

PRESS RELEASE

Agreement on Nature Restoration Law: A good balance between the protection of nature and economic activity, successful action by FIEC

Brussels, 08/01/2024

On 10 November 2023, the EU legislators reached a **provisional agreement** on the Nature Restoration Law.

FIEC welcomes the agreement on the **world's first law** for the conservation and restoration of nature and biodiversity. It is a balanced agreement that reconciles ambitious restoration goals with **economic activity** and **business interests**, such as new housing construction, which is particularly important given the current shortage of housing and building land in many Member States.

FIEC now expects that the final agreement will be approved by MEPs and the Member States.

The Nature Restoration Law will help make the built environment more resilient to climate change and ensure its longevity

The Nature Restoration Law requires Member States to put in place nature restoration measures with the aim to jointly cover, as a Union target, at **least 20% of land and 20% of the sea areas by 2030**. Restoration measures shall be in place on at least 30% by 2030 of the total area of all habitat types listed in the Regulation that is not in good condition and on at least 60% by 2040 and at least 90% by 2050.

In addition, EU countries should give priority until 2030 to restoring areas of habitat types that are not in good condition and that are located in *Natura 2000* sites when putting in place restoration measures. Commenting on the agreement, **Stephanos Pierides, Chairman of FIEC's sub-commission on environmental affairs**, states:

"The imminent adoption of the Nature Restoration Law is, overall, good news for the European construction sector and for urban ecosystems. The built environment is vulnerable to the effects of climate change, especially in cities. Integrating green spaces into buildings and infrastructure will make them more resilient to these effects, ensure their longevity and keep temperatures down, especially during summer heat waves".

Derogations from restoration targets crucial for construction

The Nature Restoration Law requires Member States to draw up **national restoration plans**, setting out a national approach to restoring nature on their territory. In order to avoid unintended consequences of the restoration measures, the agreement stipulates that Member States should also **consider the foreseeable socio-economic impacts** of the implementation of the restoration measures.

In addition, strategic critical raw material projects, the diversity of situations in the different regions of the Union and regional and local characteristics, **including population density**, must be taken into account.

The Regulation also includes a so-called '**non-deterioration principle**', which requires Member States to make efforts with the aim to prevent significant deterioration of areas covered by such habitat types that are either already in good condition or that are not in good condition and have not yet been the subject of restoration measures. Within or outside Natura 2000 sites, this obligation does not apply to deterioration caused by - inter alia - *force majeure*, a plan or project of overriding public interest, or action or inaction by third countries.

"The Nature Restoration Law provides for a wide range of exemptions that allow ambitious restoration goals to be reconciled with economic activity and business interests. In addition, local conditions vary considerably from one region or Member State to another. Belgium and the Netherlands are more densely populated than Sweden, Spain or Romania. Paris, Rome or Prague have different starting points for urban green spaces than Copenhagen or Berlin.

That is why the agreement is a good agreement. Member States must also consider plants for the production of energy from renewable sources to be of 'overriding public interest'. This is excellent news for construction companies, which will be able to play their 'enabling role' in the implementation of the Green Deal", adds Pierides.

Successful advocacy campaign by FIEC

FIEC is pleased that **most of its requests and recommendations have been taken into account** by the EU legislator. Since January 2023, FIEC has met several key Members of the European Parliament involved in the discussions at technical and political level.

FIEC member associations have also been in contact with their respective government departments at national level. It will be important for contractors to **maintain a dialogue with national authorities** during the process of developing national restoration plans.

The agreement will now go back to the European Parliament – where it will face another tough vote - and to the Council, both of which will have to formally approve the text. The Nature Restoration Law will then be published in the *Official Journal of the EU* and will enter into force 20 days after this publication.



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