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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council

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To: Delegations

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Subject: Biodiversity - the need for urgent action

- Council conclusions

= statements

Delegations will find attached a statement from Sweden and Latvia, and statements from Hungary and Poland regarding the Council conclusions approved by the Council on 23 October 2020.

The statements will be entered into the minutes of the Council meeting.

SWEDEN and LATVIA

Sweden and Latvia support the Council Conclusions on Biodiversity – the need for urgent action. However, Sweden and Latvia reserve their right to define primary forest in accordance with national circumstances until the ongoing participatory processes on definitions to be used in EU is finalized and agreed by MS.

HUNGARY

Biodiversity is the absolute basis of life. The active contribution of various sectors, including the agricultural and forest sectors, to protect biodiversity is essential.

However, Hungary emphasises that the fulfilment of some of the targets put forward by the European Commission seems impossible to achieve or may place a disproportionate burden at Member State level. We consider especially that the 50 percent decrease in the overall use of chemical pesticides and the 25 percent organic farming target are unfulfillable within the timeframe of the strategy at Member State level. Moreover, the proposed extension of protected and strictly protected areas requires further clarification regarding its scientific basis and key definitions.

Hungary emphasises that legislation to support the implementation of the strategy should in all cases be based on detailed impact assessments at Member State level.

Hungary underlines that sustainable forest management is an effective framework and instrument to maintain and improve forest biodiversity. This concept should be properly considered and reflected in the forthcoming EU Forest Strategy and especially through the implementation of relevant strategies.

It is of the utmost importance that the contribution of the Common Agricultural Policy to the objectives of the Biodiversity Strategy be based on a solid legal background and be proportionate to the funds available. Farmers and forest owners should only comply with requirements that are incorporated in the basic acts or other relevant EU legislation. As the Commission's forthcoming recommendations for national strategic plans on how to address the objectives of the Biodiversity Strategy and the Farm to Fork Strategy are set to be legally not binding, they can only provide Member States with additional guidance which they may take into account when drawing up their national CAP Strategic Plans. Therefore, the Commission should assess national Strategic Plans only with reference to criteria that have appropriate legal bases. Should a Member State opt for different policy choices than the Commission recommendations, this should not entail any legal consequences with respect to the adoption of the national CAP Strategic Plans.

POLAND

The government of Poland in general supports the need to protect and to undertake common actions for biodiversity in the EU, which is of key importance for ensuring the life of people on Earth and for meeting their fundamental needs.

In order to ensure the effective implementation of the EU Biodiversity Strategy and its objectives, it is necessary that the European Commission and the Member States participate together in the development of tools necessary for its implementation. This will allow to adopt implementable measures that are based on clear and understandable criteria .

In this context the government of Poland emphasizes that it is extremely important to ensure real participation of the Member States in the development of definitions, including the definition of strict protection, as well as in the elaboration of criteria and guidance for identifying and designating additional protected areas and ecological corridors and guidance for selection of habitats and species to ensure that at least 30% of protected species and habitats will reach a favourable status, as announced in the Strategy, because they will be of key importance in the implementation of the document, and in particular - in the interpretation of the provisions contained in it.

It is premature to determine in the Council conclusions on the method of distribution of the efforts to achieve EU targets among Member States. Poland believes in particular that at this stage one should not decide on the elements which should be taken into account when deciding what part of the EU target will be allocated to individual Member States. This process will be of fundamental importance for achieving the objectives of the Strategy and requires thorough analysis in the Member States.

At the same time, Poland supports the need to maintain healthy and resilient forest ecosystems that will be able to fulfill many functions. However, in European conditions the thesis about the decline of biodiversity in managed forests has not been confirmed, quite opposite, there are examples of biodiversity decline in the forests that are under strict protection. Poland points out that at the time when the strategy was approved, definitions had not been adopted, including definition of old-growth forests. The definition of this term is currently under discussion and it is difficult to predict the final result. In this situation, taking into consideration the diversity of natural conditions in individual Member States, it is also difficult to talk about designation and monitoring of undefined forests and about the methods of their protection. According to Poland, a definition should be presented, consultations with Member States should be conducted and a simulation of the area covered by these forests as well as estimation of socio-economic effects of their strict protection should be made.

It should be emphasized that in the context of the observed climate changes, the scale and impacts of which are difficult to predict, the assessment of their environmental effects is also becoming an increasing challenge. The inability to respond to disturbances also in the areas potentially defined as old-growth forests may lead to the dying out of entire forest complexes, and some of them may irretrievably lose their natural values and functions. It should be underlined that forests in Poland have been and are managed in a sustainable manner, respecting biological diversity, and thanks to a sustainable approach to resources, including natural resources, a network of various forms of nature protection has been operational. The management of forest resources is based on a model of sustainable forest management that ensures the sustainability, continuity and vitality of forests, providing at the same time a shelter and habitat for many species. Hence, Poland is especially concerned that the activities planned under the Strategy will bring further positive effects, first of all, for the natural heritage of the entire EU and individual Member States, as well as for the living conditions and health of all citizens.