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2030 for the EU: Real steps of change?

A short commentary on Biodiversity Strategy and Farm to Fork

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Setting the scene

Even though it is a *political* declaration, still in need to be adopted by its member States, a lot has already been said about the EU 2030 Biodiversity Strategy and the Farm to Fork Strategy. *It is a political milestone. It is too little and too late. It needs to be decolonized. It gives too*

much emphasis on protected areas. It should – following O. Wilson' Half the Earth¹ – aim higher for protected areas. Climate neutral is not enough. Climate neutral costs too much. It will kill the economy. It will create new green jobs.

The list of praises and accusations is long and, most interestingly, intrinsically contradictory. This is perhaps no surprise given the complexity and gravity of the environmental crisis, and the repercussions, on the short and long term, the crisis and the actions addressing it may have on the economic lives of citizens, businesses and States.

The Covid-19 pandemic adds other similarly contradictory stances: it is an occasion to change the world for the better, but it also forces us to focus on the *here and now* to save lives and jobs. The Strategy, whose subtitle is *Bringing nature back into our lives*, seems to speak to people in lock-down, building on their sense of suffocation from strict indoor living and on the beautiful and nourishing memories of moments spent in nature. However, the Strategy also, and mostly, speaks to industries and entrepreneurs who are projected to the post-Covid time to *bring business back into their lives*.

Regardless of its complexity, a few considerations can nevertheless be drawn mostly about its overarching and subterranean wires and themes.

A restoration, not just conservation, plan

The Strategy clearly aims at being more than an instrument to halt biodiversity loss. It also aims at setting Europe's biodiversity on the path to recovery by 2030. Mentioning and building on the concept of recovery means acknowledging the extent of the damages that have already been done. The Strategy, in fact, recognizes the failure of existing EU legal frameworks, strategies and action plans, as well as the lack of a harmonic governance framework. To overcome this

¹ Wilson E.O. 2016. *Half-Earth. Our Planet's Fight for Life*. Liveright Publishing Corporation, New York and London.

flaw, the Strategy commits States to adopt clear deadlines for the implementation of already existing regulations – that have been declared good but poorly implemented – and to increase focus on Impacts Assessment. On this direction, it calls States to create a New European Biodiversity Governance Framework to guide the implementation of such commitments, to set a roadmap to reach them, and to establish indicators for evaluating whether commitments have been reached. Interestingly, the Strategy hints at the possibility of adopting a legally binding approach to governance if results are not adequate by 2023. In particular, it suggests (for the first time) the adoption of a set of legally binding restoration targets with periodic impact assessments (alike human rights obligations under, for example, the 1966 International Covenant on Civil and Political Rights). However, as these targets should be adopted at the EU level, it will be tricky to lower them at the country level, when members will have to decide how to share the burdens.

Moreover, the Strategy requires member States to improve the conservation status of at least 30% of their species and habitats. This latter goal will require a lot of efforts and (hopefully) consistency in the mapping of the current state of conservation of species and habitats – as the implementation of REDD has shown, the setting of the baselines against which the improvement shall be calculated is a tough enterprise. Beside the problems of governance, the Strategy also underlines that the enforcement and implementation of EU environmental legislation is lacking consistency and effectiveness. It is due to many problems, among which the diversity of member States, and the habit of many of them to wait until the very end of the deadline to turn Directives' into national laws, hence writing them without the necessary time to make them harmonic with the rest of the national legislation.

Restoration is a courageous but tricky enterprise. Ecosystems find new equilibria and the introduction of species (rewilding animals from

captive breeding, for example) is a potential danger for other species that have adapted to the new situation. These issues are relevant for all ecosystems and require attentive studies for both animal and plant species. The latter will be particularly concerning because the restoration plan gives a lot of attention to forest restoration. The choice is not a surprise given that increasing tree covers can, at once, promote biodiversity conservation and carbon sequestration,² (not to mention their cultural and recreational value, as well as their role in soil and water management). Of course, it all depends on how afforestation and reforestation efforts are implemented (which species, with which diversity, in which areas). The Strategy mentions the need to adopt an EU Forest Strategy which should include a roadmap to plant at least 3 billion trees by 2030, in respect of ecological principles, in public and private lands as well as in rural and urban areas. Rural Areas are particularly targeted by the Strategy (maybe also because of the lock-down experience) and mayors are called to increase the presence of nature-based solutions and measures in their cities.

In line with the green-growth approach of the Strategy, afforestation and reforestation activities are expected to create new jobs in different sectors (from planting trees to develop the Forest Information System for Europe and monitor forests development).

Protected areas

The main instrument chosen to protect and restore biodiversity is the creation and improvement of a coherent Trans-European network of protected areas.³ The Strategy sets an, apparently, very high objective: the transformation of at least 30% of EU land and sea in protected areas connected through ecological corridors and with, at least 10% of it, a strict protection category.

² Lewis S.L. and Wheeler C.E. 2019, *Regenerate natural forests to store carbon*. Nature, 568, pp. 25-28.

³ The IUCN defines a protected areas “a clearly defined geographical space, recognised, dedicated and managed, through legal or other effective means, to achieve the

long-term conservation of nature with associated ecosystem services and cultural values” (Dudley N. (ed.). 2008. *Guidelines for Applying Protected Area Management Categories*. IUCN, Gland, p. 8).

This approach reveals the perception of a strong dichotomy between people and nature, where people are pictured as harmful for biodiversity conservation and nature as detached from everyday life, livelihoods and cultural and spiritual practices of people. This approach has been strongly criticized in the last 30 years, with an increased acknowledgement of the inextricable link between people and nature, the discovery and recognition of the value of biocultural diversity, and the acceptance of the fact that *pristine* ecosystems are nearly impossible to find. In fact, the creation of protected areas, strict ones in particular, may endanger local communities living in or relying on them, which may be pushed away from their traditional lands and waters. The many protected areas that have been established during and after the colonial times in Africa, Asia and America, have often been erected on the lands of indigenous peoples and local communities that had long conserved and protected them (to the point that they were elected as *pristine* areas). The results have been the denial of basic rights for the purpose of conserving nature and, in certain cases, actually creating tourism activities for less sustainable fragments of society.

While the recognition of the limits of strict protected areas and the protected area system needs to be underlined and might have been disregarded in the Strategy, it shall also be noted that Europe is somewhat different from other areas of the world. It is to be noted that, currently, 25,6% of the EU terrestrial land is already protected,⁴ hence the increase is unlikely to lead to particularly destructive (nor positive) outcomes. Moreover, local communities and indigenous peoples represent a small % of the population and an attentive approach toward the selection of the areas to be turned into strict protected areas (which overall should account for only 3% of

EU land and sea) should not endanger their livelihoods and practices. Moreover, they are much better positioned than African, South American, aboriginal or Native Americans to claim for the respect of their rights.

Truth is, however, that reference to *conserved* area and local communities and indigenous peoples contribution to biodiversity protection could have been done. This approach would have been in line with the Convention on Biological Diversity call to rely, also, on *other effective area-based conservation measures* (OECMs), i.e. “geographically defined areas other than protected areas, which are governed and managed in ways that achieve positive and sustained long-term outcomes for the *in situ* conservation of biodiversity, with associated ecosystem functions and services and, where applicable, cultural, spiritual, socio-economic, and other locally relevant values.”⁵ In particular, the ICCA Consortium provides a wide range of examples of areas which are effectively *conserved* without being officially *protected*⁶ thanks to the governance and management of local communities and indigenous peoples.⁷ Moreover, reference could have also been made to the spiritual and cultural value that natural assets that fall within protected areas have for local communities and indigenous peoples and to the extensive work done by the IUCN to promote their management in full respect of human rights.⁸

At the same time, primary and old-growth forests are highly threatened by logging companies and other industries, and it may be hard to halt the expansion of highly populated cities or the building of new rural houses (often for tourism purposes) unless certain areas are fenced as protected. It is also to be noted that the era of sole strict protection is over, and protected areas are

⁴ Either as under Natura 2000 or national designations or some combination of the two (European Environmental Agency). According to the <https://data.worldbank.org/indicator/ER.LND.PTLD.ZS> it is 25.9%.

⁵ Convention on Biological Diversity. 2018. *Protected areas and other effective area-based conservation measures*. COP Decision XIV/8, Annex II: Voluntary guidance on effective governance models for management of protected areas.

⁶ On the not complete overlap between OECMs, protected areas and conserved areas see Sajeva G., Borrini-

Feyerabend G. and Niederberger T., 2019. *Meanings and more... Policy Brief of the ICCA Consortium no. 7*. ICCA Consortium in collaboration with Cenesta, p. 39 f.

⁷ See <https://www.iccaconsortium.org/>.

⁸ See IUCN's World Commission on Protected Areas Specialist Group on Cultural and Spiritual Values of Protected Areas (Available at: <https://csvpa.org/about/>).

diverse in terms of governance and objectives,⁹ and are able to encompass very different forms of human engagement. They are not, necessarily, based on a strong human-nature dichotomy. *The devil is in the detail and its implementation.*

On the more ecological level, critiques have been raised because of the focus on primary and old forests which shall all be put, the Strategy claims, under strict protection together with any other carbon-rich ecosystems. It seems, in fact, that primary and old-growth forests are very diverse and, hence, hard to define. Moreover, if national states are the ones (who else?) to decide which areas qualify as such in their territories, they may be tempted to oversee some areas if the cost of turning them into strictly protected areas is perceived as too high.

Marine Ecosystems

The global ocean system provides us with half the oxygen we breathe and stores a quarter of the CO₂ we produce. It is responsible for controlling global climate regulation and weather patterns including levels of wind and rain. Marine ecosystems provide humanity with numerous health, social and economic benefits including food, coastal protection, tourism, etc. However, anthropogenic climate change is altering the physical and chemical makeup of the ocean through warming, acidification, deoxygenation and other stressors.¹⁰ Marine biodiversity is declining at unprecedented rates, global fish stocks are in a troubling state, ecologically destructive and unsustainable fishing practices *still* abound, and the distribution, productivity and abundance

of marine species is changing.¹¹ This has, and will continue to have, a severe impact on the aforementioned marine benefits unless effective action (legislative or otherwise) is taken to adapt to, mitigate, or eliminate these issues.

The EU Biodiversity Strategy addresses three key interlinked and interrelated marine environmental topics: i) protection and restoration; ii) fisheries and; ii) the seabed. The Strategy suggests how issues relating to these topics are to be dealt with at both the 'European' level and internationally by way of the EU's International Oceans Governance Policy.¹² These three topics are addressed in turn and some critiques and preliminary conclusions are reached.

Protection and Restoration

Presently, only 11% (8% with Natura 2000 designation) of EU seas are protected, and only 1% are strictly protected. The Strategy suggests that 30% of the sea should be protected in the EU, with 10% to be strictly protected by 2030. This 30x30 model aligns with the proposed Convention on Biological Diversity (CBD) post-2020 Global Biodiversity Framework.¹³ This protection comes by-and-large in the form of marine protected areas (MPAs), broadly defined by the European Environment Agency as "geographically distinct zones for which protection objectives are set."¹⁴ Coherent networks of MPAs can function together at a variety of protection levels and scales, and the aim is to have 30% of EU seas within these networks by 2030. At present, Europe's MPA network is not ecologically representative, with a majority of MPAs existing in coastal zones (six times greater than in offshore waters), and some MPAs affording protection only to the water column, rather than the seabed,

⁹ The IUCN has identified six management categories, each characterized by a main management objective (Borrini-Feyerabend G., Dudley N., Jaeger T., Lassen B., Pathak Broome N., Phillips A. and Sandwith T. 2013. *Governance of Protected Areas: from understanding to action*. Best Practice Protected Area Guidelines Series No. 20, IUCN, Gland).

¹⁰ Intergovernmental Panel on Climate Change, 'Summary for Policymakers' in H.O. Pörtner et al. (eds.) *IPCC Special Report on the Ocean and Cryosphere in a Changing Climate* (in Press, 2019).

¹¹ Diaz S. et al. 2019. 'Summary for policymakers of the global assessment report on biodiversity and ecosystem

services for the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services'. IPBES, Bonn, available at: https://www.ipbes.net/sites/default/files/downloads/spm_unedited_advance_for_posting_htn.pdf.

¹² See https://ec.europa.eu/maritimeaffairs/policy/ocean-governance_en.

¹³ CBD/WG2020/2/3, available at: <https://www.cbd.int/conferences/post2020/wg2020-02/documents>.

¹⁴ See <https://www.eea.europa.eu/themes/water/europes-seas-and-coasts/assessments/marine-protected-areas>.

its subsoil and the organisms that inhabit there – leaving them exposed to exploitation. On a positive note, the EU did manage to reach its target of protecting 10% of its maritime space by 2020 two years early, in line with the CBD’s Aichi Target 11. This indicates that the 30% goal could be achieved, however unless greater effort is made to protect a broader spectrum of biodiversity components, improve the interconnectivity of the MPA network, and have a coherent monitoring and enforcement system, this 30% of European seas will be “protected” in name only.

When the marine environment is given adequate protection, it has an astonishing ability to recover from damage over time. The Strategy notes the value of ecosystem restoration and its potential benefits for climate adaptation and mitigation, and considering biodiversity loss is exacerbated by climate change, restorative action seems vital. Restoration of carbon-rich marine ecosystems (i.e. kelp forests) can help to lock CO² out of the atmosphere and play a role in alleviating the negative effects of climate change. Adequate protection of fish spawning and nursery areas will provide future catches for generations to come. Much of this can be achieved by damage reduction strategies including the application of ecosystem-based management.¹⁵ The Strategy notes the development of a protection plan for marine ecosystems and fisheries due for 2021 – this is a welcome addition to the current roadmap of ocean protection measures but will require the adequate implementation and engagement by Member States.

Internationally, the EU’s approach is ambitious and impressive. The Strategy discusses the EU’s role in the development of the proposed legally binding instrument to regulate marine biological diversity in areas beyond national jurisdiction (BBNJ), currently under negotiation at the United Nations (although on hold due to the Covid-19 pandemic). In these negotiations the EU is advocating for the setting of clear procedures for identifying, designating and effectively managing ecologically representative MPAs in the high seas. Further, the Strategy highlights

the EU’s commitments to the multilateral designation of MPAs in the Southern Ocean through the framework of Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR). Following from the successful 2017 declaration of the Ross Sea MPA – a 1.5million km² area of ocean protected from commercial fishing for 35 years¹⁶ – the EU plans to support the designation of two further MPAs in the Southern Ocean - one in the Weddell Sea and one off the coast of East Antarctica. Of course, these are policy *promises* rather than direct action - and much will rely on the stance of other States Parties in the negotiation process of both the BBNJ and CCAMLR meetings. This is perhaps where the so-called “green-blue diplomacy” approach by the EU may prove promising in achieving greater protection for the global ocean.

Fisheries

It is difficult to view the Strategy’s discussion of ambition for further protection and restoration of marine ecosystems - European or further afield - as a negative issue. Extractive activities, such as fisheries, warrant more criticism and the EU does not have the best track record in this regard. The EU’s Common Fisheries Policy (CFP) was reformed in 2013, however the 2015 deadline to end overfishing “where possible” has long since passed and the “hard” 2020 deadline agreed through the CFP to end overfishing has also been reached. CFP commitments by officials are rarely achieved - this is due to catch limits for various fish stocks being set much higher than scientific advice, often as the result of murky political arrangements which leave the general public in the dark. According to Pew Charitable Trusts, 48% of catch limits set for 2020 were above scientific advice - this is wholly unsustainable, not in line with the precautionary principle, and warrants obvious improvement.¹⁷ However, the Strategy discusses a number of positive developments. Including further implementation of the ecosystem approach to reduce adverse impacts of fishing, measures to reduce bycatch, reduce harmful fisheries subsidies, and

¹⁵ Enshrined in the Common Fisheries Policy (2015/183/EU), Marine Strategy Framework Directive (2008/56/EC) and the Maritime Spatial Planning Directive (2014/89/EU).

¹⁶ See CCAMLR Conservation Measure 91-05 (2016), available at: <https://www.ccamlr.org/en/measure-91-05-2016>.

¹⁷ See <https://pew.org/3fRXmsa>.

limit the use of harmful fishing gear, all supported by the European Maritime and Fisheries Fund. All of these actions, if implemented correctly and complimented by catch levels set in line with scientific advice, should reduce or slow marine biodiversity loss in EU waters. It is important to note here that the EU can (and does) seek access to fish in waters of other countries – this aims to take pressure off EU stocks, but instead simply shifts pressure on to stocks elsewhere. Addressing the issue of overcapacity in the EU fleet would perhaps better serve to achieve healthy and sustainable fisheries. Finally, the Strategy discusses the benefits of MPAs in achieving sustainable fisheries and suggests that fisheries management measures will be established in all MPAs on the basis of the best scientific advice. This reflects the economic focus of the Strategy and appears to be an attempt to “balance” the socioeconomic needs with environmental needs. Countless examples tell us that in achieving this so-called “balance” the environment tends to lose out. Again, it falls on Member States to ensure enforcement of fisheries management measures within MPAs so that they can achieve their goal of adequate marine biodiversity protection.

The Seabed

The seabed is featured rather prominently in the Strategy, however this is unsurprising considering the volume of international attention it has received in recent years. This is a sensitive habitat that not only has unique biodiversity, fragile ecosystems, but also harbours potentially exploitable marine minerals, especially in the international seabed area. At a local EU level, further damage to the seabed from destructive fishing practices is the main concern (mentioned above). Internationally, the Strategy indicated that:

“the EU should advocate that marine minerals in the international seabed area cannot be exploited before the effects of deep-sea mining on the marine environment, biodiver-

sity and human activities have been sufficiently researched, the risks are understood and the technologies and operational practices are able to demonstrate no serious harm to the environment”.¹⁸

This shows clear alignment with the precautionary principle,¹⁹ and is a stark contrast between the EU’s approach with fisheries discussed above. Compared to some States’ view of the international seabed area as a “final frontier” for exploitation, the EU approach should be commended when coupled with the fact that the EU intends to research “safe” extraction technologies for seabed mineral resources. Finally, the Strategy indicates that the EU should advocate for greater transparency in the international body which governs exploitation of seabed resources - the International Seabed Authority (ISA) – which has been criticised for lack of transparency in availability of information, participation in decision making and access to outcomes.²⁰ What the future holds for the exploitation of seabed minerals remains uncertain, and depends on the outcome of the ISA’s development of the “Mining Code” - a set of rules and regulations for the exploitation of marine minerals in the seabed area. Currently, the ISA has adopted regulations on prospecting and exploring for polymetallic nodules, polymetallic sulphides, and cobalt-rich ferromanganese crusts.²¹ The exploitation regulations of the Mining Code are under development, and hopefully the EU can exercise some influence to ensure the end result ensures marine minerals can be exploited sustainably with minimal damage to the environment.

EU Farm to Fork Strategy

Alongside the Biodiversity Strategy, the **EU Farm to Fork Strategy** (F2F) presented in May 2020 sits at the heart of the EU Green Deal as a new “comprehensive approach to how Europeans value food sustainability”. Following many years of food being considered in policy silos, mainly under the Common Agricultural Policy (CAP), the positioning of a food strategy that

¹⁸ EU Biodiversity Strategy for 2030, p. 20.

¹⁹ Treaty on the Functioning of the European Union (TFEU) Art. 191.2.

²⁰ Ardon J.A. 2018. ‘Transparency in the operations of the International Seabed Authority: An initial Assessment’. *Marine Policy* 95, pp. 324-331.

²¹ See <https://enb.iisd.org/oceans/isa/2019-2/>.

takes a systems approach at the heart of ambitious central EU policy is a significant step toward integrated and sustainable food policies.

The need for sustainable and resilient food systems

At the outset, the F2F Strategy outlines a need for action to reduce the contributions of the EU food system to pollution, deteriorating soil quality, biodiversity loss and climate change: food systems are a major driver of biodiversity loss and contribute around a third of global GHG emissions.²² In the EU agriculture alone accounts for 10.3% of EU emissions and 20% of food is wasted.²³

The Strategy makes an important commitment to a just transition for food producers, citizens and all operators in-between across the food system in the EU and beyond, aiming to reward those already leading with sustainable food practices, and enable the transition for others. It simultaneously aims to improve animal welfare, promote sustainable and healthy diets and ensure resilience of EU food systems to future shocks and stresses, a need underlined by the Covid-19 pandemic. As a **CSO open letter** highlighted in advance of the publication of F2F:

“Covid-19 has strikingly brought to light some of the dysfunctions of our current globalised and unsustainable food systems, based on long and specialised chains, with a strong dependency on foreign and migrant workers in poor working conditions, while small-scale producers face difficulties in accessing local markets. In the spotlight are also the reduced resilience of people with pre-existing health conditions, including diet-related, to cope with infection; the link between the increased emergence of zoonoses and intensive animal farming; and the

lack of regard for other species which has consequences worldwide.”

A breakthrough for joined up food policy in the EU

Recognising “the inextricable links between healthy people, healthy societies and a healthy planet,” the F2F sets out targets and initiatives across the food value chain: from food production, food security, processing, wholesale, retail, hospitality and food services, to European diets and food environments, food waste and fraud,²⁴ as well as on innovation, research and trade.²⁵

This is a breakthrough for a systems approach to policies that affect food systems in the EU – agriculture, environment, food safety, social policies, trade and many others – which tend to be considered in silos.²⁶ A holistic food system strategy will help overcome inconsistencies and contradictions between these policy areas. The Commission’s commitment to propose a legislative framework for a sustainable food system before the end of 2023, to promote policy coherence across Member States,²⁷ along with the proposal for a new Common Agricultural Policy (CAP), which is compatible with the F2F Strategy,²⁸ are important developments. Though it remains to be seen to what extent ambition will be driven up or down under new more autonomous Member States’ CAP strategies.

Toward sustainable food production

The F2F Strategy sets out a number of targets for sustainable food production, processing selling and services in 2030, including reducing hazardous pesticides by 50%; making 25% of EU agriculture organic and significantly increasing organic aquaculture; reducing fertilizer use by

²² IPCC 2018. ‘Special Report on Climate Change and Land’ Summary for Policymakers, available at: <https://www.ipcc.ch/srccl/chapter/summary-for-policymakers/>.

²³ Farm to Fork Strategy, section 2.1.

²⁴ Farm to Fork Strategy, section 2.

²⁵ Farm to Fork Strategy, section 3.

²⁶ IPES-Food. 2018 ‘Towards a common food policy for the European Union: The policy reform and realignment

that is required to build sustainable food systems in Europe’, pp. 22 f, Available at: http://www.ipes-food.org/_img/upload/files/CFP_FullReport.pdf.

²⁷ F2F Strategy, section 2.

²⁸ EU Commission, 20 May 2020 ‘A new way of working for the future of farming’, available at: https://ec.europa.eu/info/news/new-way-working-future-farming-2020-may-20_en.

20%, nutrient loss and reducing food waste respectively by 50%, and reducing use of antimicrobials in agriculture and aquaculture by 50%. In relation to GHG emissions the F2F Strategy highlights that animal farming contributes the majority of the EU agriculture emissions. Targets are included on more sustainable animal feed, however, despite recognising the imperative of a shift to plant-based diets for human and environmental health elsewhere,²⁹ the Strategy disappointingly does not include reduction targets for industrial livestock farming.

The commitment to support these targets by rewarding farming practices that protect the environment is particularly welcome, including the eco-scheme CAP tool, which “will offer a major stream of funding to boost sustainable practices, such as precision agriculture, agroecology (including organic farming), carbon farming and agroforestry.” This is significant as currently farm payments under CAP are made on the basis of land area farmed, previously on production output, often blocking rather than incentivising shifts to more sustainable farming practices.

While the targets and initiatives promise ambitious change from business as usual, the F2F strategy has rightly been criticised for failing to address the root causes of many of the issues it highlights.³⁰ Although the need for more ecological farming methods is clearly recognised, the strategy does not set out the paradigm shift to agroecology that many have called for as a solution to the harmful environmental and social impacts of food systems.³¹ Despite a wealth of existing research on the potential of agroecology it is referenced only as one of several alternative

options alongside precision and carbon farming, and as an area for future research and innovation.³² The related issue of barriers to access farm land for smaller scale food producers, particularly young farmers, which is prevalent across Europe is also left unaddressed. In that way the strategy is focused on the dominant industrial food system, with no support directed at alternative food systems, such as community supported agriculture, that could help diversify EU farming both in terms of crops and farmers.³³

Healthy and sustainable diets

A critical aspect of the F2F Strategy is the recognition that sustainable food production must be accompanied by a shift to diets that are better for human and environmental health, and of the role that food environments play in promoting such a shift. A particularly welcome initiative is the call for sustainable food procurement in institutional catering; provision of healthy and sustainable food in schools, offices, and other public canteens has a huge potential for enabling better diets and making sustainable food production financially viable.³⁴ Another promising initiative is the commitment to an EU tax system that ensures that food prices reflect the real environmental cost of food, and improved labelling for consumers to make empowered food choices.³⁵ While food security is addressed at a macro level, the strategy is silent on household-level food insecurity and the inextricable links between low incomes, the prevalence of cheap ultra-processed food and diet-related diseases, and does not set out how a healthy and sustainable diet will be accessible and available to all Europeans.³⁶ Similarly, it has been pointed out

²⁹ Farm to Fork Strategy, section 2.4 Promoting sustainable food consumption and facilitating the shift to healthy, sustainable diets.

³⁰ See <http://www.cultivatecollective.org/in-perspective/scholars-respond-to-new-eu-farm-to-fork-strategy/>.

³¹ IPES-Food. 2018, section 4.2; de Schutter O. 2010. ‘Report submitted by the Special Rapporteur on the right to food (agroecology)’, UN Doc A/HRC/16/49, available at: http://www.srfood.org/images/stories/pdf/officialreports/20110308_a-hrc-16-49_agroecology_en.pdf.

³² For example: FAO Agroecology Knowledge Hub, available at: <http://www.fao.org/agroecology/knowledge/10-elements/balance/en/>; IPCC. 2018. ‘Special Report on Climate Change and Land’, chapter 5, available at: <https://www.ipcc.ch/srccl/chapter/chapter-5/>.

And IPBES. 2019. ‘the global assessment report on biodiversity and ecosystem services’ summary for policymakers, available at: https://ipbes.net/sites/default/files/2020-02/ipbes_global_assessment_report_summary_for_policymakers_en.pdf.

³³ Duncan, Jessica et al (2020) ‘A collective response from food sovereignty scholars on the EU’s Farm to Fork Strategy’ <http://www.cultivatecollective.org/in-perspective/scholars-respond-to-new-eu-farm-to-fork-strategy/>.

³⁴ IPES-Food. 2018, section 4.3.

³⁵ Farm to Fork Strategy, section 2.4.

³⁶ Nyssens C., Jacobs N. and Pushkarev N. (15 May 2020) ‘What has COVID-19 changed for the EU’s Farm to

that the F2F Strategy fails to join up food and agricultural policies with trade, and place social and environmental conditionalities on food imports.³⁷ This connection is required to ensure that European food environments are not shaped by cheap food with hidden social and environmental costs and as an act of solidarity to the producers of EU food imports.³⁸

Framing: Social change and participation

Framing Social and Environmental Change

This final short section speaks of the relevance of discourse and terminology in setting the scene for social and environmental change by providing us ways of understanding and relating to the environment and society at large. In prompting dialogue and thought about these aspects of law- and policy-making, the hope is for its audience to reflect upon, and considering, critically, the logics employed and the risks these pose to inclusive decision-making as well as our ability to recognise and address root causes to biodiversity loss.

Within law- and policy-making across society, the *discourses* employed are important as they lend insight into priorities by framing issues and solutions in particular ways. They signal to readers how we should understand and relate to a topic – in this case the environment – as well as positions certain actors at the forefront of important action and decision-making. *Terminol-*

ogy is equally important as it facilitates the overarching discourses and logics within a given field. Within the new EU Biodiversity Strategy, concern has been voiced over the use of terminology, and reliance on a discourse which commodifies the environment, reinforcing a “business agenda” for its protection rather than embracing a more holistic understanding of our inter-relations and interdependence with our environments. For instance, by drawing continuously on terms associated with economics, calling the environment “natural capital”, a “resource” or referring to it as something providing “services”, we learn to associate with the environment in this way, and risk losing sight of other important relationships.³⁹ With this in mind, there is tentative worry that despite all its important steps forward (of which, granted, there are several), the Strategy remains reliant upon a dualistic and capitalist logic in which humans and nature are separate (and best kept separate for protection purposes as per its section 2.1), yet when we do interact the relationship is an economic one, with the environment being “capital”, a “resource” at our service.

Likely, several would counter the above by saying that the European Union was first and foremost an economic trade body, which is true. However, to justify the above on these grounds would be, first, looking away from the obvious fact that there are many ways to structure an economy (and the world) rather than on growth capitalist models from which the above terminology stems.⁴⁰ Second, it would also risk overlooking the calls, at the UN level, for *transformative change*,⁴¹ in which our relationship with the en-

Fork Strategy? https://www.euractiv.com/section/agriculture-food/opinion/what-has-covid-19-changed-for-the-eus-farm-to-fork-strategy/?fbclid=IwAR2uq2YGc-BdOJ2OUN7vaKtpWcp9AJM_XjgGEjvNK477D4oAY9kMUKkS21l.

³⁷ De Schutter O. (23 January 2020) ‘With a ‘Farm to Fork’ Strategy on its cards, is the EU finally listening to its citizens?’ <https://www.euractiv.com/section/agriculture-food/opinion/with-a-farm-to-fork-strategy-on-the-cards-is-the-eu-finally-listening-to-its-citizens/>.

³⁸ *Ibid.*

³⁹ See for instance Maloney M. 2011. ‘Earth Jurisprudence and Sustainable Consumption’. *Southern Cross University Law Review*, 14:8, pp. 119-148; Winder G.M., and Heron R.L. 2017., ‘Assembling a Blue Economy Mo-

ment? Geographic Engagement with Globalizing Biological-Economic Relations and Multi-use Marine Environments’. *Dialogues in Human Geography*, 7, pp. 3-26.

⁴⁰ See for instance McAfee K. 1999, ‘Selling nature to save it? Biodiversity and green developmentalism’. *Environment and Planning D: Society and Space*, 17, pp. 133-154. Additionally, although some references were made to the EU’s Circular Economy Action Plan, their interlinkages and how they feed into one another, is not made clear in the Strategy.

⁴¹ ‘Zero Draft of the Post-2020 Global Biodiversity Framework’, CBD/WG2020/2/3. Available at:

<https://www.cbd.int/doc/c/efb0/1f84/a892b98d2982a82996>

environment shifts in ways that filter through society; across government policy, within business and industry practice, in education, across our food, health and transport systems, as well as on an individual level, how we choose to live on a day-to-day basis. In not making clear these connections and, in a tangible way, illustrating how such integrated change will occur *across* society, as opposed to within fractural “pockets”, the use of terminology which indicates business as usual is not encouraging.⁴² While having specific targets are positive and certainly important for implementation and enforcement (if such mechanisms are developed as per the Strategy), biodiversity loss will continue unless harmful activities beyond these numbers are halted, along with our own reliance on them.

Participation and decision-making

What’s more, within the agenda for “transformative change” which is also underpinning debate in the ongoing negotiations at the Convention on Biological Diversity (CBD) on the Post-2020 Global Biodiversity Framework, now set to be adopted in China next year, there is a distinct move by some countries, as well as grassroots and local interest representatives, to argue for inclusive decision-making processes on the international, national and local levels. Within the CBD this is mainly discussed within the context of rights-based approaches, safeguarding Indigenous Peoples and Local Community rights, as

well as promoting the “full and effective participation” of Indigenous Peoples and Local Communities, Women and Youth representatives within decision-making. It also relates to recognising and respecting Indigenous and local knowledges associated with biodiversity conservation, something that within the EU would be highly relevant across all land and seascapes.⁴³ Regarding this latter point, it is discouraging to see the EU Framework only referring to “sound science” in its section on improving science, education and skills, given that so much of this will already exist amongst grassroots campaigns and people already carrying out important work in conserving biodiversity within their local areas. In this regard, there is also a clear omission of references to strategies that will enable the participation of *local* stakeholders (moving beyond a sectoral approach in their identification) within decision-making, in order to ensure fair, inclusive and equitable results.

Conclusion

Both the Biodiversity Strategy and the F2F Strategy strive to make a step forward in the fights against environmental degradation. However, they both remain chained to economic evaluations. The Biodiversity Strategy has an ecosystem approach, which is, however, hidden beneath an *ecosystem services* approach, i.e. evaluating nature for the services⁴⁴ it provides to

2b6371/wg2020-02-03-en.pdf; IPBES 2019. ‘The Global Assessment Report on Biodiversity and Ecosystem Services: Summary for Policymakers’. Available at: https://ipbes.net/sites/default/files/2020-02/ipbes_global_assessment_report_summary_for_policymakers_en.pdf.

⁴² Examples also include references to “net gain” logic which has made some worry that this indicates reliance on a compensatory logic in which harm to biodiversity in one place can be compensated, ‘replaced’ with gains in another (mentioned in relation to fisheries and protected areas above). Additionally, references to “nature-based solutions” also causes some concern given that the phrase has, within UNEP and the climate change regime, become associated with an overly-technical, exclusionary and top-down manner of decision-making, as well as being co-opted by corporate interests to enable the green-washing of business as usual. See for instance Schroder M. ‘Framing biodiversity policy for post-2020: W4B reflections on Nature-based Solutions’, Women4Biodiversity, member of the CBD Women’s Caucus. Available at <https://www.women4biodiversity.org/framing-biodiversity->

[policy-for-post-2020-w4b-reflections-on-nature-based-solutions/](https://www.women4biodiversity.org/policy-for-post-2020-w4b-reflections-on-nature-based-solutions/).

⁴³ At CBD negotiations, EU representatives have been heard saying that such provisions are not relevant within the EU because that the EU does not have any Indigenous Peoples within its territories. Notwithstanding the fact that such a suggestion itself can be brought into question (with, for instance, Sámi traditional territories of Sapmi spanning over Sweden, Finland as well as Norway and Russia), this ignores the fact that they do have ‘local communities’, with their own local expertise of the spaces in which they live, recreate and work.

⁴⁴ Defined in the Millennium Ecosystem Assessment as “the benefits people obtain from ecosystems” (Millennium Ecosystem Assessment. 2005. *Ecosystem and Human Well-being: Synthesis*. Island Press, available at: <http://www.maweb.org>).

humans (provisional, regulating, cultural and supporting services).⁴⁵ Hence, it does not abandon an anthropocentric approach with the risk of overlooking some of the important aspects of nature's needs.

The F2F is fully embedded in economic analysis, however it presents a shift toward the systems thinking needed to reduce the impact of the EU's industrial food system on climate change and biodiversity loss, and a starting point for the more structural shifts from business as usual needed for true transformation to a food system that is both just and sustainable. For advocates of sustainable food systems across EU Member States, the F2F Strategy provides significant weight to a call for integrated food policies that mainstreams the true social and environmental costs and potentials across the food system.

Some steps of change have been walked by both documents. More steps, however, are still needed to reach 2030 with full respect of Planetary boundaries.

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⁴⁵ Kosoy N., and Corbera E. 2010. *Payments for ecosystem services as commodity fetishism*. *Ecological Economics*, 69, pp. 1228–1236.



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