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WHAT DOES THE EU NATURE RESTORATION REGULATION MEAN FOR AGRICULTURE?

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KEY MESSAGES

1. The Nature Restoration Regulation has an important role to play in the necessary reform of agriculture, not just to stop biodiversity loss, but also to achieve climate change mitigation, climate change adaptation and soil degradation neutrality and the improvement of food security.

2. Member States must take the restoration measures necessary to enhance the biodiversity of agricultural ecosystems, with a focus on two out of the following three indicators: the grassland butterfly index, the stock of organic carbon in cropland mineral soils, the percentage of agricultural land with high diversity landscape elements. Separate goals apply to farmland birds and drained peatlands. These measures are additional to those required for habitat types and habitats of species occurring in agricultural ecosystems.

3. Achieving these goals requires a significant package of measures at the intersection of nature, climate change, soil, and agricultural policies aiming at transforming intensive agriculture to become more extensive, more organic, and, in general, more sustainable.

Why do we need a target on agricultural ecosystems?

Recent research into the sharp decline in the number of breeding birds in Europe identifies intensive agriculture as the main cause of this decline, mainly due to the use of pesticides and fertilizers.[1] The decline in the number of insects is also mainly attributed to intensive agriculture.[2] At individual Member State level, similar reports have been published. The Netherlands Environmental Assessment Agency, for example, shows that since 1960, the populations of farmland birds in the Netherlands have declined by an average of more than 70% due to economies of scale and increasing intensification of agricultural management and land use, in combination with strong drainage of the agricultural area.[3] The Agency cites concrete reasons for the decline: deterioration of the availability of food, and reduced nesting opportunities and opportunities to rest and seek cover, especially for ground nesters. It is also established that agricultural nature management, such as field edge management and nest protection, has so far been unable to stop the decline.[4] Grassland butterflies have declined by an average of 80% in the 20th century, and have halved since 1992.[5]

The intensification of agriculture has not only led to biodiversity loss, it has also reduced soil quality, making agricultural soils less resilient to the effects of climate change, such as periods of drought, heat and heavy rainfall. In drained peat areas, subsidence of the soil also occurs. As a consequence, sea level rise has a negative impact more quickly, such as due to the increasing influence of salt or brackish seepage water. In the long term, these effects put food security at risk.

This makes it clear that the Nature Restoration Regulation has an important role to play in the necessary reform of agriculture. After all, Article 1 of the Regulation sets out not only the restoration of degraded ecosystems as a goal, but also the achievement of objectives in the areas of climate change mitigation, climate change adaptation and soil degradation neutrality and the improvement of food security.[6] This is in line with the European Climate Law, already adopted in 2021. In its Article 5(4), this Regulation requires Member States to take into account the special vulnerability of agriculture and water and food systems, as well as food security, in their national Adaptation Strategy.[7] This provision requires Member States to promote nature-based solutions and ecosystem-based adaptations. Both the European Climate Law and the European Nature Restoration Regulation thus require nature-oriented adaptation measures for agriculture, with the difference that the Nature Restoration Regulation contains more detailed provisions and uses slightly stronger legal wording.

What does the Nature Restoration Regulation say about agricultural ecosystems?

Article 11: agricultural ecosystems

1 **General obligation to enhance biodiversity**

How does the European regulator envisage this? Article 11 concerns the restoration of agricultural ecosystems and, in the first paragraph, imposes a general obligation on Member States to take the restoration measures necessary to enhance the biodiversity of agricultural ecosystems. Compared to the European Commission's original proposal, the text of Article 11 has been weakened, especially under the influence of the farmers' protests in the winter of 2023/2024. For example, the first section adds that restoration measures should consider climate change, the social and economic needs of rural areas and the need to ensure sustainable agricultural production in the Union. This is a rather broad and vague addition that potentially allows for a whole range of activities that might negatively affect biodiversity.

Sections 2, 3 and 4 then flesh out this general obligation to improve by establishing several indicators that must be used to determine that there has been an improvement (section 2), rules with a view to increasing the number of farmland birds (section 3) and rules regarding the restoration of drained peatlands (section 4).

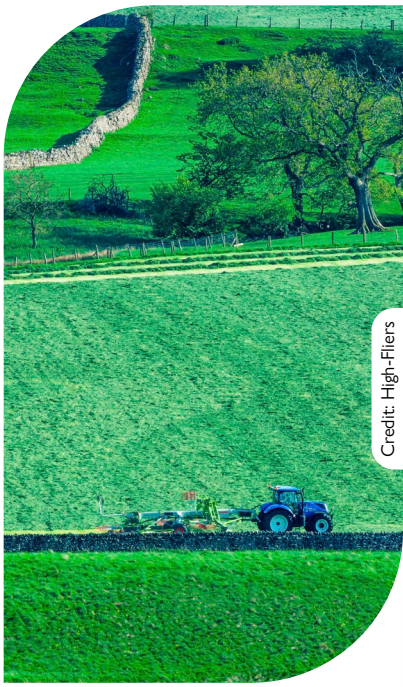
2 **Grassland butterflies, organic carbon in soils, and high-diversity landscape features**

The second section contains three indicators by which the improvement must be measured. Here too, a weakening has taken place: in the proposal, all indicators had to show an increasing trend,

1. Stanislas Rigal et al., 'Farmland practices are driving bird population decline across Europe' (2023) 120 PNAS e2216573120.

2. Peter H Raven and David L Wagner, 'Agricultural intensification and climate change are rapidly decreasing insect biodiversity' (2021) 118 PNAS e2002548117.

3. Planbureau voor Leefomgeving (PBL), 'Trend van boerenlandvogels, 1915-2024' (Compendium voor de Leefomgeving, 2025), ***https://www.clo.nl/indicatoren/nl147916-trend-van-boerenlandvogels-1915-2024*** <accessed 23 February 2026>.



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4. Ibid.

5. PBL, 'Trend van graslandvlinders, 1992-2024' (Compendium voor de Leefomgeving, 2025), <***https://www.clo.nl/indicatoren/nl118118-trend-van-graslandvlinders-1992-2024***> accessed 23 February 2026.

6. Regulation (EU) 2024/1991 of the European Parliament and of the Council on nature restoration and amending Regulation (EU) 2022/869 [2024] OJ L2024/1991, Art. 1.

7. Regulation (EU) 2021/1119 of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') [2020] OJ L243, Art. 5(4).

whereas in the adopted version, it is sufficient if two of the three indicators show an increasing trend. The first indicator is the grassland butterfly index for species such as wall brown, dingy skipper, common blue, small copper and orange tip. For many Member States, this will be a difficult indicator, as due to the intensification of agriculture, suitable grasslands are hard to find for butterflies in many agricultural areas across Europe. The second indicator is the stock of organic carbon in cropland mineral soils, which is clearly linked to climate policy, both in terms of mitigation (healthy soils contain a lot of carbon, which can enter the atmosphere, including through intensive ploughing, and contribute to climate change) and adaptation (carbon-rich soils have a greater water retention capacity and are therefore more resistant to drought). The organic matter content is also declining in many Member States, although there are enormous differences depending on soil type and type of use. The percentage of agricultural land with landscape elements with high diversity is the third indicator of Article 11, section 2. This concerns buffer strips, hedgerows, individual trees or groups of trees, tree rows, field edges, ditches, small ponds, and the like.[8]

These three indicators are further elaborated in Annex IV to the Regulation, which also determines, for example, which monitoring method should be used. The European Commission is authorized to specify this further.[9] Measuring progress is done in six-year periods; the first period runs from 18 August 2024 to 31 December 2030. It is up to the Member States to decide which measures are taken, as long as the six-yearly measurements show an increasing trend and, ultimately, satisfactory levels are reached. What the latter entails is not specified in the Regulation because it cannot be stated in general terms, as it depends on the local ecological conditions. Member States must determine for themselves, by 2030 at the latest, what the satisfactory levels are for the three indicators. They must do this *'through an open and effective process and an assessment based on the most recent scientific findings'*.[10] The European Commission has been given the power to establish a 'guiding framework' for the indicators,[11] which Member States must also take into account when determining satisfactory levels.

3 Farmland birds

Annex V contains a list of common farmland birds for each Member State, such as grey partridge, common quail, northern lapwing, little owl, Eurasian skylark, barn swallow and Eurasian tree sparrow.[12] Member States must have determined the level of these species by 1 September 2025, which will then be put at 100. For Member States with historically more depleted populations, the level should be 110 in 2030, 120 in 2040 and 130 in 2050. Thus, an increase of 30% in 2050. For less depleted populations the improvement percentages are lower (105 in 2030, 110 in 2040 and 115 in 2050).[13]

4 Drained peatlands

Under the influence of the farmers' protest during the negotiations, the fourth paragraph of Article 11 has become an extremely long provision, and the objective has also been scaled back. This provision requires Member States to take measures to restore agricultural organic soils consisting of drained peatlands, partly by rewetting them. Drained peatlands emit many greenhouse gases. In the Netherlands, for example, approximately 2-3 percent of total Dutch emissions are accounted for by drained peatlands.[14] Rewetting reduces CO2 emissions and therefore also plays a role in climate policy, as is also mentioned in Article 11(4).[15]

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8. Art. 11(2) NRR.

9. Art. 20(11) NRR.

10. Art. 14(5) NRR.

11. Art. 20(10) NRR.

12. Annex 5 NRR.

13. Art. 11(3) NRR.

14. Stowa, Nationaal onderzoeksprogramma broeikasgassen veenweiden, Samenvatting eerste meetjaar (2019-2020) (Stowa 2021-28, 2021), 3.

15. Art. 11(4) NRR.

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The provision first sets the goals: 30% of such areas restored by 2030, 40% by 2040, and 50% by 2050, of which at least one-third must be rewetted. In the proposal, the targets for 2040 and 2050 were much more ambitious: 50% in 2040 and 70% in 2050, of which at least half would be rewetted. Lowering these targets is a missed opportunity because it is inevitable that under future climate change laws and policies in the EU, CO2 emissions from agriculture will have to go down and carbon sequestration on agricultural lands will have to go up. Rewetting peatlands is a very effective and efficient way to do so. Member States, therefore, have good reason to rewet peatlands beyond what is strictly required, as this helps them to achieve their climate goals.

The rest of the provision mainly contains derogations in favour of farmers. For example, 40% of the target may be achieved in non-agricultural areas, such as nature reserves. The national restoration plan may also provide that the extent of rewetting of peat areas used for agriculture is less than required if such rewetting is 'likely to have significant negative impacts on infrastructure, buildings, climate adaptation or other public interests and if such rewetting cannot take place on land other than agricultural land'. However, the most important weakening of the objectives is the rule that rewetting cannot be made mandatory for farmers and private landowners; rewetting remains voluntary for them, the Regulation says, unless national law provides otherwise. The Regulation further stipulates that rewetting by farmers and private landowners should be encouraged through access to training and advice on the benefits of rewetting peatlands and on subsequent land management options.

Other relevant articles for agricultural ecosystems

1 In the Nature Restoration Regulation

It should be noted that the Nature Restoration Regulation can have an impact on agriculture, even apart from the measures under Article 11. After all, there are also general restoration obligations for habitat types and habitats of species in terrestrial ecosystems in Article 4 and an independent restoration obligation for pollinator populations is included in Article 10. The decline in insects that pollinate plants must be stopped by 2030, after which an increase must take place until satisfactory levels have been achieved. Since it is generally accepted that pesticide use in agriculture is the main cause of insect declines, restoration measures will have to focus primarily on that sector.

2 Beyond the Nature Restoration Regulation

There are several other important EU laws and policies that that aim to enhance agricultural ecosystems and, as such, have an important influence on the implementation of the Nature Restoration Regulation. Examples include the Common Agricultural Policy (CAP),[16] the Soil Monitoring Law[17] and the Carbon Removals and Carbon Farming Regulation.[18] There are some cross-references in these instruments. For instance, the Nature Restoration Regulation stipulates that Member States must identify synergies with agriculture and look for options to use the CAP to help achieve the goals of the Nature Restoration Regulation.[19] Annex III to the Soil Monitoring Law lists both Strategic Plans under the CAP and National Restoration Plans as plans that need to be targeted for seeking synergies when implementing the Soil Monitoring Law.[20] Soil health data, soil health assessment results, as well as other implementing activities under the Soil Monitoring Law, need to inform both CAP Strategic Plans and National Restoration Plans.[21] Seeking synergies, therefore, is the keyword here. The newly adopted legislation offers Member States instruments that help them to set into motion a transition towards a broad adoption of sustainable forms of agriculture in their territory.

Conclusion: major impact on intensive conventional farming

The provisions of the Nature Restoration Regulation that are relevant for agriculture will have a major impact, especially in those Member States with predominantly intensive agriculture, characterized by heavy use of pesticides and synthetic fertilizers, high livestock numbers, monocultures, and intensive drainage. In those agricultural areas, most indicators are doing poorly. Hence, the Regulation requires a significant package of measures at the intersection of nature, climate change, soil, and agricultural policies. It seems that only a broad policy package which aims to transition intensive agriculture to become more extensive, more organic, and, in general, more sustainable, will be able to do the job.

16. Regulation (EU) 2021/2116 of the European Parliament and of the Council on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013 [2021] OJ L435; Regulation (EU) 2021/2115 of the European Parliament and of the Council establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 [2021] OJ L435.

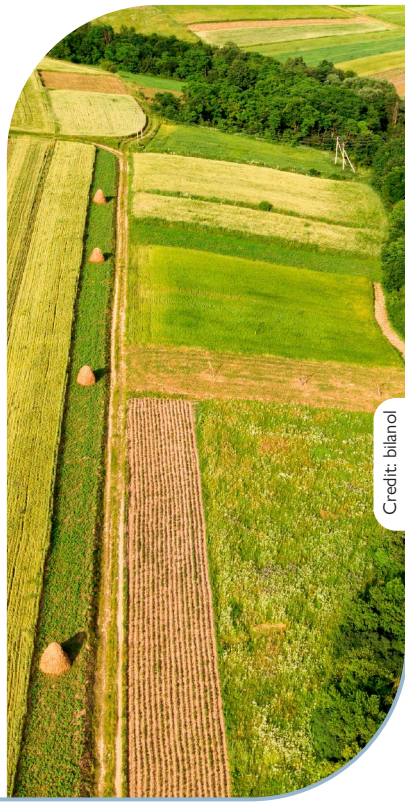
17. Directive (EU) 2025/2360 of the European Parliament and of the Council on soil monitoring and resilience (Soil Monitoring Law) [2025] OJ L2025/2360.

18. Regulation (EU) 2024/3012 of the European Parliament and of the Council of 27 November 2024 establishing a Union certification framework for permanent carbon removals, carbon farming and carbon storage in products (CRCF) [2024] OJ L2024/3012.

19. Art. 11, section 10 NRR.

20. Art. 11(2)(c) SML.

21. Art. 10(6) SML.



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