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OUTCOME OF PROCEEDINGS

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Subject: Biodiversity - the need for urgent action
- Council conclusions

Delegations will find in the Annex the Council conclusions on the abovementioned subject, as approved by the Council at its 3777th meeting held on 23 October 2020.

Biodiversity - the need for urgent action
- Council conclusions -

THE COUNCIL OF THE EUROPEAN UNION

RECALLING:

The Council conclusions on:

- Towards an ever more sustainable Union by 2030¹;
- Preparation of the post-2020 global biodiversity framework Convention on Biological Diversity²;
- The Progress in the implementation of the EU Forest Strategy and on a new strategic framework for forests³;
- More circularity - transition to a sustainable society⁴;
- The 8th Environment Action Programme - Turning the Trends Together⁵;
- Stepping up Action to Protect and Restore the World's Forests⁶;
- Oceans and Seas⁷;

1 8286/19.
2 15272/19 + COR 1.
3 8609/19.
4 12791/19.
5 12795/19.
6 15151/19.
7 14249/19.

DEEPLY CONCERNED about the global rate of biodiversity loss, the current state of nature in the Union and the limited progress to protect biodiversity; FULLY AWARE that biodiversity loss and ecosystem degradation at local, regional and global scale, and loss of ecosystem services pose direct and existential threats to human life and wellbeing; and endanger the foundations of our society and economy;

HIGHLIGHTING that the five main direct drivers of biodiversity loss are changes in land and sea use, over-exploitation of natural resources, climate change, pollution, and invasive alien species; and that both direct and indirect drivers of biodiversity loss need to be urgently and effectively tackled;

ACKNOWLEDGING that the EU Biodiversity Strategy for 2030, hereinafter “the Strategy”, is one of the key initiatives of the European Green Deal, which aims at making the EU’s economy sustainable and climate-neutral by 2050, protecting, restoring and sustainably using biodiversity, improving the health of citizens and ensuring the sustainability, circularity and inclusiveness of our economy;

UNDERLINING that certain human interventions in ecosystems increase the risk of emergence of zoonotic infectious diseases; STRESSING that protecting, maintaining and restoring biodiversity and healthy, well-functioning ecosystems will deliver an important contribution to boost our resilience and prevent the emergence and spread of new diseases; EMPHASISING in this context the value of the ‘One Health’ approach, encompassing the interconnections between human, animal, plant and environmental health;

STRESSING that the Strategy, as an integral part of the European Green Deal, should be a central element of the EU’s recovery plan ⁸;

⁸ Agreed by the European Council on 21 July 2020 (EUCO 10/20) and currently under negotiations with the European Parliament.

RECOGNISING that biodiversity loss and climate change as well as their respective solutions are intrinsically linked; STRESSING that nature-based solutions⁹ fostering biodiversity will play an important role in climate change mitigation and adaptation;

STRESSING that the successful implementation of the Strategy requires effective action in all relevant policy sectors at the level of the EU and the Member States; and that civil society, public authorities and business, in particular stakeholders specifically affected by the measures foreseen in the Strategy, especially in the agriculture, fisheries, forestry and extractive sectors, have to be involved in its implementation; EMPHASISING that in the implementation of the Strategy, unnecessary administrative burdens especially for land users and businesses, but also for public administration should be avoided;

RECOGNISING that for an effective implementation of the Strategy, it will be vital to thoroughly examine the findings of the evaluation of the EU Biodiversity Strategy for 2020;

ACKNOWLEDGING that the conservation, restoration and sustainable use of biodiversity and ecosystems have potential direct and indirect economic benefits for most sectors of the economy, that all businesses depend on natural capital assets and ecosystem services either directly or indirectly, including through their supply chains, and that the costs of insufficient action are high and expected to increase; AWARE that an improved biodiversity policy with effective measures has the potential to strengthen the competitiveness of the economy and industry and to open new job and economic opportunities, for instance in the fields of environmental technology, tourism and recreation, nature restoration and the provision of ecosystem services;

REAFFIRMING that the European Union is ready to show high ambition to halt and where possible reverse biodiversity loss, to lead the world by example and by action, and to help agree and adopt a transformative post-2020 global biodiversity framework at the 15th Conference of the Parties to the Convention on Biological Diversity; NOTING that the adoption of such global ambitions could also contribute to the competitiveness of the EU if all parties act in accordance with these ambitions;

⁹ Defined as solutions that are inspired and supported by nature, which are cost-effective, simultaneously provide environmental, social and economic benefits and help build resilience; see also <https://ec.europa.eu/research/environment/index.cfm?pg=nbs>.

ACKNOWLEDGING the global efforts to prevent, halt and reverse the degradation of ecosystems worldwide under the United Nations Decade on Ecosystem Restoration 2021-2030;

EXPRESSING concern that marine biodiversity is at serious risk, as highlighted in the 2019 IPBES Global Assessment Report on Biodiversity and Ecosystem Services, the fifth edition of the Global Biodiversity Outlook (GBO-5) and the IPCC Special Report on Climate Change on the Ocean and Cryosphere; STRIVING to ensure that marine issues are an integral part of the post-2020 global biodiversity framework;

RECALLING that the implementation of the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals (SDGs) is essential to our world for ensuring a peaceful and secure life for the current and next generations while respecting the ecological limits of our planet; UNDERLINING the importance and pivotal contribution of nature, biodiversity and ecosystem services to the achievement of the SDGs; ACKNOWLEDGING all three dimensions of sustainability;

THE NEED FOR URGENT ACTION

1. ENDORSES the objectives of the EU Biodiversity Strategy for 2030 – Bringing nature back into our lives¹⁰; and STRESSES the need to ensure mutual supportiveness with all initiatives under the European Green Deal and with the EU and its Member States' objectives related to, among others, food security, health, climate change and sustainable use of terrestrial and marine natural resources, especially sustainable agriculture and food systems, sustainable fisheries and sustainable management of forests;
2. CALLS ON the Commission to provide a thorough impact assessment for any legislative proposal that it may put forward, in line with the Interinstitutional Agreement on Better Law-making, including an assessment of the subsidiarity and proportionality of the proposed measures and, if need be, an assessment of compensation and its financeability; INVITES the Commission to further elaborate on the financeability of elements of the Strategy;

¹⁰ 8219/20 + ADD 1.

3. STATES that the implementation of the Strategy requires a collective effort by the Commission, the Member States and society as a whole; and CALLS ON them to start the implementation measures rapidly and ambitiously; ACKNOWLEDGES the need for corresponding financial means;

PROTECTING AND RESTORING NATURE IN THE EUROPEAN UNION

4. RECOGNISES that while legal frameworks, strategies and action plans at EU and national levels are in place to protect biodiversity and nature and to restore degraded habitats and species populations, we need to step up the protection and restoration of nature in order to put biodiversity on the path to recovery by 2030 and to address the direct and indirect drivers of biodiversity and nature loss effectively;
5. ACKNOWLEDGES that marine and terrestrial ecosystems in the EU's outermost regions have exceptionally high biodiversity value and should be included in such efforts;
6. WELCOMES - taking into account paragraph 1 - particularly the EU-level targets listed at the end of sections 2.1 "A coherent network of protected areas" and 2.2 "An EU Nature Restoration Plan: restoring ecosystems across land and sea" of the Strategy, also as an essential basis for the necessary political and societal discussions between the Commission, Member States and stakeholders;
7. UNDERLINES that it is necessary to achieve clarity on definitions with regard to some key commitments, taking into account the international obligations of the EU; STRESSES that several key commitments depend on the joint determination of definitions and criteria by the Commission and the Member States;
8. HIGHLIGHTS that specific national conditions as well as measures already taken in the individual Member States have to be taken into account with regard to the accomplishment of the EU-level targets mentioned in the Strategy;

9. WELCOMES the objective of creating a coherent network of well-managed protected areas and to protect a minimum of 30% of the EU's land area and 30% of its sea area, one third of which strictly protected, representing 10% of EU land and 10% of EU sea; EMPHASISES that this is an objective to be reached by Member States collectively, with all Member States participating in this joint effort as well as taking into account national conditions; STRESSES that this network should be based on the Natura 2000 network and complemented by additional designations by Member States;
10. EMPHASISES that the further clarification and implementation of these targets require a participative process between the Commission and the Member States, including the development of a common understanding of the definitions and criteria for the designation of additional protected areas as well as a definition of strict protection; UNDERLINES that in this process, existing national categories of protected areas and certain other effective area-based conservation measures (OECMs, as defined by the CBD) should be recognised; HIGHLIGHTS that the stricter level of protection may allow for certain human activities, which are in line with the conservation objectives of the protected area;
11. RECOGNISES the urgent need to step up efforts to ensure the effective management of all protected areas, to define clear conservation objectives and measures, and to monitor and strengthen them appropriately, taking into account the effects of climate change;
12. UNDERLINES the importance of significantly reducing the fragmentation of habitats, for instance due to infrastructure projects or to the decline of landscape features, and the need for measures to improve, restore and secure the ecological connectivity of habitats in the EU;
13. ACKNOWLEDGES that preventing further decline of the current state of biodiversity and nature will be essential, but not sufficient to bring nature back into our lives; REAFFIRMS that more ambition on nature restoration is needed as proposed with the new EU Nature Restoration Plan, which includes measures to protect and restore biodiversity beyond protected areas; and AWAITS a proposal for legally binding nature restoration targets, subject to an impact assessment;

14. REITERATES its request to urgently mainstream EU biodiversity policy objectives into all other relevant EU and national policy fields, including all sectors that may have a significant impact on biodiversity; CALLS ON the Commission to integrate these objectives in future legislative proposals and on Member States to mainstream such objectives in the implementation of EU and national policies;
15. WELCOMES that the Strategy aims to bring nature back to cities and urban areas and to stop the loss of green urban ecosystems; UNDERLINES the importance of systematically integrating green infrastructure and nature-based solutions in urban planning, including in public spaces, infrastructure, and the design of buildings and their surroundings;
16. WELCOMES that the EU Biodiversity Strategy for 2030 was launched at the same time as the Farm to Fork Strategy and that it will be implemented in tandem with the latter and with other policies such as the Common Agricultural Policy, the Common Fisheries Policy, and the Cohesion Policy, within their respective legal frameworks, as well as the Circular Economy Action Plan; WELCOMES the preparation of the new EU Forest Strategy and the new EU Strategy on adaptation to climate change; CALLS FOR specific means and tools to ensure a coherent and effective cooperative approach;
17. In order to minimise genetic erosion and safeguard genetic diversity, STRESSES the need to preserve and sustainably use the genetic diversity of cultivated plants, their wild relatives, and farmed and domesticated animals, and to protect and maintain the genetic diversity of wild species, including through in situ and ex situ conservation measures;
18. EMPHASISES the vital role of pollinators for healthy ecosystems and food security and the necessity to reverse their decline; CALLS FOR detailed objectives and indicators regarding the key commitment ‘The decline in pollinators is reversed’ from the Strategy;
19. UNDERLINES the prominent role of freshwater ecosystems for ecological connectivity as well as other natural functions and ecosystem services they provide, and STRESSES the need to step up action on the restoration of rivers, wetlands and floodplains, in line with the objectives of the Water Framework Directive;

20. RECOGNISES the need to urgently advance action on the protection and conservation of marine and coastal ecosystems and biodiversity, including by addressing major threats, such as the adverse effects of climate change, marine pollution in all its forms, including underwater noise, as well as over-exploitation of marine resources and the introduction of invasive alien species;
21. STRESSES the importance of healthy and resilient forest ecosystems, which fulfil multiple functions, and of the protection of remaining primary forests; and WELCOMES the ongoing participatory processes of defining, mapping and monitoring primary and old-growth forests, aiming to ensure their conservation;
22. RECALLS the EU legislation on Invasive Alien Species ¹¹; STRESSES the need to urgently reinforce action against invasive alien species and to minimise and where possible prevent the introduction of new invasive species into the EU environment;
23. RECALLS that pollution is one of the main direct drivers of biodiversity loss; WELCOMES the proposals made in the Strategy for reducing pollution; AWAITS with interest the Zero-Pollution Action Plan announced for 2021; and AGREES that greater efforts are still required, including to prevent, reduce and ultimately stop pollution of the environment with plastics and other pollutants;
24. SUPPORTS the Commission in stepping up efforts to better protect soils and soil biodiversity, as a non-renewable resource of vital importance, as well as to reduce soil sealing, and REAFFIRMS the EU's commitment to reaching land-degradation neutrality; WELCOMES the planned update of the EU Soil Thematic Strategy; STRESSES the need to promptly address desertification and land degradation in the EU; REITERATES the will to make progress towards the objective of 'zero net land take' by 2050;

¹¹ Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species (OJ L 317, 4.11.2014, pp. 35–55).

ENABLING TRANSFORMATIVE CHANGE

25. UNDERLINES that the new European biodiversity governance framework has to respect the subsidiarity principle and that all relevant proposals should be prepared and developed in cooperation with the Member States; AGREES that a robust monitoring framework is needed to track the implementation of the Strategy as well as biodiversity status and trends, while avoiding unnecessary additional administrative burdens, with mechanisms to review progress and scale up actions if needed;
26. EMPHASISES that full implementation and enforcement of the EU environmental legislation are at the heart of the Strategy; CALLS ON the Commission and the Member States to step up efforts in this area;
27. RECOGNISES the value of collaboration and exchange of experiences between national and EU institutions in order to address environmental crime and behaviours harmful for biodiversity;
28. AGREES that tackling biodiversity loss, maintaining ecosystems in good condition and restoring ecosystems will require significant public and private investment at national and European level; ACKNOWLEDGES the Commission's initial assessment that to meet the needs of this Strategy, including investment priorities for Natura 2000 and green infrastructure, at least EUR 20 billion per year should be unlocked for spending on nature; UNDERLINES that a significant proportion of the 30% of the EU budget and Next Generation EU expenditures dedicated to climate action should be invested in biodiversity and nature-based solutions fostering biodiversity; EMPHASISES the importance of effective biodiversity proofing as well as of an improved biodiversity tracking method;

29. UNDERLINES the need for nature and biodiversity protection and restoration to be priorities for the European Green Deal Investment Plan; STRESSES that applying the ‘do no harm’ principle is crucial in order to avoid negative biodiversity effects from economic support programmes and to ensure that economic investments, wherever possible, contribute to biodiversity conservation and restoration;
30. UNDERLINES that the EU sustainable finance taxonomy is expected to help guide investment towards a green recovery, including through the promotion of biodiversity-friendly investments;
31. AWARE of the importance of sustainable mining industries in the EU; STRESSES the need to avoid, minimise and, if not possible, compensate for negative impacts of mining on biodiversity with the aim of decreasing its ecological footprint within the EU and globally; and UNDERLINES that circular business models and the use of secondary raw materials need to be encouraged;
32. WELCOMES that the Commission, in cooperation with Member States, will develop in 2021 methods, criteria and standards to describe the essential features of biodiversity, its services, values, and sustainable management and use, including measuring the ecological footprint of products and services, such as through life-cycle approaches and natural capital accounting;
33. WELCOMES the Commission's initiatives for a European Business for Biodiversity movement and sustainable corporate governance; STRESSES the key role of the private sector for biodiversity protection and biodiversity-friendly value chains by better managing biodiversity on their own sites, striving to decrease the ecological footprint of products and services, and working with supply chains in order to mitigate ecosystem damage, reduce pollution and stop deforestation; and CALLS ON the Commission to integrate relevant aspects of the Strategy when developing guidance for key economic sectors;

34. **UNDERLINES** that actions taken against biodiversity loss must be underpinned by sound science and that investing in research, innovation, knowledge exchange, raising awareness, and education will be key to gathering the best data and finding the best solutions; **STRESSES** the need for intensified use of existing knowledge originating from European, international and regional research projects and from local knowledge and indigenous peoples' knowledge, based on their free, prior and informed consent, as well as for a deepening of inter- and transdisciplinary research on biodiversity to ensure that the objectives of the Strategy are reached; **SUPPORTS** an ambitious biodiversity research agenda, the establishment of the Biodiversity Partnership and other relevant Partnerships delivering on biodiversity within the new Research and Innovation Framework Programme Horizon Europe; **WELCOMES** the Commission's announcements that it will establish a new Knowledge Centre for Biodiversity in 2020 in close cooperation with the European Environment Agency and to propose a Council Recommendation on encouraging cooperation in education for environmental sustainability in 2021;

THE EUROPEAN UNION FOR AN AMBITIOUS GLOBAL BIODIVERSITY AGENDA

35. **HIGHLIGHTS** that biodiversity is a core priority of the EU's external action and that it is necessary to ensure high ambition of the EU and Member States as well as to mobilise all efforts for the benefit of the world's biodiversity; **STRESSES** that international and regional engagement and cooperation will be crucial in responding to the biodiversity crisis and **CALLS ON** the Commission and the High Representative to scale up outreach on biodiversity as part of a coherent EU Green Deal diplomacy;
36. **EXPRESSES DEEP CONCERN** that progress on the achievement of globally agreed Aichi biodiversity targets under the United Nations Convention on Biological Diversity for the 2011-2020 period has been largely insufficient, as none of the targets have been fully reached; **REMAINS ENTIRELY COMMITTED** that the EU will lead by example and undertake all efforts to agree a new and transformative ambitious post-2020 global biodiversity framework at the upcoming 15th Conference of the Parties to the Convention on Biological Diversity;

37. ACKNOWLEDGES the EU's global ecological footprint and the urgent need to reduce the negative global effects of the EU's production and consumption, not least to enhance the credibility of the EU's leadership role;
38. STRESSES that the elements outlined in the Strategy - overarching global goals for biodiversity for 2050, ambitious global 2030 targets in line with the EU commitments in this Strategy, a much stronger mechanism for implementation, monitoring and review process, an enabling framework to bring the ambition to life, across areas such as finance, capacity development, research, innovation and technology, access to genetic resources and the fair and equitable sharing of the benefits arising from the utilisation of genetic resources linked to biodiversity and a principle of equality, including the full and effective participation of indigenous peoples and local communities - are a very good basis for further discussions at the international level and give input to the EU position for the 15th Conference of the Parties to the Convention on Biological Diversity;
39. HIGHLIGHTS, in relation to the role of indigenous peoples, the importance of the United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295);
40. REAFFIRMS the importance of the precautionary approach, included in the Rio Declaration on Environment and Development, for the Convention on Biological Diversity and its protocols;
41. WELCOMES the work under the Cartagena Protocol, in particular with regard to assessing possible adverse effects associated with biotechnologies; furthermore, CALLS UPON all Parties to the Nagoya Protocol to strengthen their efforts to make the Protocol fully operational;
42. EMPHASISES in this context the importance of seeking synergies and co-benefits with biodiversity-related Multilateral Environmental Agreements and between the three Rio Conventions, and of integrating biodiversity considerations and goals in relevant international and regional processes;

43. RECALLS the commitments and efforts made within the Commission on Genetic Resources for Food and Agriculture of the United Nations' Food and Agriculture Organisation to implement the principles of conservation and sustainable development, particularly in relation to animal, aquatic, plant and forest genetic resources, as well as emerging thematic areas including microorganisms, invertebrates, nutrition and health; and ASSERTS the importance of close and constant cooperation with this forum with the aim of achieving common goals, utilising resources efficiently and avoiding duplication;
44. ACKNOWLEDGES that marine and terrestrial ecosystems in the overseas countries and territories associated to the EU have exceptionally high biodiversity value;
45. HIGHLIGHTS the importance of achieving a good environmental status of marine ecosystems; UNDERLINES that the EU supports and calls for the conclusion of an ambitious legally binding international agreement on marine biological diversity of areas beyond national jurisdiction (BBNJ) under the United Nations Convention on the Law of the Seas (UNCLOS) in 2021 and will continue to support the designation of two vast Marine Protected Areas in the Southern Ocean and of the South-Atlantic Whale Sanctuary under the International Convention for the Regulation of Whaling for which it will use all its diplomatic leverage and outreach capacities to help broker an agreement; REITERATES the unique and fragile nature of Arctic biodiversity; REAFFIRMS that the EU will continue to apply zero tolerance towards illegal, unreported and unregulated fishing, promote sustainable fisheries combatting overfishing and by-catch of threatened and other species, including through WTO negotiations on a global agreement to ban fisheries subsidies that are directly harmful to the sustainability of fish stocks;
46. AFFIRMS that marine minerals in the Area as defined by Article 1 of the United Nations Convention on the Law of the Sea cannot be exploited before the effects of deep-sea mining on the marine environment, biodiversity and human activities have been sufficiently researched, the risks are understood and technologies and operational practices are able to demonstrate that the environment is not seriously harmed, in line with the precautionary principle; and REQUESTS that EU and its Member States endorse this position in relevant fora;

47. **COMMITTS** to work towards a global agreement to reduce plastic marine litter;
48. **WELCOMES** the Commission's commitments to ensure full implementation and enforcement of the biodiversity provisions in all trade agreements as well as to better assess the impact of trade agreements on biodiversity, with follow-up action to strengthen the biodiversity provisions of new agreements and existing agreements that are being modernised where relevant; **FURTHER WELCOMES** the Commission's intention to present in 2021 a legislative proposal and other measures to avoid or minimise the placing of products associated with deforestation or forest degradation on the EU market;
49. **HIGHLIGHTS** that the EU and its Member States upheld their commitment to double financial flows for biodiversity to developing countries and economies in transition; **UNDERLINES** that the EU and its Member States will step up their cooperation with partners and enhance efficiency, cost-effectiveness, mainstreaming of available resources and mobilisation of new and additional resources from all sources in support of an ambitious post-2020 global biodiversity framework; **EMPHASISES** that funding for climate and for biodiversity should be mutually supportive and that an increasing share of climate funding should have co-benefits for nature and biodiversity;
50. **HIGHLIGHTS** the role of the EU's development funding instruments and their increased use to strengthen restoration, conservation and sustainable use of biodiversity globally;
51. **SUPPORTS** the Commission's commitment to take steps to crack down on illegal wildlife trade, through for example the revision of the EU Action Plan against Wildlife Trafficking in 2021, and a possible revision of the Environmental Crime Directive, including by looking at expanding its scope and introducing specific provisions for types and levels of criminal sanctions; **ASKS** the Commission to submit an ambitious proposal to close ivory trade from the EU market; **CALLS ON** Member States and the Commission to rapidly take appropriate measures aimed at monitoring, prosecuting and stopping the illegal importation of wildlife and wild meat at the EU's external borders;

52. STRESSES that the EU will apply zero tolerance to poaching and unregulated hunting;
 53. STRESSES that in all of its work, also with regard to the global outreach, the EU should strengthen the links between biodiversity protection and human rights, democracy, gender equality, health, education, conflict sensitivity, the rights-based approach, land tenure and the role of indigenous peoples and local communities;
 54. WELCOMES that, as part of their global efforts, the EU and its Member States will promote biodiversity supportive coalitions with partners and civil society around the world.
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