"For a recognition of the essential role of the Regions in the future Nature Restoration Law"

The European Commission's proposal for a Nature Restoration Regulation, known as the Nature Restoration Law (hereafter, "NRL") is the first-ever regulation that explicitly aims to restore the EU's ecosystems, degraded habitats and species on a continental level.

To this end, legally binding restoration targets and a specific implementation framework are provided. These actions are expected to restore at least 20% of EU land and 20% of EU seas areas by 2030, and ultimately all ecosystems in need of restoration by 2050. This restoration target is even more important in the context of climate change which, together with the loss of biodiversity, are mutually reinforcing. It is in particular the recognition of this interdependence between biodiversity and climate by the European Commission in its "Biodiversity Strategy for 2030" of 2020 which leads to this proposal for a regulation within the framework of the Green Deal for Europe.

This policy position presents the opinions and contributions to the debate on this future regulation, of the CPMR Islands Commission and Intermediterranean Commission, via the elements raised by their members and the results of the discussions held during the international seminar in Palma, on 23 February 2023. It is also inspired by the contents of the general approach adopted by the European Council on June 20, 2023, as well as the amendments to the proposal adopted by the European Parliament plenary session on 10 July 2023.
Introductory remarks

The CPMR Islands Commission and Intermediterranean Commission:

1. **Welcome** the principle of the initiative of the European Commission for a "Nature Restoration Law" which aims to provide a comprehensive framework to deal in more depth with a complex subject addressed, so far, by a variety of separate directives and regulations\(^1\) whose objectives have not yet been able to be fully achieved by Member States through the legislation currently in place.

2. **Recall** that the restoration of nature as well as the fight against the loss of biodiversity and for its protection are part of the political goals pursued by the peripheral maritime regions in general, and for the island and Mediterranean regions in particular, within the framework of their development and climate change adaptation policies.

3. **Acknowledge** the actions to restore the functionality of ecosystems and the recovery of terrestrial, coastal and marine environments that are more involved in the provision of ecosystem services. These actions play a key role in the fight against climate change, in terms of mitigation and adaptation.

4. **Share** the objectives of restoring and conserving nature and marine and terrestrial biodiversity outlined in the proposed regulation. **Welcome** in this respect the proposals of the European Parliament and the Council to qualify the objective of restoring 20% of the land and sea as a Union target and with specific reference to 20% of the land and 20% of the sea areas by 2030.

5. **Reiterate** the importance of the preliminary assessment of potential socio-economic impacts, especially in the most affected sectors such as agriculture and fishing, and **stress** the relevance of the European Parliament’s proposal to make the implementation of the regulation conditional on the European Commission’s prior delivery of sound scientific data, particularly on the possible impact of the NRL on food safety.

6. **Question** the effectiveness of the governance and implementation framework proposed by the European Commission, which does not provide for a key role for regional authorities in the design and implementation of national plans in the context of multi-level governance. Public policies designed and implemented by regional authorities effectively contribute, directly or indirectly, to the protection and restoration of biodiversity\(^2\) and encourage the adoption of existing good practice and actions involving citizens to achieve positive results by restoring nature.

7. **Consider** the schedules set out by the Commission for the design and implementation of the national plans, as well as for the acquisition of knowledge on the state of the ecosystems to be restored, to be relatively unrealistic, which could represent an additional challenge for local players and sectors that will have to consider adapting their processes to meet the objectives of this Law. Implementation deadlines that are too short could also, in the end or part way through, result in an inability to adapt by territorial actors, resulting in a lack of effectiveness and less positive impacts of this Law in the long term.

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\(^2\) This is the case, for example, with maritime spatial planning and land-sea interactions, pollution control and the safeguarding of water resources, where regional authorities act as a catalyst for all players from civil society and the private sector.
8. **Welcome** however the clearer proposal for a design and implementation timetable from the Council and European Parliament. **They also welcome** the change in the timing for the monitoring system for future national plans initially envisaged by the European Commission.³

9. **Draw attention** to the small size of certain maritime areas, which have less room for manoeuvre despite being exemplary in other respects, and to the inability of towns in certain regions with specific constraints to meet the target of increasing urban green spaces. Ideally, this objective should be adaptable depending on the type of town/region and/or its topography. A more detailed range of objectives could help to solve this problem, at the same time leaving room for each region to contribute to the implementation of the Law.

10. **Welcome** therefore the European Parliament and Council’s proposal to exclude urban ecosystem zones in which the proportion of urban green space exceeds 45% and the proportion of urban tree cover exceeds 10% from the calculation of total national surface area.⁴ **Regret**, however, the persistent failure to address the issue of cramped conditions.

11. **Recall** the exceptionally rich but fragile marine and terrestrial biodiversity of islands, with precious endemic ecosystems, and the particularly negative effect of climate change on island regions. In this way, they **recognise** the paramount importance of applying Article 174 of the TFEU as the basis for all actions and plans to be implemented, particularly in island regions which are home to a rich natural heritage, and which will therefore be most impacted by the future NRL.

12. Finally, they **call** on the various European players concerned to seize the opportunity presented by this regulation and to take part in the debate on its drafting, in order to promote a participatory, multi-level and multi-sectoral approach which is capable of responding to the complexity of the issue in question.

### On the role of the regions

**The CPMR Islands Commission and Intermediterranean Commission:**

13. **Emphasise** that the regions are already heavily involved in identifying vulnerable areas and supporting restoration, protection and monitoring activities in partnership with research centres and regional environmental agencies or similar bodies, and even the private sector. Over the last few years, this has led to the deployment of good practices - such as the creation of models of governance for the co-management of small-scale fishing.⁵ For the most part, these practices are based on the specific needs and conditions of local ecosystems and communities, while at the same time ensuring a rationale for cooperation and efficient, shared policy intervention between regional and local levels.

14. **Call** therefore for recognition of the very important role of regional authorities through the establishment of participatory and multi-level governance that advocates the systematic involvement of regional governments in the development and implementation of national plans, and maintaining restored areas in good condition. **Take note** of the European Parliament's proposal that regional and local authorities be taken into account during the planning stage. **Regret**, however, that the European Parliament's proposal is not yet ambitious enough, and that the Council does not seem to have addressed the issue.

15. **Highlight** the administrative and financial support that would then be necessary for the regions to accomplish their mission. This support should be proportional to the different regional needs and

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³ Member States are expected to submit a report to the Commission on the restoration area in 2028, and at least every three years thereafter. From 2031 onwards, and at least every six years thereafter, they will also provide the Commission with data and technical information on the results and progress achieved. Starting four years after the NRL enters into force, the Commission will present a report on the application of the regulation to the European Parliament and the Council every six years. See articles 18 §1, 2, 4, 5, 6 of the Council and European Parliament proposals.

⁴ See article 6 §1 of the Council and European Parliament proposals.

⁵ For example, the co-managed governance model of participatory fishing set up in 2018 by Catalonia region: [https://www.europarl.europa.eu/cmsdata/229864/Regional%20Government%20Catalunya%20Sergi%20Tudela%20presentation%20Hearing%202026%20Jan%202021.pdf](https://www.europarl.europa.eu/cmsdata/229864/Regional%20Government%20Catalunya%20Sergi%20Tudela%20presentation%20Hearing%202026%20Jan%202021.pdf)
realities. In this respect, they stress the specific needs of certain regions, in particular the outermost regions, which have different human and financial resources and are still coming up against the procedural complexity of European funds.

16. Recall that the islands of Europe, similar to outermost regions, are faced with complex, endemic and threatened ecosystems, as well as strong human pressures (demographic challenges, sectoral activities, infrastructures, etc.). They are confronted with a range of climate risks specific to them, and must be the subject of specific considerations when implementing actions for climate adaptation. Islands play a key role in achieving the EU’s 2030 climate targets and climate neutrality by 2050. However, insularity makes it difficult to achieve climate neutrality, as they are regions that are only partly linked to the continental networks, and they need more expensive energy reserve systems, given the limited economies of scale involved. As a result, islands confront the challenge of sustainability in the face of different processes, which make natural assets even more precarious. They therefore stress the need to mention insularity, alongside the outermost regions, in the text of the Regulation, and to take account of the specific characteristics of islands in a dedicated chapter of the national plans in addition to that provided, where appropriate, for the outermost regions.6

17. Welcome in this respect, the greater account taken, in drawing up national plans, of the different regional situations and economic, social and cultural diversity of the regions, particularly the outermost regions, as proposed by the European Parliament and the Council. Regret however, the continued absence of any explicit mention of island specificities.

On sectoral impacts

The CPMR Islands Commission and Intermediterranean Commission:

18. Welcome the European Parliament’s proposal to take greater account of the potential socio-economic impacts of implementing the NRL when drawing up national restoration plans, as well as when they are examined by the Commission, and call for further clarification in this regard during the forthcoming three-way negotiations.

19. Emphasise the importance of assessing the measures needed to enable a fair and equitable transition, particularly regarding to the sectors potentially most affected by the future Law, such as tourism, agriculture, fishing, and transport. Recall the vital role of the maritime and coastal tourism and fisheries sectors for maritime regions, especially islands and Mediterranean regions which are particularly dependent on these sectors.

20. Recognise the opportunity that the NRL represents for the development of eco-tourism, but nevertheless stress the short-term risks for jobs in the tourism sector.

21. Question the interaction of the plans introduced by the NRL with maritime area planning, the Common Agricultural Policy (CAP) and the Common Fisheries Policy (CFP), in particular the potential compatibility problems between the national plans resulting from the NRL and the national strategic plans resulting from the CAP, or the potential changes that the national plans for restoration could have on the current programming for the implementation of the European Maritime, Fisheries and Aquaculture Fund (EMFAF).

22. Welcome the proposal by the European Parliament and the Council to include an overview of the interaction between the measures included in the national restoration plan and the national strategic plan under the CAP, within each Member State’s national restoration plans.

23. Emphasise the need to guarantee support for stakeholders and regions in the process of adapting to new agricultural practices during the implementation of the NRL.7

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6 These are mentioned in Article 12 and Recital 64 of the draft law.
7 This is particularly the case if Article 9 on the restoration of agricultural ecosystems, which was deleted from the version adopted by the European Parliament in plenary, is reinstated.
24. Are concerned by the absence of any mention of compensatory instruments to offset the economic losses that fishermen would suffer in the event of the sensitive marine areas on which they are heavily dependent being closed. Stress the need for appropriate public support for the fishermen concerned, from the point of view of reintegration into the labour market of workers made redundant, cooperation with scientists and the promotion of good practices, retraining and skills upgrading measures.

25. Request that national plans include specific indications on the amount and nature of existing financial resources and on the key to redistributing them to the regions affected by implementation of the plans.

26. Are concerned about the complexity of coordinating the various funds that could be used to finance actions taken under the NRL and welcome the request from the Council and the European Parliament to the European Commission to produce a report assessing financial resources and funding needs, within 12 months of the regulation coming into force.

27. With this in mind, the possibility of creating a specific, tailor-made fund to ensure that the objectives of the European Nature Restoration Law are achieved in a coordinated way, across other sectoral or cooperative funds, should therefore be considered as an essential requirement.

28. Take note of the coherence between the Union’s energy and climate policy and the proposal of the Council and the European Parliament with regard to targets for the development of renewable energies. Welcome the positions of the Council and the European Parliament, which favor national plans which have restoration measures that take account of EU climate objectives.

**On the external dimension**

**The CPMR Islands Commission and Intermediterranean Commission:**

29. Welcome the opportunity that this regulation represents to strengthen the Regions’ already solid and lasting commitment to European territorial, interregional and transnational cooperation on the protection and restoration of biodiversity and natural areas. Welcome, the European Parliament’s insistence on cross-border cooperation, including via existing regional institutional cooperation structures.

30. Recall that ecosystems tend to evolve through ecoregions, independently of governance and territorial administrative boundaries, and therefore beyond national and EU borders. In order to respond fully to the reality of ecosystems and their external dimensions, an approach to the future Law that considers the necessary co-evolution and cooperation with third countries is essential. Thus, due consideration of the role that the European Neighbourhood Policy can play in this respect is key.

31. Identify, therefore macro-regional strategies as an encompassing and effective starting and governance framework in order to make cooperation more fluid as a complement to existing policies and programmes. Highly relevant for the Mediterranean region, this framework of cooperation also remains relevant for the outermost regions, which are geographically located on the borders of Europe, and which would require restoration measures adapted to their specific characteristics, envisaging interaction with adjacent non-EU territories.

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