environment. Member States must therefore:

- **Identify the relevant stakeholders** which may participate in the planning process, which for NRPs refer to scientific experts, NGOs, local communities, young people as well as landowners, farmers and fishers who will play a decisive part in implementing the NRL.
- **Give them opportunities to contribute**, share their knowledge and expertise and provide guidance and recommendations on how to implement the targets.
- **Provide them with the necessary information** required to contribute effectively to the preparation of the NRPs, ensuring a coherent dialogue between the public and the relevant agencies.
- **Provide them with sufficient time** to be informed that the process is taking place, and to prepare for their effective participation, which under the Convention means that their contributions must be duly considered by the Parties in the outcomes of the participation process and the finalisation of the NRPs.
- **Member States should also identify existing structures to allow for public participation** (such as those related to the Natura 2000 network) and, if needed, create new appropriate institutions for participation.

Member States should set up and publicise public consultations throughout the whole preparation process and before submitting the plan, and promote bottom-up approaches, which foster cooperation, such as between citizens, farmers and environmental organisations for example. Moreover, once the NRPs have been submitted and finalised, Member States must ensure that members of the public can also challenge the content of the plans or the procedural elements¹⁵.

¹⁴ Article 7 of the Aarhus Convention. See also Commission Notice on access to justice in environmental matters (2017/C 275/01), [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017XC0818\(02\)&from=PT](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017XC0818(02)&from=PT).

¹⁵ For more information, see UNECE, Maastricht Recommendations on Promoting Effective Public Participation in Decision-making in Environmental Matters prepared under the Aarhus Convention, ISBN 978-92-1-117089-4. <https://unece.org/DAM/env/pp/documents/cep43e.pdf>.

How can Member States facilitate the preparation of the National Restoration Plans?

✓ MAXIMUM USE OF AVAILABLE TOOLS

Article 14 of the NRL also encourages Member States to use existing or future tools which may be useful to them when preparing NRPs. These are not legal requirements, but they may be used by Member States as assistance, help or guidance. Member States are prompted to:

- Use the guiding framework that the Commission may adopt through an implementing act to achieve Article 12 (restoration of forest ecosystems) (Article 14(7)).
- Promote the deployment of private or public support schemes benefiting stakeholders who will implement the restoration measures (Article 14(12)).
- Develop a methodology to complement the one in Annex IV to monitor high diversity landscape features, for which the Commission shall provide guidance on the framework of such methodologies (Article 14(7)).
- Make use of the restoration measures listed in Annex VII (Article 14(16)(a)).
- Use regional institutional cooperation structures for marine ecosystems, such as HELCOM and OSPAR (Article 14(8)).

RECOMMENDATION 4. GO BEYOND THE STRICTLY LEGALLY BINDING REQUIREMENTS AND MAKE FULL USE OF THE AVAILABLE TOOLS, AS ENCOURAGED BY THE NRL, TO MAXIMISE THE PLANS' AMBITION AND EFFICIENCY.

Such voluntary tools provide additional support to the relevant agencies tasked with preparing and drafting plans, potentially boosting their efficiency and their likelihood of successful implementation on the ground. They should not be overlooked.

STEP 2

DRAFTING NATIONAL RESTORATION PLANS

What are Member States required to include in their National Restoration Plans?

Following the stepwise approach, the plans will cover the period up to 2050, with intermediate deadlines for the targets under Articles 4 to 13. Member States are required to provide a description for the period only up to 2032 and a strategic overview for the period beyond (Article 15(1) and (2)). When drafting the NRPs, Member States should endeavour to provide a vision that is as detailed as possible for the period beyond 2032. This is to ensure that restoration planning is not an afterthought and is properly integrated into other policy processes.

✓ ALL ECOSYSTEM TARGETS

In relation to all the ecosystem-specific targets (Articles 4 to 12), Member States must include in their NRPs the **quantification of the areas** that need to be restored to reach the targets, as well as **indicative maps** of the potential areas to be restored (Article 15(3)(a)).

The plans must also **describe the measures** that are planned and their timing, specifying whether they are planned or put in place **within the Natura 2000 network** or not (Article 15(3)(c) and (n)). They must include a specific section on the **tailored measures that need to be adopted for outermost regions**, where applicable (Article 15(3)(o)).

RECOMMENDATION 5. PROPERLY PLAN AND IMPLEMENT MEASURES WITHIN AND OUTSIDE NATURA 2000.

The NRL requests Member States to prioritise restoration measures in Natura 2000 sites until 2030 for terrestrial, coastal and freshwater ecosystems. Targeting protected sites and habitats of protected species (either already designated or soon to be designated) should indeed be a starting point when implementing restoration measures. However, the adoption of a more systemic and integrated approach to nature protection and restoration is essential, given that it is reflected in the ecosystem-specific targets that do not focus on the protection status of a given area (Articles 8 to 12). Simultaneously, restoration inside Natura 2000 sites may not be **sufficient** to achieve Article 4 targets. Member States should balance the restoration of ecosystems both within and outside of Natura 2000, especially since restoration measures are mutually reinforcing and may have positive impacts beyond the targeted ecosystems.

Moreover, Member States need to explain how they are monitoring the areas subject to restoration. They need to describe the process for assessing the effectiveness of the measures and for revising them where needed (Article 15(3)(p)). Monitoring habitat condition includes four key components:

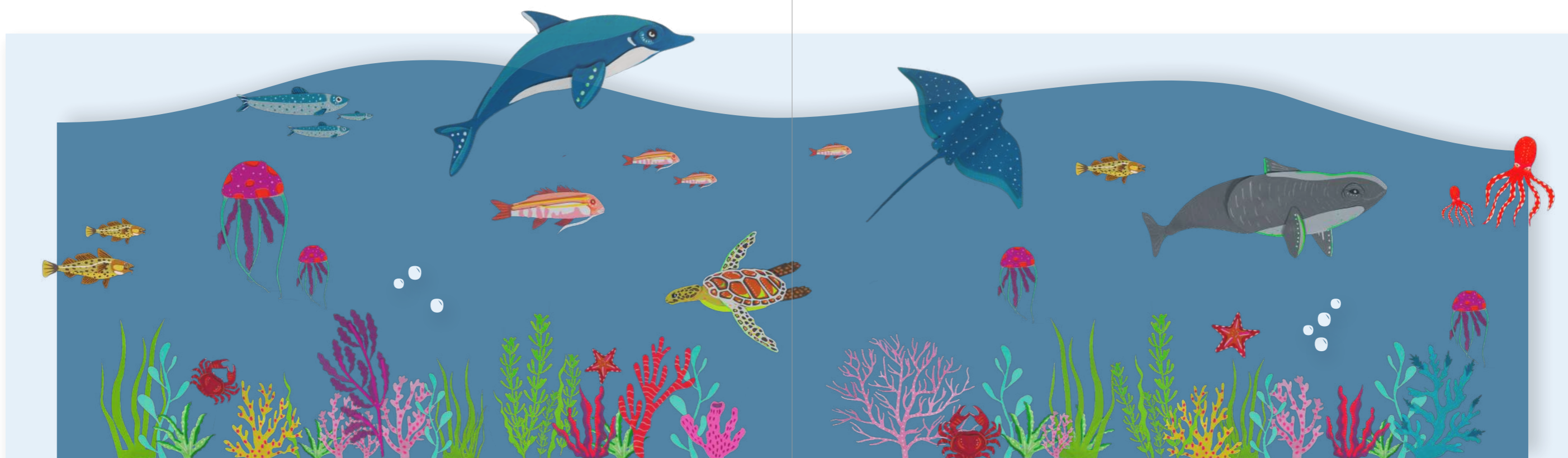
1. Knowing what to measure – Member States must have a method for monitoring their Annex I habitats, that defines the key ecological characteristics (physical, biological, and landscape structures and functions) that are essential to each habitat (e.g. the right hydrological conditions, the presence of typical species, the absence of signs of degradation);
2. Knowing how much is enough for the habitat to be in good condition – by defining thresholds or qualitative descriptors for each habitat characteristic;
3. Having a robust survey and sampling protocol for each habitat;
4. Using a systematic method to combine the survey data into a region-wide result¹⁶.

The monitoring of the areas under restoration must be carried out frequently enough to allow for adjustments of the restoration measures if they are not working. This is particularly important for those habitats strongly affected by climate change – for example, wetlands and coastal habitats – because the success of restoration measures cannot always be predicted with certainty.

RECOMMENDATION 6. START MONITORING THE RESTORATION MEASURES AS SOON AS POSSIBLE AND AT REGULAR INTERVALS.

Member States are bound by specific monitoring requirements in Article 19. The monitoring of the restoration measures should follow standardised data collection methods and be reported through the EEA's system, with harmonised indicators between countries and regions to ensure good comparability of results. The results of the monitoring must be transparent and published regularly. They are an important way for civil society to monitor and verify progress towards the objectives.

¹⁶ A Commission funded project is producing guidelines for assessing and monitoring the condition of Annex I habitat types, which will be published in 2025.



Member States must indicate how they are ensuring their continuous, long-term and sustained effects (Article 15(3)(q)). They also need to make provisions as to the foreseen socio-economic impacts and benefits of the implementation of the restoration measures (Article 15(3)(s)) (Box 3). While restoration measures can have social and economic impacts on stakeholders and/or communities, they are also associated with a myriad of social and economic benefits for stakeholders at the local level and society more generally.

BOX 3 – SOCIO-ECONOMIC BENEFITS OF RESTORATION MEASURES

Nature restoration can have a multitude of social and economic benefits for stakeholders. **Social benefits** include improved human health through ecosystem services, by:

- Increasing food safety and guaranteeing more nutritious food;
- Reducing air pollution and noise exposure;
- Improving mental and physical health;
- Building resilience to future communicable diseases and pandemics;
- Building resilience to extreme weather events and disasters exacerbated by climate change, thereby reducing the number of potentially affected people¹⁷.

Economic benefits are mainly generated by the provision of healthy ecosystem services, on which many economic sectors depend. These include, but are not limited to, crop provision, water supply and quality services and flood mitigation services. Other economic benefits may include the creation of new and the maintenance of existing jobs related to natural areas and the stimulation of new entrepreneurial activities linked to restoration¹⁸.

CONCRETE EXAMPLE OF THE SOCIO-ECONOMIC BENEFITS OF A RESTORATION PROJECT

For example, in Denmark, the restoration of the Skjern river resulted in increased areas of wetland which benefited local species and ultimately led to the establishment of a national park which has attracted thousands of visitors since its creation. A study found that the restoration projects along the river had been financially beneficial on the long-term and could be qualified as a good public investment because the local economic opportunities that had been generated largely outweighed the initial costs of the project¹⁹.

¹⁷ The Ecologic Institute, Why is nature restoration critical to improving human health and well-being? December 2022, https://ieep.eu/wp-content/uploads/2023/01/7_Nature-Restoration-and-Health-and-Well-being.pdf.

¹⁸ WWF, Economic benefits of investing in nature restoration, 2021, https://wwfeu.awsassets.panda.org/downloads/wwf_factsheet_nature_restoration_soc_economic_web.pdf and IEEP, Why is nature restoration critical to sustain jobs and economic benefits from healthy ecosystems services? December 2022, https://ieep.eu/wp-content/uploads/2023/01/5_Economic-benefits-of-Nature-Restoration.pdf.

¹⁹ Dubgaard, A, Kallesøe, M F, Petersen, M L and Ladenburg, J, Cost-benefit analysis of the Skjern River Restoration Project. Social Science Series No 10, 2002 (Royal Veterinary and Agricultural University).

RECOMMENDATION 7. CAPITALISE ON THE SOCIO-ECONOMIC BENEFITS OF RESTORATION MEASURES TO MITIGATE THEIR POTENTIAL IMPACTS ON AFFECTED STAKEHOLDERS AND GAIN THEIR SUPPORT.

The prediction and if possible, quantification of the socio-economic impacts and benefits of restoration projects is critical to understand their short- and long-term value for stakeholders and local communities. Moreover, coordinating with affected stakeholders is crucial to ensure the restoration measures are well perceived and accepted. This involves assessing and mapping the potential impacts of the measures, emphasising their potential co-benefits and avoiding any perception of punitive actions to secure support from affected communities and stakeholders. This could include for example putting an emphasis in the NRPs on the measures' potential to create or support jobs, contribute to climate adaptation by reducing flood or drought risk, increasing air quality and therefore people's health, etc.

✓ SPECIFIC ECOSYSTEM TARGETS

Relating to Articles 4 and 5 specifically, the plans must include a dedicated section on the measures implemented to ensure that **the condition of protected habitat types is known** for at least 90% of the area distributed over all Annex I habitat types in terrestrial, coastal and freshwater ecosystems by 2030 and for all by 2040 (there are slightly more specific requirements for different marine habitat types in Annex II) (Article 15(3)(d))²⁰.

The plans must also indicate the measures in place that aim to ensure that areas covered by the habitat types in Annexes I and II, where restoration measures have been implemented and where good condition has been reached do not deteriorate for each restoration area. Additionally, they must describe measures preventing the significant deterioration of the habitats of EU protected species in areas targeted by additional restoration where sufficient quality has been reached (Article 15(3)(f) and Article 15(3)(h)) (Box 4).



²⁰ Overall, 4.6% of the 818 habitat assessments of the 2013-18 period were reported as being in unknown condition. EEA indicator at <https://www.eea.europa.eu/en/analysis/indicators/conservation-status-of-habitats-under>. Those Member States with a lot of habitat in unknown condition will need to invest time in surveying these areas before they can start restoration efforts, which will mean they will need to invest additional efforts in their future NRP to reach the target for those habitats by 2050.

BOX 4 – THE NON-DETERIORATION REQUIREMENTS

The NRL includes a requirement to prevent significant deterioration of areas subject to restoration that have reached good condition and of areas where the terrestrial and marine habitats listed in Annexes I and II occur. The requirement will be measured at habitat type level.

The legal text distinguishes between the ways in which the non-deterioration requirement is applied to these different areas.

For areas subject to restoration measures where good condition and in which the sufficient quality of the habitats of the species has been reached, Member States are bound by a “measures-based” obligation whereby they must put in place specific measures, that “aim to ensure” that ‘significant’ deterioration does not occur (Article 4(11) and 5(9)). In other words, Member States do not need to ensure that no ‘significant’ deterioration occurs, but rather only that they have put in place appropriate measures that can lead to the avoidance of such deterioration.

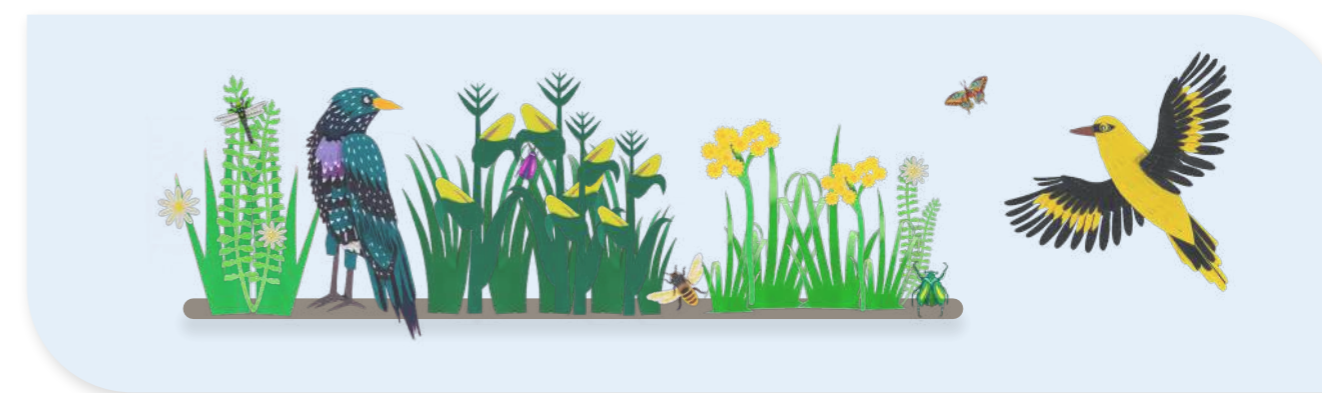
For areas where the habitat types listed in Annex I and II of the NRL occur and are in good condition or needed to meet the restoration targets set out in Article 4(17) and 5(14), they are subject to a (weaker) effort-based obligation to ‘endeavour to put in place’ the necessary measures to prevent significant deterioration (Article 4(12) and 5(10)). In the latter case, Member States must merely attempt to put in place appropriate measures to avoid ‘significant’ deterioration of the areas. Due to the nature of the above obligations, compliance with them needs to be assessed on a case-by-case basis.

In relation to Article 9, Member States need to make an **inventory of all artificial barriers to the connectivity of surface waters** and of those specifically identified for removal. They must also indicate the **plan for removing** these barriers, which should primarily be obsolete barriers (those that are no longer needed for renewable energy generation, inland navigation, water supply, flood protection or other uses as per Article 9(2)). Moreover, they must specify, the length of free-flowing rivers to be achieved by the measures (estimated from 2020 to 2030 and by 2050) and any other relevant measure to achieve the article’s objectives (Article 15(3)(i)).

For Articles 11 and 12, Member States must include the **indicators for agricultural and forest ecosystems** they have chosen from those available and how these are suitable to demonstrate progress towards the enhancement of biodiversity in these areas (Article 15(3)(j) and (l)) (Box 5).

BOX 5 – AGRICULTURAL AND FOREST ECOSYSTEMS INDICATORS

Under the NRL, Member States have the flexibility to choose from a list of indicators related to agricultural and forest ecosystems. Yet in other legal proposals currently being negotiated, certain indicators could become mandatory for Member States, particularly under the Forest Monitoring Law and the Soil Monitoring Law. Consequently, Member States might find it prudent and judicious to begin reporting on all indicators pre-emptively and avoid future administrative burden of having to report on the new indicators when they become mandatory.



In relation to Article 13, Member States must describe their contribution to the objective of planting three billion additional trees in the EU (Article 15(3)(m)).

RECOMMENDATION 8. ► **THE NRPS MUST INCLUDE A HIGH LEVEL OF DETAIL AND EVIDENCE-BASED INFORMATION RELATED TO THE DIFFERENT ECOSYSTEM TARGETS AND HORIZONTAL ELEMENTS AND BE MADE ACCESSIBLE TO THE PUBLIC.**

This information can then be used by civil society actors engaged in the process to verify the information and assess whether the measures are appropriate and compliant with the assessment requirements (see recommendations 3 and 11).

✓ **HORIZONTAL ELEMENTS**

NRPs will need to include a dedicated section on synergies with climate change, explaining how Member States are considering the relevance of climate change scenarios for the planning and type of restoration measures required, and how these measures can minimise the impacts of climate change on nature and prevent or mitigate the effects of natural disasters. The plans must also consider synergies with key policies related to climate, energy and disaster risk, as well as the Common Agricultural Policy (CAP) and the Common Fisheries Policy (CFP) (see section 4 on policy coherence) (Article 15(3)(t), (4) and (5)).

Member States also need to explain the process for preparing and establishing the plans, how they allow for efficient **public participation** and how they have considered the needs of local communities (see recommendation 3) (Article 15(3)(w)).

NRPs must also include a section on the estimated **financing** needs and means associated with the implementation of the restoration measures, including how Member States are supporting affected stakeholders. Intended means of financing can come from public or private sources and must be specified in the NRPs. They must also describe the **negative subsidies**, which could affect the achievement of the targets (Article 15(3)(u) and (v)). Subsidies refer to the results of a government action that provide an advantage to consumers or producers, with the aim of supplementing their income or reducing their costs. Subsidies can be considered negative when they have the potential to lead to direct or indirect negative effects on the environment that would be likely to hinder the achievement of the NRL’s targets. These subsidies could be in the form of tax exemptions and tax rebates linked to energy consumption from fossil fuels or direct payments for pesticide or fertiliser use, among others²¹.

²¹ European Commission, A toolbox for reforming environmentally harmful subsidies in Europe: Final Report, Luxembourg: Publications Office of the European Union, 2022, <https://circabc.europa.eu/ui/group/c1a5a4e9-7563-4d0e-9697-68d9cd24ed34/library/3e685dda-2269-487d-a253-28cfd23b7466/details>.

Box 6 sets out the background to the financing of the NRL.

#RESTORENATURE

BOX 6 – HOW WILL THE IMPLEMENTATION OF THE NATURE RESTORATION LAW BE FINANCED?

The question of financing the implementation of the NRL has been a critical topic throughout the negotiations. The NRL's impact assessment estimates that restoring 40% of habitats listed in Annex I of the Habitats Directive by 2030 will cost €8.2 billion per year between 2022 and 2030, including the costs of restoration, re-creation, maintenance and administrative costs but excluding the costs for other ecosystems. EU and domestic funding will cover most of the funding needs and may be complemented by private funding sources.

The European Commission has been tasked by legislators to write a report on available financial resources for implementing the NRL and propose new measures to address the financing gaps a year after the law's entry into force (Article 21(7)). This process will run in parallel with the preparation of the next Multiannual Financial Framework (MFF) for the period 2028-2034, which sets out the EU's long-term budget for that period. It will therefore have to explore different options for financing the NRL's implementation, which could span from maintaining the status quo to proposing a dedicated nature fund.

In the meantime, Member States will need to rely on existing EU, national and regional funding instruments to fund their restoration measures²².

finance restoration measures through EU funding targets for climate-relevant expenditure, which represents 30% of the overall EU budget for 2021-2027. Other policy pairings can be explored, such as using budgets to improve air and water quality to fund restoration measures which may contribute to these goals.

- While the NRL does not require Member States to re-assign funding under the CAP and the CFP to restoration measures, it does not mean that it cannot be done. **The CAP²⁵ and CFP's associated funds can provide significant opportunities for financing** and mainstreaming nature restoration measures (see recommendation 14.).
- **Integrate the financing plans for restoration measures in the Prioritised Action Frameworks (PAFs).** These planning documents outline the funding needs and priorities for Natura 2000 sites at the national and/or regional level and intended means of financing through EU funds.
- **The European Commission should make a proposal for a nature restoration fund in the next MFF.** There is a considerable financing gap for biodiversity²⁶, which could be bridged by dedicating specific funding to the implementation of the NRL's targets and objectives²⁷. This is not a standalone solution; it is also important in parallel to improving the mainstreaming of restoration measures in other parts of the EU budget.

Member States should also mobilise **private and blended finance** to steer additional investments towards restoration goals and facilitate collaboration with insurance companies to mitigate disaster risk. Cooperation with the European Investment Bank for example could encourage opportunities for using blended financing to support restoration measures. Member States must explore these opportunities and indicate them as potential or actual sources of financing for the restoration measures in their NRPs. These approaches should be clearly outlined and explained in the plans.

RECOMMENDATION 9. IDENTIFY APPROPRIATE FUNDING SOURCES AND MAKE NECESSARY FUNDING AVAILABLE ACROSS PUBLIC AND PRIVATE SOURCES.

Financing the restoration measures which will contribute to the achievement of the NRL's targets will require efforts from Member States to identify the relevant funding sources from public sources (EU and domestic) as well as more innovative private sources. In relation to EU funding specifically, it will be important to:

- **Make better use of EU funds and build capacity** for relevant agencies and national NGOs to capitalise on these opportunities. Indeed, they sometimes lack awareness of available funding opportunities and the conditions for applying for such funding²³.
- **Mainstream restoration funding into other spending objectives.** Mainstreaming refers to the inclusion of specific priorities in the design and implementation of funding programmes to maximise their contribution to other policy objectives and to promote their synergies and coherence²⁴. Nature restoration often has synergistic and mutually reinforcing goals with other environmental policies or can be a way to achieve such goals. For example, restoring certain ecosystems can benefit climate mitigation and adaptation, and there is therefore scope to

RECOMMENDATION 10. SUPPORT LAND AND WATER MANAGERS/USERS AND GIVE THEM THE CAPACITY AND INCENTIVES TO ENGAGE IN THE PROCESS.

The NRL is binding on Member States, not on land and water managers/users. However, farmers, foresters, fishers, and other land manager/users will contribute to the implementation of the restoration measures on the ground. They therefore need to be actively consulted, engaged and supported throughout the process and be given the opportunities to do so profitably. Member States need to improve or create systems, which give these actors the means and capacity to implement the measures. This can include financial compensation and incentives, such as payments for ecosystem services, certifications, guidance and training.

²⁵ The CAP strategic plans include funding opportunities for restoring and planting landscape features such as hedges, trees, walls, ditches, small wetlands, and for leaving land fallow or planting seed mixes. These actions create wildlife habitat on farmland for farmland birds, butterflies, pollinators, etc. Some plans also provide funding for more large-scale restoration – e.g. rewetting peatland and taking it out of agricultural use, creating floodplain meadows by realigning dikes along rivers, creating orchards and other agroforestry systems for farmland birds.

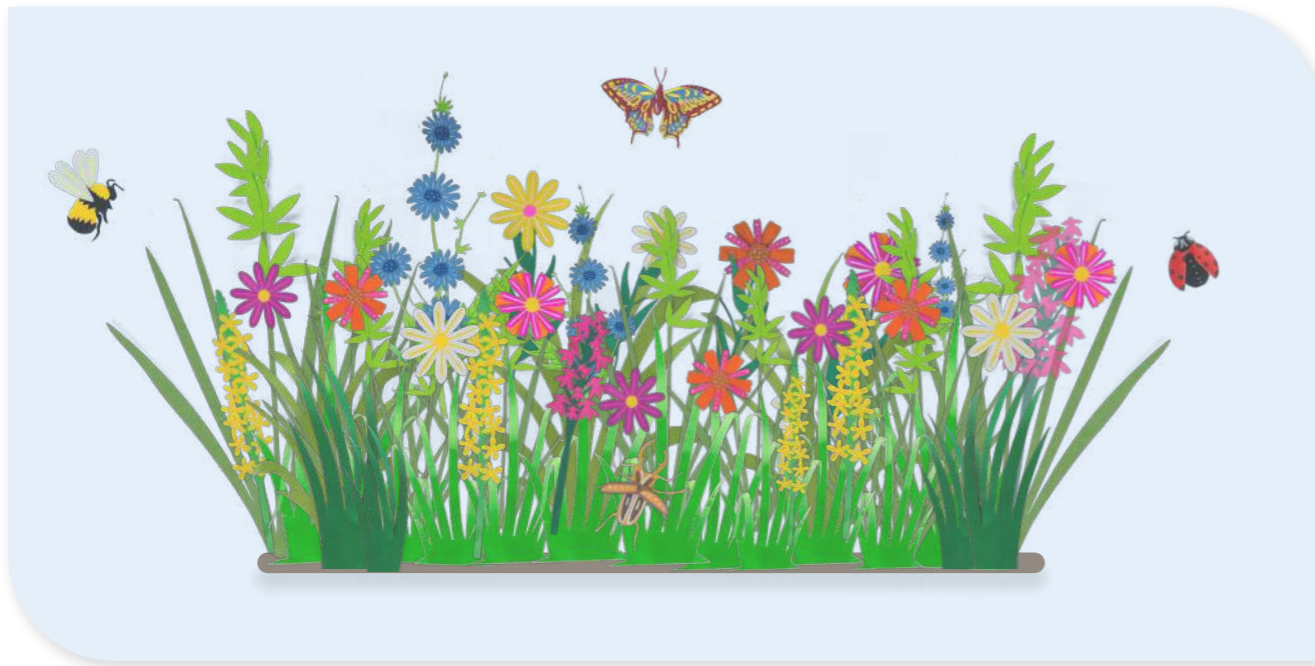
²⁶ A study by the European Commission found that there is an estimated financing gap of €18.69 billion per year from 2021 to 2030 for biodiversity in the EU. European Commission, Directorate-General for Environment, Nesbit, M., Whiteoak, K., Underwood, E. et al., Biodiversity financing and tracking – Final report, Publications Office of the European Union, 2022, <https://data.europa.eu/doi/10.2779/950856>.

²⁷ BirdLife International, Funding our Future: a Proposal to Overhaul the EU's Multiannual Financial Framework, December 2023, https://www.birdlife.org/wp-content/uploads/2024/01/BL_Position-Paper_Funding-Our-Future_-_A-Proposal-to-Overhaul-the-EUs-Multiannual-Financial-Framework-1.pdf, NGO Position Paper: Call for a Dedicated EU Nature Restoration Fund, July 2024, https://www.wwf.eu/wwf_news/publications/?14503641/Call-for-a-dedicated-EU-Nature-Restoration-Fund

²² An overview of how EU funding can be channelled for nature restoration and of the estimated restoration costs for each Member State is available here: IEEP and the Ecologic Institute, How much will the implementation of the Nature Restoration Law cost and how much funding is available? December 2022. https://ieep.eu/wp-content/uploads/2023/01/4_-_Nature-Restoration-Law-and-Funding.pdf.

²³ The European Commission launched a survey in 2022 on the challenges faced by stakeholders when trying to access EU funding for environmental projects. The feedback gathered has been used to draft guidance when applying to funds for environmental projects under the current MFF. For more information, see European Commission, Directorate-General for Environment, Find your EU funding programme for the environment – Supporting the environment under the 2021-2027 multiannual financial framework and NextGenerationEU, Publications Office of the European Union, 2022, <https://data.europa.eu/doi/10.2779/768079>.

²⁴ European Commission, Climate mainstreaming architecture in the 2021-2027 Multiannual Financial Framework, SWD(2022) 225, https://commission.europa.eu/system/files/2022-06/swd_2022_225_climate_mainstreaming_architecture_2021-2027.pdf.



BOX 7 – THE IMPORTANCE OF PEATLAND REWETTING FOR CLIMATE MITIGATION

The flexibility granted to Member States to rewet peatland on a lower proportion than specified in Article 11 entails significant risks of not meeting the targets set in the law. Member States should aim to follow these targets as closely as possible, and only use the derogation in exceptional cases and where absolutely needed.

Rewetting peatland delivers multiple co-benefits, with the most important being its contribution to **climate mitigation** by reducing greenhouse gas emissions, increasing carbon sinks and sequestration. It is crucial for meeting EU climate objectives and achieving the land use change and forestry (LULUCF) land sink target²⁸, as achieving the goal to reach climate neutrality in the EU by 2050 necessitates the restoration of virtually all drained peatlands²⁹. While the investments in the rewetting measures can be substantial, they are cost-effective in the long-term as the financial costs of inaction far surpasses the costs of implementing and achieving the NRL targets. Moreover, the timeframe for peatland rewetting to deliver carbon benefits is very long, stressing the importance of not postponing rewetting and restoration efforts as **delays would hinder the likelihood of achieving the EU's climate targets in time**.

Moreover, farmers and land managers/users who restore and rewet drained peatland may be eligible for carbon payments, either through EU funding (under the CAP or LIFE) or through carbon markets³⁰.

Which exemptions could Member States ask for (derogations)?

✓ DEROGATIONS INCLUDED IN THE NRPS

Member States have the possibility to use derogations, to get exempt themselves from some of the legal requirements. If they choose to include such derogations, they need to specify this in their plans and explain how their use does not undermine the achievement of relevant targets. Legal derogations are interpreted strictly, and therefore their justification and explanations by Member States must be very clearly explained in the NRPs.

- Outside Natura 2000 sites, Member States may apply the **non-deterioration requirements at the level of the biogeographical region** of their territory for each habitat type and habitat of species, if they notify it to the European Commission within six months of the law's entry into force (Article 4(13)). They must describe the compensatory measures taken for each significant deterioration occurrence and their necessary monitoring and reporting. They must also explain how they will ensure that this does not affect the achievement of the targets under Articles 1, 4 and 5 (Article 15(3)(g)).
- Member States may **rewet a lower proportion of peatland** than what is required by the targets in the NRL if the following conditions are cumulatively met: i) the rewetting is likely to have significant negative impacts on infrastructure, buildings, climate adaptation or other public interests, and ii) if the rewetting cannot take place on land other than agricultural land (Article 11(4)). They must justify why they chose to use this derogation in their NRP, providing evidence on how the above conditions have been met (Article 15(3)(k)) (Box 7).
- If Member States consider it is not possible to put the necessary restoration measures in place to **reach the favourable reference area for a specific habitat type on 100% of the area**, they may set a lower percentage between 90% and 100% (Articles 4(5) and 5(3)). They must justify why it is not possible and explain how they will gradually put in place the necessary measures by 2050 to achieve that percentage (Article 15(3)(b)).
- Where duly justified, Member States may **exclude very common and widespread habitat types that cover more than 3% of their European territory** and adapt their restoration targets for that habitat type (Article 4(2)). They must justify how this percentage does not prevent the favourable conservation status for the relevant habitat type from being reached or maintained at national biogeographical level (Article 15(3)(e)).

✓ DEROGATIONS NOT INCLUDED IN THE NRPS

The following derogations do not have to be included in the NRPs. However, they are important provisions of the NRL and therefore relevant to mention.

Derogations related to energy and military areas

Articles 6 and 7 add derogations related to energy from renewable sources and national defence, respectively. Under Article 6, the planning, construction and operations of renewable energy infrastructures are presumed to be of overriding public interest. Under normal circumstances and according to the NRL, plans of overriding public interest may be developed, only if no less damaging alternative solutions are available. Yet, pursuant to Article 6, Member States would be exempt from the requirement that no less damaging alternative solutions are available provided that a strategic environmental assessment or environmental impact assessment has been previously carried out. Under Article 7, areas used for national defence activities may also be exempted from the restoration requirements of Article 4 if restoration measures are deemed incompatible with the continued military use of the areas. Member States have the flexibility to determine which plans or projects of renewable energy and national defence are of overriding public interest. Therefore, they may exempt such plans

²⁸ Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework; Regulation (EU) 2023/839 of the European Parliament and of the Council of 19 April 2023 amending Regulation (EU) 2018/841 as regards the scope, simplifying the reporting and compliance rules, and setting out the targets of the Member States for 2030, and Regulation (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review.

²⁹ IEEP, Why is nature restoration critical for climate mitigation in the EU? December 2022. https://ieep.eu/wp-content/uploads/2023/01/1_Nature-Restoration-and-Climate-mitigation.pdf.

³⁰ European Commission, Directorate-General for Climate Action, Radley, G., Keenleyside, C., Frelth-Larsen, A. et al., Setting up and implementing result-based carbon farming mechanisms in the EU – Technical guidance handbook, Publications Office of the European Union, 2021, <https://data.europa.eu/doi/10.2834/056153>.

and projects from the ‘no less damaging alternative solutions are available’ requirement, provided they put in place measures to mitigate their impacts on habitat types.

Derogations related to Articles 4(14) to (16) and 5(11) to (13)

For terrestrial, coastal and freshwater and marine ecosystems outside Natura 2000 sites, the non-fulfilment of the non-deterioration could be justified in cases of deterioration caused by force majeure (including natural disasters), unavoidable habitat transformations directly caused by climate change, a plan or project of overriding public interest for which no less damaging alternative solutions are available or by action or inaction by other countries. Within Natura 2000 sites, non-fulfilling the non-deterioration obligation is justified by force majeure, unavoidable habitat transformations directly caused by climate change and plans or projects authorised in accordance with Article 6(4) of the Habitats Directive.

STEP 3

ASSESSMENT AND FINALISATION OF NATIONAL RESTORATION PLANS

According to Article 17, the Commission will evaluate the NRPs’ compliance with the requirement related to the content of the plans (Article 15), their adequacy for meeting the given Member State’s targets and their contribution to the NRL’s Union-wide objectives, namely the overarching objective (Article 1(2)), as well as the objectives to restore at least 25000 km of rivers by 2030 (Article 9) and to plant three billion trees (Article 13).

Member States must therefore include all relevant information in their plans to enable the Commission to carry out its assessment, by demonstrating both how restoration measures will be adequate to meet ecosystem-specific targets, and how they have complied with the procedural requirements to be included in the plan (such as on the involvement of civil society actors and relevant stakeholders). They must also demonstrate that the use of derogations, if applicable, is justified. Finally, they must demonstrate that the NRP has considered the interaction with other relevant policies, identifying how they affect or are affected by the implementation of the NRL. This should be done in a way that enables Member States themselves, the Commission and all other stakeholders to address these interactions in a mutually supportive way.

RECOMMENDATION 11. ENVIRONMENTAL NGOS SHOULD PUT PRESSURE ON THEIR GOVERNMENTS TO MAKE NRPS AS AMBITIOUS AS POSSIBLE AND ACT AS WATCHDOGS DURING THE WHOLE NRP PROCESS.

They should raise their concerns about the NRP and its contents, both directly to the Member States and to the European Commission, who can then take these into account in its assessment and give Member States the opportunity to address them.

SECTION 4

THE IMPORTANCE OF POLICY COHERENCE

How are NRPs contributing to other environmental policies?

Nature restoration requires a holistic approach to be able to deliver significant progress on many other EU environmental policies, from climate change mitigation and adaptation to water and air quality, among many others. Implementing the NRL will contribute to achieving these and other environmental objectives and will accelerate their implementation.

Moreover, NRPs will be key tools to identify and channel financial and technical resources and capacity, which may benefit other policy processes. NRPs will also provide additional monitoring and reporting systems which can complement and streamline those that already exist. Most importantly, nature restoration can be a critical part of the achievement of policy objectives, such as climate mitigation (see box 7 on peatland rewetting) and Natura 2000 management plans. Overall, integrating the restoration planning processes with other similar processes would help align the implementation of climate and biodiversity legislation and minimise the risks of potential conflicts. There are many opportunities for synergies among different policies and their associated plans and programmes, which should be duly considered to achieve the NRL’s targets³¹.

Nature restoration therefore requires a ‘whole-of-government’ approach which does not look at these policies in silos but rather integrates itself into other policy processes and requires the involvement of other government departments beyond those competent on environmental matters (see recommendation 14).

Which policies must be considered in the preparation and drafting of NRPs?

When preparing their NRPs, Member States must take into account a range of policies primarily focused on climate, biodiversity and energy. The final plans need to describe how they consider these policies, indicating which measures are reinforcing measures included in these policies, while also estimating their potential co-benefits for such measures for the period up to June 2032, as well as a strategic overview for the period beyond June 2032.

The NRL directly supports the objectives of the Habitats and Birds Directives by requiring the restoration and re-creation of the habitats listed in Annex I and the habitats of the species protected by these directives with legally binding dates and targets.

³¹ Hering, D, Schürings, C, Wenskus, F, Blackstock, K, Borja, A, Birk, S, Bullock, C, Carvalho, L, Dagher-Kharrat, M B, Lakner, S, Lovrić, N, McGuinness, S, Nabuurs, G-J, Sánchez-Arcilla, A, Settele, J and Pe’er, G (2023) Securing success for the Nature Restoration Law. Science No 382 (6676), 1248-1250. <https://doi.org/10.1126/science.adk1658>.

The NRL is a product of the EU Biodiversity Strategy to 2030 and directly supports its other goals. The EU Biodiversity Strategy calls on Member States to protect at least 30% of the EU's land and 30% of its seas by 2030, with one third strictly protected³². It also asks that at least 30% of species and habitats not currently in a favourable status reach that category or at least show a strong positive trend by 2030 and no deterioration in conservation trends and status of all protected habitats and species by 2030. These are voluntary (non-binding) commitments, and Member States are asked to report on their contribution to these targets through pledges. Member States can gain synergies by strategically planning new protected area designations or other effective area-based conservation measures (OECMs) for the areas where they are targeting their restoration measures. Such a synergistic implementation will reduce Member States' administrative burden, while also focusing attention earlier to degraded areas that are in need of a combined approach of both conservation and restoration.

EU Member states should consider the Marine Strategy Framework Directive (MSFD) when preparing NRPs since the MSFD aims to achieve Good Environmental Status (GES) of the EU's marine waters and to protect marine resources upon which marine-related economic and social activities depend. Incorporating these goals into NRPs enhances the potential for significant positive environmental outcomes, including the restoration of habitats and species (Articles 14(14)(d) and 14(17)).

However, there are policies, which might prove to be antagonistic with the objectives of the NRL if hastily implemented or erroneously interpreted, without carefully considering how these might be developed jointly to harness synergies. These are mainly the Renewable Energy Directive (RED), the CAP and the CFP, which are further explained below.

✓ RENEWABLE ENERGY DIRECTIVE

Although the NRL and the RED share the common objectives of reducing greenhouse gas emissions and mitigating climate change, implementing the RED may entail trade-offs for biodiversity. Flexibilities under the RED, such as the overriding public interest and exemptions from the requirement to carry out an environmental impact assessment granted to Member States under Article 16(a-d and f), may, if poorly implemented, lead to the prioritisation of renewable energy infrastructure development over the implementation of restoration measures. This creates a paradox as the RED could lead to further degradation of areas targeted for restoration, even though restoration measures would (at least partially) seek to achieve the same objectives of the RED (i.e. climate change mitigation).

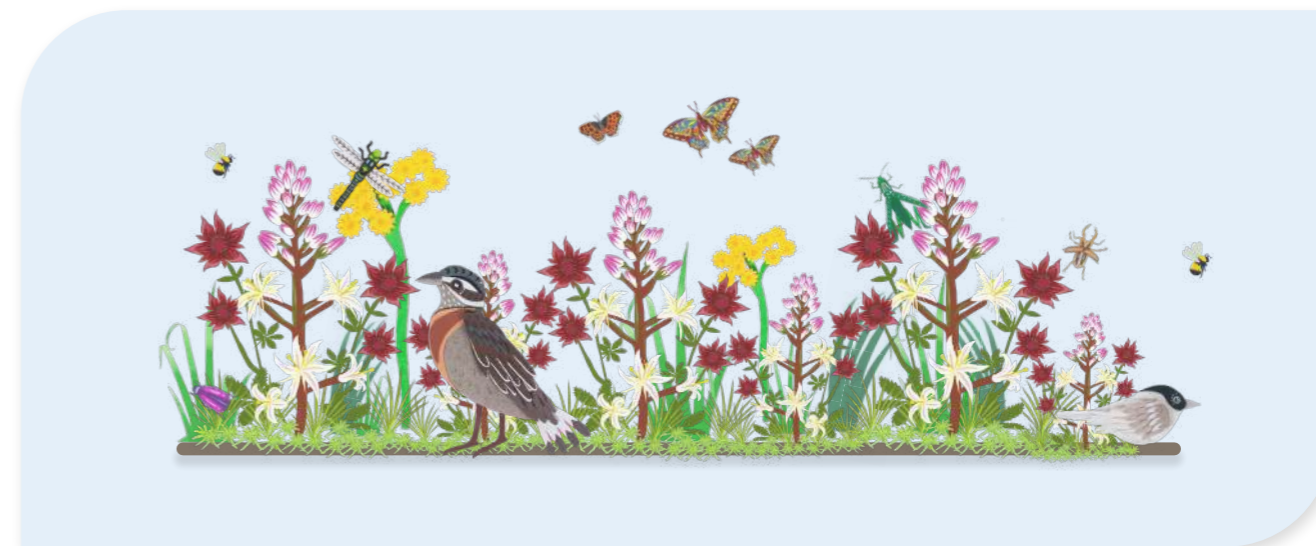
The potential synergies and trade-offs between the NRL and the RED must be explored at different stages, including the mapping of areas necessary for national contributions towards the 2030 Union renewable energy target, the designation of renewables acceleration areas, and the permitting at the individual project level.

Concerning the preparation and drafting of NRPs, Member States are required to coordinate the development of the restoration plans with the mapping of areas that are required to fulfil at least their national contributions towards the 2030 renewable energy target and, where relevant, with the designation of the renewable acceleration areas and infrastructure areas (NRL Article 14(13)). Such an exercise is bound to generate double benefits, both with regards to minimizing regulatory burden (avoiding duplication of work) and for the mitigation of future conflicts.

Per NRL Article 14(13), authorities responsible for the preparation of the NRPs must ensure that the restoration efforts under the NRL do not obstruct the implementation of the RED. Simultaneously, Member States (particularly authorities undertaking the mapping exercise established under RED Article 15b) should also ensure that these two policies work together seamlessly, including by guaranteeing the compatibility of renewable energy projects with the pre-existing uses of these

mapped-out areas (RED Article 15b(3)). It follows from the prioritisation of restoration of Natura 2000 sites for the period until 2030 (NRL Article 4(3)), that the obligation to ensure compatibility of renewable energy projects with pre-existing uses is particularly relevant in the early stages of the implementation of both legislations.

Indeed, under the RED, Member States must designate renewable acceleration areas for one or more types of renewable energy sources (Article 15c of the RED). They must exclude Natura 2000 sites and areas designated under national protection schemes for nature and biodiversity conservation and migratory routes, as well as other areas identified on the basis of sensitivity maps (RED Article 15c(1)(a)(ii)). Given the adoption of the RED prior to the entry into force of the NRL, there is no explicit, a priori exclusion of restoration areas from being included in renewables acceleration areas (with the exception of restoration areas included in Natura 2000 sites). This means that a potential exclusion will need to be established on a case-by-case basis in line with RED 15c(1)(a)(ii) and (iii) referring to sensitivity maps and other tools suitable for the identification of potentially significant environmental impacts caused by the presence of renewable energy plants. Under "other tools", Member States can make use of the outcomes of the preparatory assessment of the relevant ecosystems' condition under NRL Art 14(2) and (6). At the individual project level, it will be important for government agencies and local NGOs to continuously monitor impacts. If renewables projects, regardless on whether they are located within or outside renewables acceleration areas, lead to the degradation of restoration areas, the total number of areas to be restored will subsequently increase and therefore, lead to an additional burden for Member States, commensurate to the increase of the total number of areas in need of restoration. The preparatory monitoring under Article 14 of the NRL needs to be respected after the area that needs to be restored has been quantified and periodically updated according to relevant changes in the condition of the individual areas it covers.



RECOMMENDATION 12. IMPLEMENT CONCRETE MEASURES TO CAPITALISE ON THE SYNERGIES BETWEEN THE NRL AND THE RED, AVOIDING POTENTIAL TRADE-OFFS FOR RESTORATION.

- **At the mapping stage:** Member States must ensure that authorities conducting the RED mapping consult with the authority responsible for preparing and drafting the NRP and other relevant authorities (such as for forestry, spatial planning, etc.).
- **When designating renewables acceleration areas:** Restoration areas should be excluded from renewables acceleration areas in the identification stage, and potential adverse impacts from renewable projects and acceleration areas on restoration areas should be mentioned in NRPs.

³² European Commission, EU Biodiversity Strategy for 2030. COM(2020) 380 final, Brussels. <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1590574123338&uri=CELEX:52020DC0380>.

✓ COMMON AGRICULTURAL POLICY

The NRP must describe the interplay between the restoration measures and the national CAP Strategic Plan(s), although the latter does not need to be changed. With intensive agricultural practices putting significant pressures on nature, certain CAP payments could act as a disincentive to the transformation of farming systems towards incorporating more nature restoration, in turn undermining the NRL's agricultural targets. An outline of such harmful subsidies (also linked to the CFP – see below) needs to be included in Member States' Plans (Article 15(3)(v)).

Low intensity agriculture – grazing, shepherding, mowing and scrub cutting – is an important part of the restoration of grasslands, scrub habitats, heaths, and some wetlands. In addition, maintaining and restoring landscape features and (other) non-productive elements (e.g. hedges, trees, field margins and fallows) are key for healthy populations of birds, pollinators and other farmland biodiversity. Allocating CAP funding for this could be an important tool to achieve the target of restoring agricultural ecosystems. Moreover, the CAP is potentially a key source of funding for restoration: eco-schemes³³ may fund restoration of agroecosystems and grasslands, namely maintenance and simple annual restoration actions.³⁴ Multi-annual agri-environment interventions and non-productive investments³⁵ may fund the restoration of both agricultural and forest ecosystems, peatlands, marshlands, heathlands and coastal wetlands if they are grazed or associated with farmland. The CAP may also finance capacity and knowledge building and cooperation measures³⁶. The Commission's most recent mapping and analysis of CAP Strategic Plans, already includes some references to existing links and (potential) needs for nature restoration³⁷. When considering CAP funding in relation to the NRL, it is important to check whether:

- Investment support is available for all the restoration measures planned;
- Farmers can use cooperation support to work together with conservationists, hydrologists, or other experts;
- Agri-environment schemes are tailored to Annex I habitats and Natura 2000 management plans;
- Support payments to restored areas can include a bonus or top up to incentivise restoration.

✓ COMMON FISHERIES POLICY

In line with the CFP, certain conservation measures included in Articles 11 and 18 of the CFP Regulation³⁸ (a category of measures which marine restoration measures adopted under Article 5 will also fall under) cannot be adopted by Member States on their own. They can only be adopted in line with the so-called 'joint recommendations' procedure, according to which the Member State that needs to adopt such measures (initiating Member State) must agree with other Member States whose fishing interests may be affected by the adoption of such measures, sharing their joint recommendations to the Commission, which then adopts a delegated act containing the agreed measures to be adopted and implemented.

³³ Funded by the European Agricultural Guarantee Fund (EAGF).

³⁴ In line with the recent revision of Article 31 of the Common Agricultural Policy's Basic Regulation (through Regulation (EU) 2024/1468 introducing amendments to Regulation (EU) 2021/2115 and Regulation (EU) 2021/2116), Member States are under an obligation to offer farmers such voluntary eco-schemes for the maintenance of non-productive areas and the establishment of landscape features, <https://data.consilium.europa.eu/doc/document/PE-75-2024-INIT/en/pdf>

³⁵ Funded by the European Agricultural Fund for Rural Development (EAFRD).

³⁶ IEEP and the Ecologic Institute, How much will the implementation of the Nature Restoration Law cost and how much funding is available? December 2022. https://ieep.eu/wp-content/uploads/2023/01/4_-Nature-Restoration-Law-and-Funding.pdf.

³⁷ European Commission, Directorate-General for Agriculture and Rural Development, Chartier, O., Krüger, T., Folkesson Lillo, C. et al., Mapping and analysis of CAP strategic plans – Assessment of joint efforts for 2023-2027, Chartier, O.(editor), Folkesson Lillo, C.(editor), Publications Office of the European Union, 2023, <https://data.europa.eu/doi/10.2762/71556>

³⁸ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy.

The NRP must include the conservation and management measures that a Member State intends to adopt under the CFP, including marine restoration measures considered as measures in 'joint recommendations' (Article 15(4)).

The CFP requires the implementation of an ecosystem-based approach to fisheries management to minimise the negative impacts of fishing activities on the marine environment (Article 2(3) of the CFP Regulation), an approach that will therefore need to be adopted also for marine restoration measures included in joint recommendations.

While there are synergies between the CFP and the NRL, since implementation of the NRL needs to be aligned with the CFP and contribute to the achievement of the CFP's objectives (and vice versa), there are also risks since (initiating) Member States will have to consult with other Member States which have a direct management interest that could be affected by the planned measure (Article 18). If the latter Member States oppose a measure, such a measure could thus be postponed or withdrawn altogether, leading to delays and even non-compliance, through Member States' failure to achieve their marine restoration targets.

Member States can use CFP funding through the European Maritime, Fisheries and Aquaculture Fund (EMFAF) to fund restoration and capacity and knowledge building measures, and measures to improve monitoring. Funding under the EMFAF is available for any marine or coastal Natura 2000 site and for measures to protect species under the Habitats and Birds Directives in marine and coastal waters. Within EMFAF's scope is also financing of restoration measures outside of Natura 2000 sites through the designation of marine protected areas that are prioritised by the European regional seas conventions, such as HELCOM and OSPAR. Thus, while Member States are under no obligation to allocate EMFAF funding towards the implementation of the NRL, they are strongly encouraged to do so to maximise co-benefits and spending efficiency – in line with the principle of sound financial management.

RECOMMENDATION 13. IDENTIFY SYNERGIES BETWEEN THE CAP AND CFP AND THE RESTORATION MEASURES IMPLEMENTED UNDER THE NRL TO IDENTIFY POTENTIAL FUNDING MECHANISMS FOR RESTORATION MEASURES, POTENTIAL CONFLICTS AND WAYS TO MINIMISE THEM.

There is considerable scope to use the CAP and CFP to support restoration measures, rather than undermining them. Indeed, agri-environment-climate measures under the CAP can be used to support the effective implementation of nature restoration measures and the recovery of pollinator populations, among others. The CFP, through the EMFAF, can increase positive incentives for environmentally friendly and sustainable fishing measures which contribute to the restoration of marine habitats and habitats of species. Both policies and associated funds are indispensable to reach the NRL targets.

✓ OTHER RELEVANT POLICIES

Table 1 summarises the policies, which the NRL requires Member States to take into account when preparing and developing their plans. The table reflects the extent to which consideration must be given to the policy in the NRP and explains why the policy is relevant to nature restoration.

► **Table 1:** Level of consideration of relevant policies in the NRL and relevance to nature restoration

POLICY	HOW DOES THE POLICY NEED TO BE CONSIDERED IN THE NRP?	WHY IS THIS POLICY RELEVANT TO NATURE RESTORATION AND WHAT ARE THE SYNERGIES?
> CLIMATE POLICIES AND MEASURES TAKEN INTO ACCOUNT		
National adaptation strategies or plans and national disaster risk assessment reports (European Climate Law, Regulation (EU)2021/1119)	Dedicated section in the plan on how it considers the policy	On the one hand, national adaptation strategies and plans are adopted and implemented by Member States under the European Climate Law. They must promote nature-based solutions and ecosystem-based adaptation for achieving the law's objective. On the other hand, disaster risks assessment reports are developed to report on risk assessment and management. They should highlight the synergies with the protection and restoration of key ecosystems for disaster risk management. The NRPs should include and qualify restoration measures as nature-based solutions or ecosystem-based adaptation and explain how they contribute to climate adaptation.
National Energy and Climate Plans (NECP) (Regulation on the Governance of the Energy Union and Climate Action (EU)2018/1999)	Dedicated section in the plan: overview of the interplay between the NRP and the NECP	NECPs are 10-year plans which outline how Member States will meet the EU energy and climate targets for 2030. They are relevant for nature restoration as they should assess the synergies and trade-offs of specific relevant policies with biodiversity, such as the role of ecosystem services for mitigation and adaptation and the potential impact of some policies on ecosystems ³⁹ . Nature restoration can help achieving EU climate goals by mitigating and adapting to climate change, but there may also be trade-offs with the development of renewable energy infrastructure, all of which need to be reflected in the NRPs.
Long term strategy for greenhouse gases emission reduction (Regulation (EU)2018/1999)	Taken into account when preparing the plan	Member States shall submit their long-term strategies with a perspective of at least 30 years on how they are meeting international and EU objectives for reducing greenhouse gas emissions. They must cover the enhancement of removals by sinks and the effects on environmental protection. Nature restoration is crucial for meeting EU climate targets by enhancing the carbon sequestration and storage capacities of ecosystems.
> BIODIVERSITY POLICIES TAKEN INTO ACCOUNT		
Conservation measures of Natura 2000 sites (Habitats Directive, 92/43/EEC)	Taken into account when preparing the plan	Member States must set specific conservation objectives and measures to effectively manage Natura 2000 sites and to achieve the Habitats Directive's objectives to achieve favourable conservation status for protected species and habitats. The conservation measures should define what restoration is needed for the habitats and the species in each site, so if they have been laid out well, they should be a core part of the NRP for Articles 4 and 5 in particular.

³⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, An EU-wide assessment of National Energy and Climate Plans, COM(2020) 564 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1600339518571&uri=COM:2020:564:FIN>.

Prioritised Action Frameworks (Habitats Directive, 92/43/EEC)	Taken into account when preparing the plan	Member States must adopt PAFs to define their funding needs and priorities for the Natura 2000 sites at the national and/or regional level, and how they intend to fund them through EU funds. The PAFs prepared in 2019/2020 list specific restoration needs and their costs and these should be fully incorporated into the NRL. The next PAFs to be prepared in 2026 are important planning documents which should integrate the future NRP measures in the next programming period (see recommendation 9).
Measures and programmes of river basin management plans and flood risk management plans (Water Framework Directive, 2007/60/EC)	Taken into account when preparing the plan	The WFD requires the restoration of the ecological continuity for all EU river water bodies insofar as necessary to support the achievement of good ecological status (though not necessarily the complete removal of barriers). It also requires the restoration of floodplains and wetlands. The River Basin Management Plans should identify for each water body where artificial barriers should be removed and the measures planned for floodplain and wetland restoration. The measures planned in the 3rd RBMPs (2022-2027) should be built into the NRP. The 4th RBMPs (2028-2034) should in turn fully include the NRL restoration measures for barrier removal and for restoration of rivers, lakes, estuaries, and coastal lagoons.
Marine strategies for achieving good environmental status of all EU marine regions (Marine Strategy Framework Directive, 2008/56/EC)	Taken into account when preparing the plan, where applicable	Member States must adopt strategies to achieve good environmental status of EU marine regions and measures to protect marine ecosystems by 2020. Since this objective has not been achieved, programmes of measures, including restoration measures, must be implemented by each Member State. The strategies must be in line with restoration measures in marine ecosystems and existing datasets must be fully utilised to help identify and plan these measures. The NRL can reinforce the achievement of MSFD goals as it targets coastal and marine habitats for restoration, which must be assessed under the MSFD, in addition to habitats protected under the Habitats Directive and regional seas conventions and by targeting habitats which support species which must be assessed under the MSFD.
National Biodiversity Strategies and Action Plans (NBSAPs) (Convention on Biological Diversity)	Taken into account when preparing the plan	Parties to the Convention on Biological Diversity need to develop NBSAPs for the conservation and sustainable use of biological diversity. After the adoption of the Global Biodiversity Framework (GBF) in December 2022 ⁴⁰ , NBSAPs will have to be submitted by October 2024, setting out how they will achieve the different targets. The GBF sets an important target to restore 30% of all degraded ecosystems globally. Implementing the NRL targets will therefore directly contribute to achieving the global restoration target and vice versa.

⁴⁰ Kunming-Montreal Global Biodiversity Framework. Conference of the Parties to the Convention on Biological Diversity Fifteenth meeting – Part II, CBD/COP/15/L.25, Convention on Biological Diversity, Montreal, Canada. <https://www.cbd.int/doc/c/e6d3/cd1d/daf663719a03902a9b116c34/cop-15-l-25-en.pdf>.

> OTHER POLICIES TAKEN INTO ACCOUNT, IF APPLICABLE

National air pollution control programmes (National Emissions Reduction Commitments Directive, (EU) 2016/2284)	Taken into account when preparing the plan	With these programmes, Member States set out how they intend to achieve the commitments to reduce targeted air pollutants. This policy is relevant to nature restoration and more specifically to the NRL's urban ecosystems article, as increasing green spaces and trees in cities will lead to improved air quality.
Strategic critical raw material projects recognised under EU law (Proposal for a regulation establishing a framework for ensuring a secure and sustainable supply of critical raw materials)	Taken into account	If adopted, the new regulation would identify strategic critical raw material projects, which would be those crucial for developing technologies used for the green, digital, defence and space ambitions and applications. These projects might imply risks for biodiversity, which should be mitigated, so they do not undermine the achievement of the NRL's objectives.

In addition to these policies which must explicitly be considered by the NRPs, other policies may also be taken into account when preparing the plans and planning the restoration measures. For example, pollinator plans and strategies adopted by Member States may be relevant in relation to the targets of Articles 10 and 11. These plans and strategies may promote measures to maintain and restore pollinator habitats in different ecosystems and to integrate them into spatial planning and relevant policies such as the CAP.

Current legislative proposals, such as the Forest Monitoring Law and the Soil Monitoring Law, should also be considered by NRPs or their implementation in the future if they are adopted.

RECOMMENDATION 14. ENSURE POLICY COHERENCE AND CROSS-GOVERNMENTAL COOPERATION TO AVOID APPROACHING NATURE RESTORATION IN SILOS.

As nature restoration involves a holistic approach, it needs to be planned in cooperation with a range of government departments, such as on energy, agriculture and fisheries, forestry, water management, transport, etc. Nature policies tend to be managed and implemented separately, and many opportunities to ensure policy coherence and cross-governmental cooperation have been missed in the past as a result of that fragmented approach. The preparation and adoption of NRPs is therefore an opportunity to overcome this challenge and ensure coordination with relevant departments and coherence with other related policies.

Member States should go further than the NRL's legal requirements to take into account the policies included in the table and include dedicated sections in their NRPs on how they are contributing to all of them. They should be as detailed as possible on which concrete measures contribute to each policy. They should also identify policies which might be of relevance and importance to nature restoration, but which are not mentioned explicitly in Article 15 and include a dedicated section in the NRPs as well.

It is especially important to coordinate restoration planning with spatial planning and to integrate restoration measures within spatial planning instruments, without downgrading its status or importance in relation to other policies. This might be challenging for highly urbanised Member States who will need to make space for such measures in the face of competing land-use interests.

SECTION 5

SUMMARY OF RECOMMENDATIONS TO ACHIEVE SUCCESSFUL NATURE RESTORATION PLANNING

This guidance document is intended to help national agencies, environmental agencies and stakeholders engaging in the process to navigate the legal requirements of the NRL relating to the preparation, drafting and finalisation of NRPs. The recommendations that have been formulated throughout this guidance document aim to target specific actions that can be undertaken by these actors to achieve successful nature restoration planning and contribute to the NRL's implementation.

They are summarised as follows:

1. Identify and address knowledge gaps.
2. Identify and build on synergies with NRPs of other Member States.
3. Civil society actors and stakeholders must be involved from the start of the preparation process.
4. Go beyond the strictly legally binding requirements and make full use of the available tools, as encouraged by the NRL, to maximise the plans' ambition and efficiency.
5. Properly plan and implement measures within and outside Natura 2000
6. Start monitoring the restoration measures as soon as possible at regular intervals.
7. Capitalise on the socio-economic benefits of restoration measures to mitigate their potential impacts on affected stakeholders and gain their support.
8. The NRPs must include a high level of detail and evidence-based information related to the different ecosystem targets and horizontal elements and be made accessible to the public.
9. Identify appropriate funding sources and make necessary funding available across public and private sources.
10. Support land and water managers/users and give them the capacity and incentives to engage in the process.
11. Environmental NGOs should put pressure on their governments to make NRPs as ambitious as possible and act as watchdogs during the whole NRP process.
12. Implement concrete measures to capitalise on the synergies between the NRL and the RED, avoiding potential trade-offs for restoration.
13. Identify synergies between the CAP and CFP and the restoration measures implemented under the NRL to identify potential funding mechanisms for restoration measures, potential conflicts and ways to minimise them.
14. Ensure policy coherence and cross-governmental cooperation to avoid approaching nature restoration in silos.

REFERENCES

Barrier Atlas. A Pan-European database of artificial instream barriers. Version 1.0 June 29 2020. <https://amber.international/european-barrier-atlas/>.

BirdLife International, Funding our Future: a Proposal to Overhaul the EU's Multiannual Financial Framework, December 2023, https://www.birdlife.org/wp-content/uploads/2024/01/BL_Position-Paper_Funding-Our-Future_-_A-Proposal-to-Overhaul-the-EUs-Multiannual-Financial-Framework-1.pdf.

CBD (2022) Kunming-Montreal Global Biodiversity Framework. Conference of the Parties to the Convention on Biological Diversity Fifteenth meeting – Part II, CBD/COP/15/L.25, Convention on Biological Diversity, Montreal, Canada. <https://www.cbd.int/doc/c/e6d3/cd1d/daf663719a03902a9b116c34/cop-15-l-25-en.pdf>.

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, An EU-wide assessment of National Energy and Climate Plans, COM(2020) 564 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1600339518571&uri=COM:2020:564:FIN>.

European Commission, Directorate-General for Agriculture and Rural Development, Chartier, O., Krüger, T., Folkesson Lillo, C. et al., Mapping and analysis of CAP strategic plans – Assessment of joint efforts for 2023-2027, Chartier, O.(editor), Folkesson Lillo, C.(editor), Publications Office of the European Union, 2023, <https://data.europa.eu/doi/10.2762/71556>

European Commission, Proposal for a Regulation of the European Parliament and of the Council on nature restoration. COM2022 (304) final, https://environment.ec.europa.eu/publications/nature-restoration-law_en.

Dubgaard, A, Kallesøe, M F, Petersen, M L and Ladenburg, J, Cost-benefit analysis of the Skjern River Restoration Project. Social Science Series No 10, 2002 (Royal Veterinary and Agricultural University).

European Commission, Commission Notice on access to justice in environmental matters (2017/C 275/01), [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017XC0818\(02\)&from=PT](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017XC0818(02)&from=PT).

European Commission, EU Biodiversity Strategy for 2030. COM(2020) 380 final, Brussels. <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1590574123338&uri=CELEX:52020DC0380>.

European Commission, Directorate-General for Climate Action, Radley, G., Keenleyside, C., Freluh-Larsen, A. et al., Setting up and implementing result-based carbon farming mechanisms in the EU – Technical guidance handbook, Publications Office of the European Union, 2021, <https://data.europa.eu/doi/10.2834/056153>.

European Commission, A toolbox for reforming environmentally harmful subsidies in Europe: Final Report, Luxembourg: Publications Office of the European Union, 2022, <https://circabc.europa.eu/ui/group/c1a5a4e9-7563-4d0e-9697-68d9cd24ed34/library/3e685dda-2269-487d-a253-28cfd23b7466/details>.

European Commission, Directorate-General for Environment, Nesbit, M., Whiteoak, K., Underwood, E. et al., Biodiversity financing and tracking – Final report, Publications Office of the European Union, 2022, <https://data.europa.eu/doi/10.2779/950856>.

European Commission, Climate mainstreaming architecture in the 2021-2027 Multiannual Financial Framework, SWD(2022) 225, https://commission.europa.eu/system/files/2022-06/swd_2022_225_climate_mainstreaming_architecture_2021-2027.pdf.

European Commission, Directorate-General for Environment, Find your EU funding programme for the environment – Supporting the environment under the 2021-2027 multiannual financial framework and NextGenerationEU, Publications Office of the European Union, 2022, <https://data.europa.eu/doi/10.2779/768079>.

European Commission, Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on Soil Monitoring and Resilience (Soil Monitoring Law) COM/2023/416 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023PC0416&%3Bqid=1706624227744>.

Hering, D, Schürings, C, Wenskus, F, Blackstock, K, Borja, A, Birk, S, Bullock, C, Carvalho, L, Dagher-Kharrat, M B, Lakner, S, Lovrić, N, McGuinness, S, Nabuurs, G-J, Sánchez-Arcilla, A, Settele, J and Pe'er, G (2023) Securing success for the Nature Restoration Law. Science No 382 (6676), 1248-1250. <https://doi.org/10.1126/science.adk1658>.

IEEP and the Ecologic Institute, How much will the implementation of the Nature Restoration Law cost and how much funding is available? December 2022 https://ieep.eu/wp-content/uploads/2023/01/4_-_Nature-Restoration-Law-and-Funding.pdf.

IEEP, Why is nature restoration critical for climate mitigation in the EU? December 2022. https://ieep.eu/wp-content/uploads/2023/01/1_Nature-Restoration-and-Climate-mitigation.pdf.

IEEP, Why is nature restoration critical to sustain jobs and economic benefits from healthy ecosystems services? December 2022, https://ieep.eu/wp-content/uploads/2023/01/5_Economic-benefits-of-Nature-Restoration.pdf.

NGO Position Paper: Call for a Dedicated EU Nature Restoration Fund, July 2024, https://www.wwf.eu/wwf_news/publications/?14503641/Call-for-a-dedicated-EU-Nature-Restoration-Fund

Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202401991

Röschel, L et al, State of nature in the EU — Methodological paper. Methodologies under the Nature Directives reporting 2013-2018 and analysis for the State of nature 2020'. ETC/BD Technical paper 2/2020, European Topic Centre for Biodiversity, <https://www.eionet.europa.eu/etcs/etc-bd/products/etc-bd-reports/etc-bd-technical-paper-2-2020-state-of-nature-in-the-eu-methodological-papermethodologies-under-the-nature-directives-reporting-2013-2018-and-analysis-for-the-state-of-nature-2000>.

The Ecologic Institute, Why is nature restoration critical to improving human health and well-being? December 2022, https://ieep.eu/wp-content/uploads/2023/01/7_-_Nature-Restoration-and-Health-and-Well-being.pdf

UNECE, Maastricht Recommendations on Promoting Effective Public Participation in Decision-making in Environmental Matters prepared under the Aarhus Convention, ISBN 978-92-1-117089-4. <https://unece.org/DAM/env/pp/documents/cep43e.pdf>.

WWF, Economic benefits of investing in nature restoration, 2021, https://wwfeu.awsassets.panda.org/downloads/wwf_factsheet_nature_restoration_soc_economic_web.pdf.

ANNEXES

Annex I – Summary table of the legal requirements (Articles 4 to 13)

The following summary of Articles 4 to 13 is not intended to provide a comprehensive description or interpretation of the legal text.

ARTICLE	SUMMARY
ARTICLE 4 RESTORATION OF TERRESTRIAL, COASTAL AND FRESHWATER ECOSYSTEMS	<p>Member States will put in place restoration measures that are necessary to:</p> <ul style="list-style-type: none"> • Improve the condition and connectivity of Annex I habitats on at least 30% of the total area currently not in good condition by 2030, 60% by 2040 and 90% by 2050. • Re-establish Annex I habitat types in areas where they do not occur, on at least 30% of additional area by 2030, 60% by 2040 and 100% by 2050. • Improve the quality and quantity of the habitats of species listed under the EU Nature Directives. <p>Member States are asked to give priority to Natura 2000 sites until 2030. All these restoration measures must be based on the best available knowledge and latest scientific evidence and aim that the areas show continuous improvement until good condition is reached and that they do not significantly deteriorate. By 2030, the condition of habitat types must be known for at least 90% of the area of protected habitat types and for all by 2040.</p> <p>For terrestrial, coastal and freshwater and marine ecosystems, outside Natura 2000 sites, the non-fulfilment of the non-deterioration could be justified in cases of deterioration caused by force majeure (including natural disasters), unavoidable habitat transformations directly caused by climate change, a plan or project of overriding public interest for which no less damaging alternative solutions are available or by action or inaction by other countries. Within Natura 2000 sites, non-fulfilling the non-deterioration obligation is justified by force majeure, unavoidable habitat transformations directly caused by climate change and a plan or a project authorised in accordance with Article 6(4) of the Habitats Directive.</p>
ARTICLE 5 RESTORATION OF MARINE ECOSYSTEMS	<p>Member States will put in place restoration measures that are necessary to:</p> <ul style="list-style-type: none"> • Improve the condition of groups 1 to 6 of Annex II habitats on at least 30% of the total area currently not in good condition by 2030, 60% by 2040 and 90% by 2050. Different targets apply to group 7 (soft sediments). • Re-establish Annex II habitat types (groups 1 to 6) where they do not occur, on at least 30% of additional area by 2030, 60% by 2040 and 100% by 2050. • Improve the quality and quantity of the habitats of species listed under the EU Nature Directives and in Annex III of the NRL. <p>All these restoration measures must be based on the best available knowledge and latest scientific evidence and aim that the areas show continuous improvement until good condition is reached and that they do not significantly deteriorate. By 2030, the condition of habitat types must be known for at least 50% of area covered by groups 1 to 6 in Annex II and for all by 2040. For group 7 (soft sediments), it must be known for at least 50% of the area covered by 2040 and for all by 2050.</p> <p>The same derogations related to the non-deterioration obligation outside and within Natura 2000 sites in Article 4 apply to Article 5.</p>

ARTICLE 6 ENERGY FROM RENEWABLE SOURCES

The planning, construction and operations of renewable energy infrastructures is presumed to be of overriding public interest. Therefore, such areas may be exempt from the requirement that no less damaging alternative solutions are available and for the plan to go ahead, provided that a strategic environmental assessment or environmental impact assessment is carried out.

ARTICLE 7 NATIONAL DEFENCE

Areas used for national defence activities may be exempt from restoration requirements on terrestrial, coastal and freshwater and marine ecosystems if the measures are incompatible with the continued military use of the areas. Member States are free to determine that plans or projects of national defence are of overriding public interest. Therefore, they may exempt such plans and projects from the requirement that no less damaging alternative solutions are available, provided they put in place measures to mitigate their impacts on habitat types.

ARTICLE 8 RESTORATION OF URBAN ECOSYSTEMS

Member States must ensure no net loss in the total national area of urban green space and urban tree canopy cover in urban ecosystem areas by the end of 2030 compared to 2024 and achieve an increasing trend thereafter. They may exclude areas under certain conditions.

ARTICLE 9 RESTORATION OF THE NATURAL CONNECTIVITY OF RIVERS AND NATURAL FUNCTIONS OF THE RELATED FLOODPLAINS

Member States must make an inventory of artificial barriers to the connectivity of rivers and surface waters and then identify the barriers that need to be removed to contribute to meeting the objectives of Article 4 and of restoring at least 25,000 km of rivers into free-flowing rivers in the EU by 2030. They must then remove the barriers identified, focusing primarily on obsolete barriers, adopt the relevant complementary measures and ensure the natural connectivity of rivers is maintained.

ARTICLE 10 RESTORATION OF POLLINATOR POPULATIONS

Member States must improve pollinator diversity and reverse the decline of pollinator populations by 2030 at the latest and achieve an increasing trend thereafter. The European Commission will adopt a method for monitoring pollinator diversity and populations within a year of the law's entry into force.

ARTICLE 11 RESTORATION OF AGRICULTURAL ECOSYSTEMS

Member States will put in place restoration measures that are necessary to enhance biodiversity in agricultural ecosystems beyond Annex I habitats and that achieve an increasing trend of at least two out of three indicators, which are the a) grassland butterfly index, b) stock of organic carbon in cropland mineral soils and c) share of agricultural land with high-diversity landscape features. They will put in place measures to ensure that the common farmland bird index based on species in Annex V reaches specified improving levels by 2030, 2040 and 2050, with different targets for Member States with historically more or less depleted populations of farmland birds. They will also put in place measures to restore drained peatlands under agricultural use, on at least 30% of areas by 2030, of which at least a quarter shall be rewetted, 40% by 2040 and 50% by 2050 of which at least a third shall be rewetted. This requirement may be lessened under certain specific conditions related to public interest.

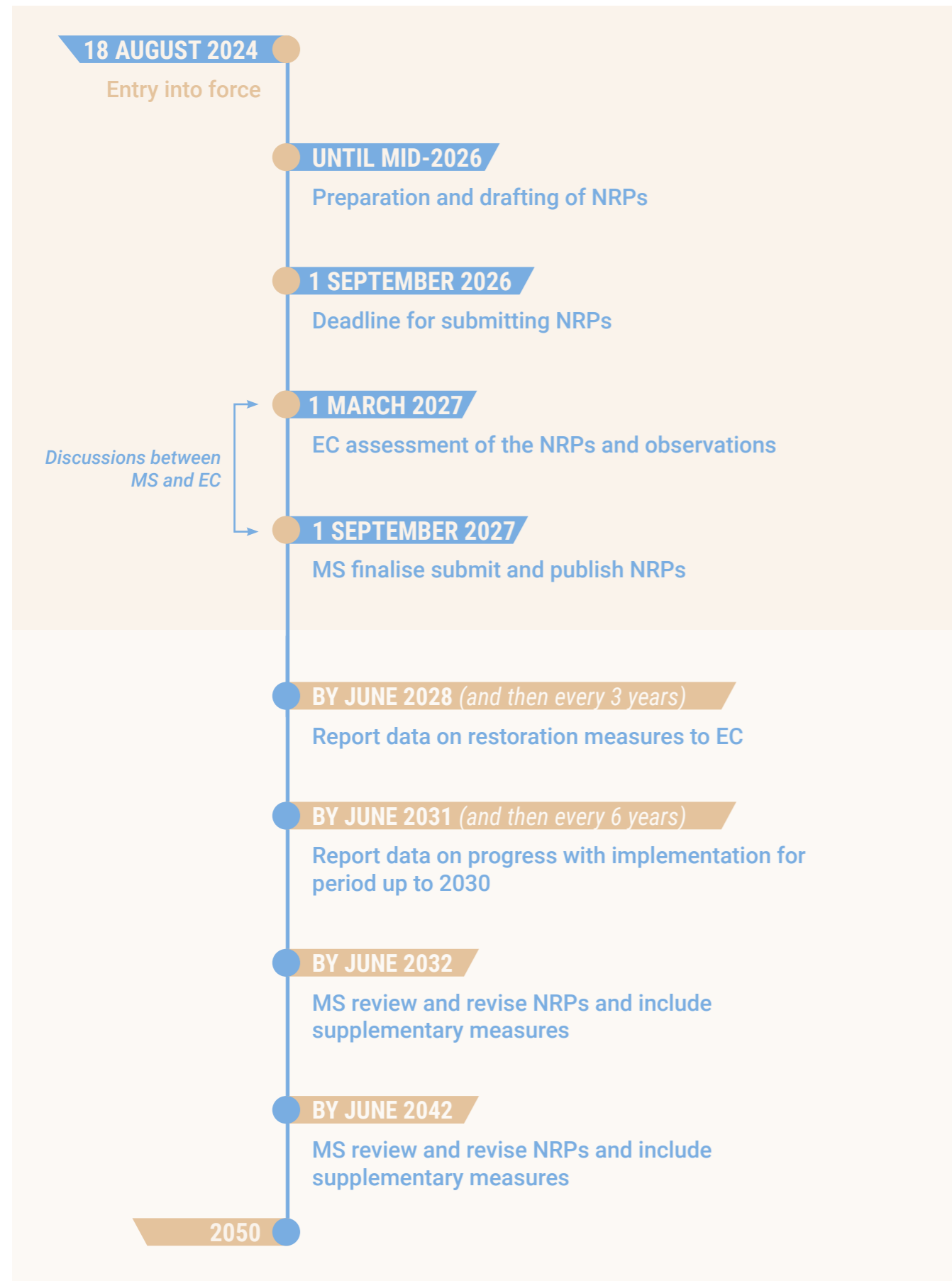
ARTICLE 12 RESTORATION OF FOREST ECOSYSTEMS

Member States will put in place restoration measures that are necessary to enhance biodiversity in forestry ecosystems beyond Annex I habitats and that achieve an increasing trend of the common forest bird index and of at least six out of seven indicators, which are a) standing deadwood, b) lying deadwood, c) share of forests with uneven-aged structure, d) forest connectivity, e) stock of organic carbon, f) share of forests dominated by native tree species and g) tree species diversity.

ARTICLE 13 PLANTING OF THREE BILLION ADDITIONAL TREES

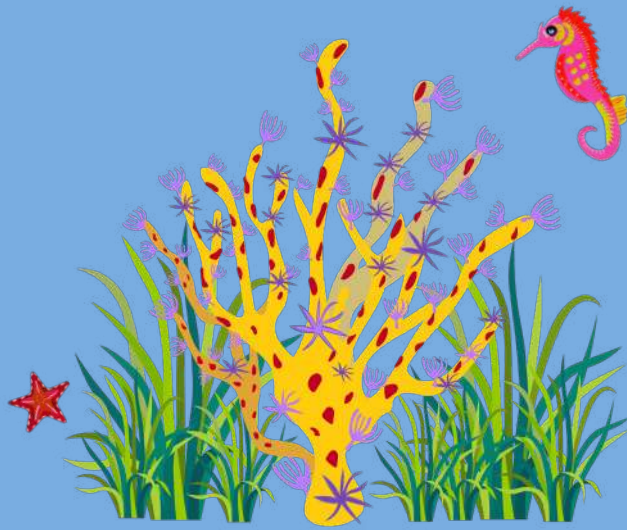
While implementing the measures to achieve Articles 4 and 8 to 12, Member States will aim to contribute to the commitment of planting at least 3 billion additional trees by 2030 in the EU, in full respect of ecological principles and with the aim to increase ecological connectivity.

Annex II – Visual timeline of the process



Annex III – List of annexes in the NRL

Annex I	Terrestrial, coastal and freshwater ecosystems – Habitat types and groups of habitat types referred to in article 4(1) and 4(2)
Annex II	Marine ecosystems – Habitat types and groups of habitat types referred to in article 5(1) and 5(2)
Annex III	Marine species referred to in article 5(5)
Annex IV	List of biodiversity indicators for agricultural ecosystems referred to in article 11(2)
Annex V	Common farmland bird index at national level
Annex VI	List of biodiversity indicators for forest ecosystems referred to in article 12(2) and 12(3)
Annex VII	List of examples of restoration measures referred to in article 14(16)



#RESTORENATURE