

Opinion on biodiversity policy



- **On its own initiative**
 - **Prepared by the "Biodiversity and Forests" and "International Relations" working groups**
 - **Approved by the FRDO-CFDD General Assembly by written procedure on 15/09/2022 (see Annex 2) and by the Brussels Region Environment Council (RLBHG) on 28/09/2022**
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Preliminary information

The body of this opinion (without Annex 1) is endorsed by both FRDO-CFDD and RLBHG. In this text, "The Council" therefore refers to both FRDO and RLBHG. However, Annex 1 applies only to RLBHG and does not bind the members of FRDO.

Biodiversity loss: framework and consequences

- [1] Biodiversity, the variety of life on earth, is crucial for many human activities. A healthy ecosystem is not only a source of food and resources, but also provides CO₂ absorption, captures particulate matter, provides water purification and pollination in agriculture, regulates climatic conditions, and is crucial for human health.
- [2] Prosperity, human well-being and biodiversity are therefore closely linked in a socio-ecological whole. Biodiversity loss can impact ecosystem services such as natural pollination, soil fertility conservation, fish and timber supplies, and other services on which economic activities depend (agriculture, fishing, timber processing ...).¹ Biodiversity conservation is crucial for maintaining food security and access to drinking water. As such, the cost of biodiversity loss and ecosystem degradation can be high. For instance, half of the global gross domestic product, €40 trillion, depends on nature.² The three largest economic sectors - construction, agriculture and food - are highly indebted to the global ecosystem. *'There exists a strong business case*

¹ See i.a. FAO 2019: Biodiversity Report (fao.org) | <http://www.fao.org/state-of-biodiversity-for-food-agriculture/en/>

² Source: State of Finance for Nature | UNEP - UN Environment Programme | <https://www.unep.org/resources/state-finance-nature>

for scaling up action on biodiversity,' the OECD therefore states in a high-profile report.³ One of the biggest challenges in combating the biodiversity crisis is the failure to translate words and promises into action, also known as the "implementation gap", which is caused by a lack of sense of need and a lack of financial and human resources for biodiversity. There is currently between €540 billion and €750 billion per year underinvested globally to meet biodiversity targets.⁴

- [3] Several sources cite the degradation of ecosystems as a possible factor in the emergence of zoonotic pandemics such as the COVID-19 pandemic, which has severely strained our public health, economy and social fabric. Indeed, this pandemic was caused by SARS-CoV-2, a zoonotic virus (transmitted from animals to humans). Zoonotic transmission becomes easier when people come into closer contact with wild animals and their viruses: this has been happening more frequently in recent decades, due to the pressure that human activities put on natural ecosystems. With increased international contact, such virus infection can also develop into a pandemic more easily than before. Numerous studies point to the relationship between zoonotic transmission of viruses leading to pandemics (COVID, Ebola, SARS, avian flu ...) and our mishandling of nature and animals: see, among others, IPBES,⁵ the European Parliament (December 2020),⁶ Gibb et al (August 2020) , Bloomfield et al (April 2020).⁷
- [4] Both land-use change, the expansion of agriculture and other human activities in ecosystems and the direct exploitation of organisms, consumption of and trade in wildlife species (cf. so-called wet markets) are a risk factor in the spread of zoonoses. Climate change facilitates these infectious diseases, and increased population pressure, combined with the globalisation of trade and tourism, allows viruses to spread around the world much more easily than before. There should therefore be a focus at all policy levels not only on a curative approach (containing the pandemic and repairing economic and social damage) but also on a preventive approach, aimed at avoiding future pandemics.
- [5] In that context, an international initiative on zoonoses was launched in January 2021 under the name Prezode, which is also supported by Belgium (October 2021). Prezode (*Preventing Zoonotic Disease Emergence*) aims to develop approaches for prevention, detection and resilience where infectious diseases of animal origin are concerned, and to act as a knowledge platform for scientists, stakeholders and policy makers. A first implementation plan would be published in 2022.⁸
- [6] **Here, the Council underlines the importance of a 'One-Health' approach, which stands for the pursuit of optimal health for humans, animals and their environment by studying the interactions between those elements and their impact on health.**⁹ This approach implies that all relevant policy processes address the issues of health and environmental sustainability in an integrated manner, within the framework of sustainable development goals. Although these linkages are complex - they are

³ Biodiversity: Finance and the Economic and Business Case for Action - OECD 2019 | <https://www.oecd.org/env/resources/biodiversity/biodiversity-finance-and-the-economic-and-business-case-for-action.htm>

⁴ See <https://www.paulsoninstitute.org/conservation/financing-nature-report/>

⁵ Pandemics Report of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) | <https://ipbes.net/pandemics>

⁶ Zoonotic host diversity increases in human-dominated ecosystems | Nature | <https://www.nature.com/articles/s41586-020-2562-8>

⁷ Habitat fragmentation, livelihood behaviors, and contact between people and nonhuman primates in Africa | SpringerLink | <https://link.springer.com/article/10.1007/s10980-020-00995-w>

⁸ PREZODE - About us | <https://prezode.org/About-us>

⁹ See One Health | sciensano.be | <https://www.sciensano.be/nl/gezondheidsonderwerpen/one-health#wat-is-one-health->

rarely one-to-one relationships, and due caution is therefore required. Most recently, the OECD¹⁰ underlined the importance of the 'One-Health' approach for recovery policies following the COVID 19 pandemic. **The Council supports this approach and requests that governments in our country further incorporate it as a framework for policy, including in the Joint Interministerial Conference Environment-Health.**

- [7] The causes of biodiversity loss are diverse: changes in land use, pollution, urbanisation, invasive species but also climate change: the droughts, floods, sea level rise, forest fires and other extreme conditions associated with climate change can lead to severe biodiversity loss. At the same time, the loss of biodiversity through deforestation and ocean acidification, for example, in turn reinforces climate change through reduced CO₂ absorption. Thus, we end up in a vicious circle where both phenomena reinforce each other in their negative effects on human health and well-being. Conversely, restoring biodiversity can also have a positive impact on the climate: a third of the CO₂ reduction needed to limit warming to 1.5 degrees can be achieved by protecting and restoring forests and other natural plant-based systems¹¹ such as grasslands and wetlands that not only provide essential ecosystem services such as water regulation, purification and capture, but also absorb large amounts of carbon dioxide.¹² Oceans and marine biodiversity also contribute to this CO₂ absorption. **The Council therefore calls for policies at all levels to address these interactions, and to seek synergies between climate, biodiversity and other sustainable development measures to achieve the targets.** Nature-based solutions in this framework should respect the rights of local communities.¹³

Recovery policy and biodiversity

- [8] In the policy on the economic and social consequences of the pandemic discussed in previous §§s, biodiversity conservation and restoration is also an important focus. This is clearly stipulated in the EU's recovery policy: to benefit from the 'Recovery and Resilience Facility',¹⁴ Member States had to submit a plan indicating how the funds will be spent and meeting a number of conditions. These include not taking measures that are detrimental to biodiversity both at home and elsewhere in the world. The EU clearly states, *"Member States should ensure that the measures included in their recovery and resilience plans comply with the principle of 'do no significant harm' within the meaning of Article 17 of Regulation (EU) 2020/852"*.¹⁵ The necessary public and public-private investments should be both biodiversity- and climate-proof from the conception and specification stage: nature conservation and restoration is a sine qua non for approval. The Minaraad¹⁶ therefore asked in a letter opinion for a systematic assessment of the projects in the recovery plan against this principle of 'do no significant harm' environmental objectives (within the meaning of Art 17 of the Taxonomy Regulation), in order to contribute to the envisaged sustainable

¹⁰ See <http://www.oecd.org/coronavirus/policy-responses/biodiversity-and-the-economic-response-to-covid-19-ensuring-a-green-and-resilient-recovery-d98b5a09/>

¹¹ See also the joint IPBES-IPCC report on climate and biodiversity: [20210609_workshop_report_embargo_3pm_CEST_10_june_0.pdf \(ipbes.net\)](https://www.minaraad.be/themas/klimaat/aanbevelingen-semi-natuurlijke-koolstofopslag-lopemd-eigen-initiatief/210401%20STUDIE%2021-07%20KQ%20Koolstofopslag%20seminatuurlijke%20processen.pdf)

¹² See report Minaraad 2021 'Koolstofopslag via (semi-)natuurlijke processen': 210401 STUDIE 21-07 KQ Koolstofopslag seminatuurlijke processen.pdf (minaraad.be) | <https://www.minaraad.be/themas/klimaat/aanbevelingen-semi-natuurlijke-koolstofopslag-lopemd-eigen-initiatief/210401%20STUDIE%2021-07%20KQ%20Koolstofopslag%20seminatuurlijke%20processen.pdf>

¹³ Cf. the guidelines developed by IUCN: Governance and Rights | IUCN | <https://www.iucn.org/theme/governance-and-rights>

¹⁴ Belgium would be allocated 5.15 billion from this EU Facility.

¹⁵ EUR-Lex - 32021R0241 - EN - EUR-Lex (europa.eu) § 25 | <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R0241>

¹⁶ Minaraad = the Flemish advisory council on environment and nature.

recovery policy and increase the likelihood of a good assessment of the plan by the Commission.¹⁷ The Federal Planning Bureau published a methodological analysis to this effect.¹⁸

- [9] In addition, the Member States' recovery plan also had to support specific projects that directly promote the protection and restoration of biodiversity, thus contributing to other objectives such as improved public health, climate mitigation and adaptation and economic development and employment. More specifically, when spending the European 'Recovery and resilience facility' funds under the Belgian recovery plan, 37% of the 5.9 billion to be spent was to go to green investments linked to reforms:¹⁹ within this envelope, projects for biodiversity could be amply covered. Looking at the final plan (published April 2021),²⁰ one finds that €577 million was earmarked for such projects. Besides forest management in Wallonia and ecological defragmentation, the money goes mainly to the 'Blue deal' in Flanders. **In this context, the Council requests that the Federal Planning Bureau further methodologically elaborate the application of the 'do no significant harm' principle in the implementation of the National Plan for Recovery and Resilience, as described in its 2021 concept note,²¹ in the short term on the basis of impact indicators, carry out the analysis and publish the results, so that this can be evaluated and monitored. The Council asks that this principle be strictly observed and monitored, including in the implementation of infrastructure works, and that it be communicated transparently.²²**

Measures for biodiversity in Belgium

- [10] In our country, a policy for nature conservation and biodiversity protection has been in place for a long time, often resulting from EU regulations: just think of the Natura 2000 sites, a European network of protected nature designated under the Birds Directive and the Habitats Directive, two EU directives that are important instruments to safeguard European biodiversity. In Flanders, however, only three of the 44 habitats of European importance have a favourable conservation status (in the others, progress can be noted in just under half of them),²³ in Wallonia, this favourable status exists in 1 out of 69 habitats, with a favourable evolution in 19.²⁴ The European Commission has recently set out a number of new guidelines for Member States in the field of biodiversity, with the EU Green Deal and the Biodiversity Strategy published in 2021. This European biodiversity strategy has three major components: protecting and restoring nature, facilitating transformative change and addressing the global biodiversity crisis. There are quantified targets for the need for nature protection (minimum 30% of the EU's land area

¹⁷ Opinion Minaraad 11 March 2021, zie <https://www.minaraad.be/themas/bestuurskwaliteit/advies-bij-relancebeleid>

¹⁸ Application of the DNSH principle to the Plan for Recovery and Resilience, see Article (plan.be):

https://www.plan.be/uploaded/documents/202107050727510.PUB_ART_008_DSNH_12455_F.pdf

¹⁹ Cf. Recovery and Resilience Facility | Europese Commissie (europa.eu) | https://ec.europa.eu/info/business-economy-euro/recovery-coronavirus/recovery-and-resilience-facility_nl

²⁰ The plan is available in NL and FR. See also: https://ec.europa.eu/info/business-economy-euro/recovery-coronavirus/recovery-and-resilience-facility/belgiums-recovery-and-resilience-plan_en

²¹ See Application of the DNSH principle to the Plan for Recovery and Resilience, see Article |

<https://www.plan.be/publications/article-2134-nl-toepassing-van-het-dnsh-beginsel-op-het-nationaal-plan-voor-herstel-en-veerkracht>

²² Cf. Report Federal Planning Bureau on the impact of the national plan for recovery and resilience on the SDGs, de resilience and the social cohesion (October 2021) NL p. 22 |

https://www.plan.be/uploaded/documents/202111081406260.REP_PRR_SDG_12514_N.pdf

²³ Source: Natuurrapport 2020, INBO p 69 | <https://www.vlaanderen.be/inbo/inbo-natuurrapporten/natuurrapport-2020/>

²⁴ Source: Rapport sur l'état de l'environnement wallon 2017 |

http://etat.environnement.wallonie.be/contents/publications/rapport-sur-letat-de-lenvironnement-wallon-2017.html#_en <http://etat.environnement.wallonie.be/contents/indicatorsheets/FFH%201.html#:~:text=En%20Wallonie%20comme%20%C3%A0%20l. Strat%C3%A9gie%20de%20la%20biodiversit%C3%A9%20pour>

and 30% of its marine area, of which 10% strictly protected, by 2030), for restoring 25,000 km of rivers and for creating/expanding green spaces (including in cities). Making agriculture and fisheries more sustainable, adapted criteria to ensure the sustainability of forest biomass used for energy, and planting at least 3 billion additional trees in the EU by 2030 are also key focuses of this strategy. The EU biodiversity strategy is also linked to its soil strategy, on which the European Commission published a communication in November 2021,²⁵ and which aims to have all soil ecosystems in the EU in a healthy state by 2050. This is certainly important for our country given the various challenges we face: protection against extreme weather events that will increase in severity and frequency, the preservation and restoration of biodiversity, and maintaining a healthy living environment in our densely populated region. Similarly, the 'Fit for 55' package proposed by the European Commission in July 2021 includes measures on land use and biodiversity, specifically where carbon sequestration by natural sinks is concerned as part of a policy to be climate neutral in land use, forestry and agriculture by 2035.²⁶

- [11] **The Council recommends examining the various existing policy initiatives on biodiversity in our country, whether at local, provincial, regional or federal level, in the light of the further implementation/translation of these European strategies up to member state level, and assessing where initiatives can be generalised or linked, where gaps still exist, and where new regulations or additional funding would be appropriate in the translation to the objectives at Belgian level.** In doing so, it is important to pay attention to a level playing field for all actors.

The Council stresses the importance of consultation with all relevant stakeholders and advocates for optimal coordination of measures at different policy levels so that their effectiveness can be maximised. Applying the 'mutuality principle' would be useful here: each policy level commits to act in a way that enhances the effectiveness of measures at the other policy levels. One framework for this coordination could be the National Biodiversity Strategy,²⁷ which, after all, aims *"to create more coherence, to fill gaps when initiatives are not fully implemented or if they do not achieve the desired objectives, and to optimise the integration of biodiversity concerns at national and international levels."* However, this strategy has not been updated since 2013, and should be revised to a strategy for the next decade in the near future after COP15, based on the defined post-2020 global biodiversity framework. The recent federal coalition agreement makes reference to this: *'The government, in consultation with the regions, aligns the National Biodiversity Strategy with the European Biodiversity Strategy and the Green Deal. To this end, the government is actively seeking synergies with other policies.'* **It urges governments to support a post-2020 global biodiversity framework that can respond to the biodiversity crisis, and to set a timing for the new National Biodiversity Strategy now, so that it can start immediately after the COP.**

- [12] It should be noted that a National Strategy on Pollinators was approved by the Interministerial Conference on the Environment in March 2022 after a public consultation.²⁸ This strategy aims to improve knowledge about the status of pollinators and the cause of their decline, and to make both agriculture and cities, open spaces and infrastructures pollinator-friendly.

²⁵ COM_2021_699_1_EN_ACT_part1 (europa.eu) | <https://eur-lex.europa.eu/legal-content/NL/TXT/PDF/?uri=CELEX:52021DC0699>

²⁶ Revision of LULUCF regulation, see EUR-Lex - 52021PC0554 - EN - EUR-Lex (europa.eu) | <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:3A52021PC0554&qid=1626940138360>

²⁷ https://www.health.belgium.be/sites/default/files/uploads/fields/fpshealth_theme_file/19104339/Strat%C3%A9gie%20nationale%20biodiversit%C3%A9%202013_NL.pdf

²⁸ See strategy pollinators (belgium.be) |

https://www.health.belgium.be/sites/default/files/uploads/fields/fpshealth_theme_file/strategie_bestuivers.pdf

Within this framework, this Strategy makes a number of recommendations for a reduction in pesticide use, from research on the effect of and interactions between factors that impact pollinator populations - with diseases, invasive exotic species and land use/habitat quality in addition to pesticide use. **Further research on the interactions of stress factors on the number and diversity of pollinators and other animals in Belgium, and a higher focus on promoting alternatives to pesticides is a priority to protect pollinators and other animal species in Belgium.** There is a need for a more source-oriented approach that focuses on prevention. The FRDO-CFDD, together with other councils, recently published an opinion on the federal part of this issue, in the context of Public Inquiry on the 2023-2027 programme of the National Action Plan for the Reduction of Pesticides (NAPAN).²⁹

[13] **The Council is of the opinion that the expansion of (strictly) protected nature areas,³⁰ green and blue eco-networks and the construction/expansion/restoration of green spaces mentioned in the EU biodiversity strategy are important points of attention for our country, which must be included in the policy at all levels and for which funding must be provided.** In doing so, it is important to gain sufficient insight into how our country will have to achieve these objectives, while respecting the concerns of all sectors. Our country indeed has to contend more than other EU member states with scarce open and green space, partly due to inadequate spatial planning and a high degree of urbanisation. **The Council urges to better protect the remaining nature, in particular by implementing strict management plans, and to extend and connect nature areas** cf. the European conservation objectives, in line with the existing spatial policy in this area, while taking into account the impact on existing land use (agriculture, housing, industry, etc.). Indeed, ecological corridors are also an important element for the conservation of biodiversity and the functioning of ecosystems.³¹ Without their connectivity, a very large number of species would not have access to all the habitats needed for their life cycles (reproduction, growth, shelters, etc.). Such protected ecological networks require action plans with a budget and deadlines, where a cartography can be useful as a tool.

On ecosystem restoration, the proposal for the 'EU nature restoration law' was published on 22 June 2022, which includes binding targets for the restoration of land and water areas: including restoration measures by 2030 for at least 20% of terrestrial and marine ecosystems, and by 2050 for all other ecosystems in need of restoration.³²

Furthermore, the Council underlines the need to safeguard rural and agricultural areas from further urbanisation (implementation of the 'bouwshift'³³), with an approach to involve local stakeholders in this process and compensate them where necessary, and also to preserve, soften and develop sufficient quality green space in municipal cores and cities (also in the case of 'densification' in core areas). The latter is in line with our country's voluntary commitment to the global post-2020 biodiversity framework to further develop the theme of 'promoting biodiversity in sustainable cities'. Progress and new initiatives in this area will be part of our country's contribution to the new global biodiversity framework.

²⁹ See Opinion Federal reduction plan for plant protection products | FRDO CFDD (frdo-cfdd.be) | <https://www.frdo-cfdd.be/nl/publicaties/advices/advies-federaal-reductieplan-voor-gewasbeschermingsmiddelen>

³⁰ Investments in the existing Natura 2000 network are also a focus here.

³¹ Cf. IUCN: "The need for ecological connectivity is essential for the survival of wild species", zie <https://portals.iucn.org/library/sites/library/files/documents/PAG-030-En.pdf>

³² See Nature restoration law (europa.eu). | https://environment.ec.europa.eu/publications/nature-restoration-law_en | The previous voluntary restoration target (Aichi target 15, also included in the EU 2020 Biodiversity Strategy) was not achieved, mainly due to a lack of clear guidelines for its implementation (see <https://www.cbd.int/gbo/gbo5/publication/gbo-5-en.pdf>)

³³ Bouwshift = building shift, the intention of the Flemish government that by 2040 no additional open space should be cut in Flanders.

- [14] That "promoting biodiversity in sustainable cities" is an important issue for our densely populated and urbanised country is beyond doubt. The *lockdown* in the COVID pandemic has made it even clearer how necessary the greening of urban areas and municipal centres is for our well-being. Parks, trees and water not only provide a buffer against heat, air pollution and noise, but are also indispensable for the physical and mental health of residents,³⁴ who must therefore be given equitable access to that nature. Objectives around biodiversity, climate adaptation, health and quality of life coincide here. The EU Biodiversity Strategy announces the establishment of a European platform for urban greening in cooperation with the Covenant of Mayors in 2021, with a view to ambitious greening plans in cities. **It hopes this will give a new orientation to the spatial planning of our cities and towns, protecting, restoring and preserving scarce open space.** Where possible, softening and redesign of 'grey' infrastructure is needed, as is the construction or restoration of blue-green infrastructure in the context of spatial planning, including green corridors, parks, gardens, urban agriculture, permeable paving and rainwater harvesting infrastructure, among others, also to reduce the risk of flooding.
- [15] Blue-green areas in cities should be designed as much as possible in consultation between authorities and citizens, also to safeguard the pedagogical, educational and recreational functions of green areas and to find the right balance between accessibility for citizens on the one hand and sufficient vegetation to create a higher biodiversity on the other. Furthermore, it is also important to take into account possible side effects of nature in an urban environment. A recent Superior Health Council opinion 'Green and blue cities: nature and human health in an urban setting'³⁵ points to a wide range of benefits of urban nature for people's physical and mental health, but also mentions a number of nature-related human health risks (e.g. allergies and infectious diseases such as Lyme).
- [16] **The Council calls for sufficient resources to be made available for this when it comes to investments by public authorities. For non-public works, both regulatory and financial (e.g. through subsidies) support is needed for voluntary initiatives by citizens, businesses and organisations:** e.g. for the construction of green roofs and urban gardens, planting of local hedges and trees,³⁶ combating exotic species, making gardens and business parks more biodiverse (e.g. by abandoning mowed lawns and avoiding pesticides), softening private car parks (infiltration bonus). Indeed, public and private initiatives can and should complement and reinforce each other, and in order to meet the targets, it is necessary to promote biodiversity both in the public domain and on private land.
- [17] Such a joining of forces from the public and private spheres can be found in the "Belgian Biodiversity alliance", a national initiative supported by the competent regional and federal ministers launched in 2022. This is a platform for promoting existing and future initiatives by private and public actors in the field of biodiversity, as our country's voluntary contribution to the post-2020 biodiversity framework. **The Council supports this initiative, but believes that disseminating information and**

³⁴ See the EEA report 21/2019: Healthy environment, healthy lives: how the environment influences health and well-being in Europe - <https://www.eea.europa.eu/publications/healthy-environment-healthy-lives> en the opinion of the Superior Health Council: Green and blue cities: nature and human health in an urban setting. Brussel: HGR; 2021. Opinion nr. 9436. / <https://www.health.belgium.be/en/report-9436-green-and-blue-cities>

³⁵ See Opinion 9436 - Green and blue cities: nature and human health in an urban setting. | <https://www.health.belgium.be/en/report-9436-green-and-blue-cities>

³⁶ See e.g. the programme « Yes we plant » in Wallonia: Yes We Plant (wallonie.be) | <https://yesweplant.wallonie.be/home.html>

raising awareness is not enough: the other instruments available to the public authorities, in particular regulatory and financial ones, should also be used in a coordinated manner (example in next §). The Council expects the authorities to take joint initiatives in this area too (cf. § 11) and to involve stakeholders.

[18] Indeed, as mentioned in §11, an essential success factor in these areas is a policy in which local, regional and federal levels support each other: for example, for making car parks less hard and more water-permeable and the construction of green roofs, local regulations could go hand in hand with regional subsidies and an adjustment of the VAT rate at the federal level.

Besides the creation of additional green spaces in cities and municipalities, the Council also calls for more sustainable management of green spaces by authorities: further promote ecological and extensive management, avoid felling and unnecessary pruning if this is not required for safety and passage reasons, qualitative choice of planting and monitoring of trees. It calls for strong forest conservation policies, with a special focus on old deciduous forests, and asks the forestry sector to encourage and support proper management of more diverse and resilient forests without clear-cutting. Again, cooperation between local, regional and federal governments (e.g. for green management of railways) is necessary.

[19] Regarding invasive alien species (IAS). These are alien animals and plants whose introduction and spread can have serious negative impacts on the environment. They can cause the extinction of native species and disrupt the functioning of entire ecosystems, possibly also having an economic impact on sectors such as agriculture, forestry or fisheries, as well as potential health problems for humans and animals. Therefore, a regulation on invasive alien species (N°1143/2014) is in force in the EU with a list of species of concern to the Union. For the implementation of this regulation in our country, both federal and regional authorities are competent, and a cooperation agreement was concluded to this end in 2020, establishing a national committee, a scientific council and a national secretariat.

The Council considers it important that our country fully implements the EU regulation on invasive alien species in a coordinated manner, and expands the Union list with alien invasive species specifically relevant to our country. This should include defining the various (new) introduction routes, developing and implementing action plans to control them preventively, and developing an effective early warning system integrating both citizen science and professional data, combined with a coordinated and rapid response for eradication. In this light, wider communication with the general public and specific target groups is also needed, both to collect data and to build support for the policy. **The Council appreciates that within this framework, a national action plan against invasive alien species has been prepared and would be approved by the Interministerial Conference on the Environment this year.**

Finally, the Council points to the problem of the wild boar, a non-native species which can cause nuisance (mainly in Wallonia but also in Flanders). It is advisable to manage the wild boar population properly, to prevent damage and, if necessary, to compensate for it, with authorities, farmers, nature organisations and hunters working together on an area-specific basis. It should be noted that the purpose and function of wild boar hunting should be to limit damage to biodiversity and agriculture, and should not be seen as a recreational or commercial activity.

[20] Research shows that nighttime artificial light has a negative impact on biodiversity, because the cycle of day and night largely determines the rhythm of an organism. Disruption of this cycle by artificial light leads to several problems, especially for insects: difficulties with orientation, reproduction, protection, pollination and many other crucial activities. Western Europe, and our country in particular, is among the most light-polluted regions in the world. Yet there are many locations, often in ecologically sensitive zones, where lighting is not necessary. The number of light points in the public domain should be thoughtfully reduced, and public lighting plans should pass an ecological test before being approved. If lighting is absolutely necessary, work should be done on dynamic light sources, which provide flexible (e.g. via motion sensors) and targeted limited lighting, with attention to the type of light. An important step here is also to draw up a *"darkness plan" in which "areas are identified that are maximally darkened and/or prioritised with dynamically controlled lighting that can be easily extinguished and dimmed; dark corridors are facilitated, facilitating the migration of nocturnal animals between natural areas; budgetary space is created to adapt roads and public lighting"*.³⁷

Aquatic and marine biodiversity

[21] In this context, aquatic biodiversity is also a concern. The European Water Framework Directive aims to achieve "good status" of water systems by 2027 at the latest. Water quality is mainly determined by the discharges entering it. These emissions come from households, businesses and agricultural activities. For Flanders, VMM³⁸ states that a lot of water bodies are still struggling with excessive nutrient concentrations. In 2020, the percentage of water bodies meeting the standard was 58% for nitrate, 35% for total nitrogen, 28% for phosphate and 10% for total phosphorus. In Wallonia, the situation is better, but there is a contrast: in the south of the Sambre-Meuse corridor, many rivers are in good status or are likely to reach good ecological status, but in the north this is not the case. In the Scheldt river basin, results are substandard for nitrogen and phosphates, among others.³⁹

Agriculture has the largest share of nitrogen pollution through fertilisation, and as these nitrogen emissions do not evolve favourably on average, additional efforts will be needed. Households account for the largest share of net emissions of phosphorus to surface waters, and here, in order to achieve good status of water systems, household wastewater will have to be collected and treated: this means that Member States will have to provide a collection system for this wastewater. Given that numerous homes are not yet connected to the sewerage system, and an estimated 20% of wastewater in Flanders alone runs untreated into nature, our country will not meet the 2027 deadline.

Therefore, the Council asks to increase the pace of the sewerage works and to include these works with a binding timing in the river basin management plans.⁴⁰ In this context, the Council advocates laying down by law that building permits for residential new buildings should be avoided if the plot is not connected to the sewerage system, or if the wastewater is not

³⁷ Cf. consensual resolution in the Flemish parliament : <https://www.vlaamsparlement.be/nl/parlementaire-documenten/parlementaire-initiatieven/1310110>, p 13 2° a, b, c

³⁸ See (Nutrients in surface water – Vlaamse Milieumaatschappij (vmm.be) | <https://www.vmm.be/water/kwaliteit-waterlopen/nutrienten-in-oppervlaktewater>

³⁹ See Status of water bodies (wallonie.be) | <http://etat.environnement.wallonie.be/contents/indicatorsheets/EAU%201.html>

⁴⁰ See River basin management plans – nl (integraalwaterbeleid.be) | <https://www.integraalwaterbeleid.be/nl/stroomgebiedbeheerplannen>

treated by means of an IBA (Individual Wastewater Treatment) or local water treatment pending a planned connection.⁴¹ Furthermore, an IBA or local water treatment should become mandatory for existing buildings that cannot be connected to the sewerage system, for example because they are too remote, as is already largely the case in Wallonia.⁴²

- [22] In parallel, the Council believes that more investments should be encouraged in infrastructure works for water purification that simultaneously act as biodiversity hubs (reed beds), in natural as well as conventional catchment basins to guard against water scarcity, and in buffer and overflow zones that can absorb floods naturally. In this context, promoting riparian zones as buffers along watercourses is also a focus (especially on slopes and streams in or upstream of "special protection areas", natural riparian zones are designated), and restoring connectivity with adjacent valley ecosystems. There are regulations on this that vary by region in terms of the width of the buffer zone, permitted activities and any compensation for users. The NAPAN mentioned in §12 does provide through federal legislation for a permanent buffer zone along surface waters for the use of pesticides to protect aquatic organisms by 2025.⁴³

In Flanders, the river basin management plans form the framework for this and a 'Blue Deal' of measures has been developed, partly financed under the National Plan for Recovery and Resilience (see §9). In Wallonia, the "Plans de Gestion des Risques d'Inondations 2022-2027" are available, which include a number of projects for natural water collection.⁴⁴

- [23] In terms of marine biodiversity, the Belgian part of the North Sea constitutes an important ecosystem that provides us with a number of essential services including mobility (shipping), energy (e.g. offshore wind turbines), food (fishing and aquaculture), leisure (tourism and recreation) and raw materials (sand extraction). In addition, the ocean provides us with half of the oxygen we breathe, substances for medicines and renewable energy, and the coast provides protection from floods and storms. The ocean regulates the water cycle and absorbs greenhouse gases, helping to regulate the climate. The development of activities in seas and oceans should take place within natural boundaries, especially since, despite a number of positive evolutions, the 'good environmental status' aimed for by the European Marine Strategy Framework Directive has not yet been achieved in our North Sea.⁴⁵ **The Council underlines that this should also be the starting point when developing the policy framework (such as the Marine Environment Act⁴⁶ and the next Marine Spatial Plan), whereby, among other things, planned activities that may compromise the conservation objectives of Natura 2000 sites in the North Sea must undergo an 'appropriate assessment'.**⁴⁷

In order to achieve the desired good environmental status, the government should, on the one hand, when awarding offshore activities, issue tenders with criteria for nature, the environment and sustainability (e.g. for design, construction and operation

⁴¹ See the common opinion MinaRaad/SERV/SALV on river basin management plans (March 2021) (SERV = Flemish socio-economic advisory council, SALV = Flemish advisory council on agriculture and fisheries) |

<https://www.minaraad.be/themas/hinder/stroomgebiedbeheerplannen-voor-schelde-en-maas-2020-2027-adviesvraag>

⁴² See Walloon Water Code

⁴³ See NAPAN_2023-2027_nl.pdf (belighted.com) actie 3.6.2 | https://cdn.bosa.belighted.com/bosa-cities/uploads/decidim/attachment/file/564/NAPAN_2023-2027_nl.pdf

⁴⁴ Zie PGRI2227_FINAL_20210408.pdf (wallonie.be) |

https://inondations.wallonie.be/files/documents_a_telecharger/DI/PGRI%20PGRI2227_FINAL_20210408.pdf | en ook Gouvernement de Wallonie du 25 mai 2022 | <https://www.wallonie.be/fr/acteurs-et-institutions/wallonie/gouvernement-de-wallonie/communiqués-presse/2022-06-02>

⁴⁵ See the FRDO-CFDD opinion on the marine spatial plan 2020-2026: <https://www.frdo-cfdd.be/nl/publicaties/advices/advies-over-het-ontwerp-van-marien-ruimtelijk-plan-2020-2026>

⁴⁶ Cf. Federal plan sustainable development 19/3/2021

⁴⁷ Within the meaning of the RD marine protected areas of 27 October 2016

of wind farms⁴⁸) and, on the other hand, work on nature protection and restoration projects with concrete action plans, deadlines and budgets. Thus, the delineation of a marine reserve in the Belgian part of the North Sea (at least 10% of the Belgian part of the North Sea where nature protection is the main objective, i.e. all other activities are excluded, cf. the EU biodiversity strategy) could considerably strengthen the protected marine habitats (cf. *measure in management plan Natura 2000*⁴⁹). **The Council asks that this delimitation be duly considered in the framework of the second programme of measures for the European Marine Strategy Framework Directive⁵⁰ and the next Marine Spatial Plan for the Belgian North Sea.**

At the international level, it appreciates that Belgium launched the 'Blue Leaders call for the ocean' at the recent Glasgow COP climate. The Blue Leaders (currently 13 countries) aim to protect 30% of the ocean by 2030 ('30x30') by establishing a network of strong and fully protected marine areas. As part of this commitment, it calls on governments to exercise the utmost caution on deep-sea mining. The deep sea is one of the least known areas of our planet, and with every scientific study, new species and ecosystem functions are discovered. Deep-sea mining would threaten these before we even know they exist and jeopardise future discoveries that could benefit humanity. In addition, circular solutions are preferable to such linear use of resources. **It calls for a global moratorium on deep-sea mining to be respected until research on this form of mining demonstrates that there is no significant disturbance to the marine environment and biodiversity** (cf. the DNSH principle mentioned in §8 and the resolution on deep-sea mining in the Federal Parliament of 19 January 2021).⁵¹

- [24] Marine protected areas are considered one of the best ways to store atmospheric carbon dioxide and improve coastal ecosystems. **On the latter point, the Council reminds governments that a natural coastal landscape with coastal connectivity (connecting polders, dunes, beaches and sandbanks) is the most effective, nature-based way to achieve a coastline that is not only biodiverse but also climate-proof (flood protection).** Where possible, one can opt for coastal connectivity by e.g. connecting natural areas on land and in the sea or by placing infrastructure behind the dunes. Where there is too little space or where this is simply not an option or possibility, one can opt for the dune for dike concept or for the most efficient coastal defence, such as for coastal municipalities and in and around ports.
- [25] Tackling marine litter is also crucial for the preservation of marine biodiversity: cf. the 2017 action plan,⁵² which includes measures for source prevention of such litter, marine clean-up and compliance monitoring. Regarding the prevention of plastic waste, on 17 December 2021, the federal government approved an RD under the European 'Single Use Plastics' Directive that bans the marketing of a number of single-use plastic products (till bags, plastic cutlery ...). Under the same SUP directive, litter costs will be passed on to producers from 2023 onwards. There are also regional initiatives aimed at reducing litter involving

⁴⁸ See: Offshore wind farms with respect for nature | FOD Volksgezondheid (belgium.be) | <https://www.health.belgium.be/nl/news/windparken-op-zee-met-respect-voor-de-natuur>

⁴⁹ See 2022-2027 management plans natura2000.pdf (belgium.be) | https://www.health.belgium.be/sites/default/files/uploads/fields/fpshealth_theme_file/2022-2027_beheerplannen_natura2000.pdf

⁵⁰ Update on measures under the Marine Strategy Framework Directive and Natura 2000 (belgium.be) | https://www.health.belgium.be/sites/default/files/uploads/fields/fpshealth_theme_file/maatregelenprogramma_2de_cyclus_2022.pdf

⁵¹ See 55K1687003.indd (dekamer.be) | <https://www.dekamer.be/flwb/pdf/55/1687/55K1687003.pdf>

⁵² See action plan marine litter (belgium.be) | https://www.health.belgium.be/sites/default/files/uploads/fields/fpshealth_theme_file/actieplan_marine_zwerfvuil-final.pdf

various stakeholders, such as BeWapp⁵³ and Mooimakers,⁵⁴ and public-private partnerships for the prevention and reuse of plastic packaging, such as the 'Green Deal Anders Verpakt'.⁵⁵

Meanwhile, at the global level, an important step has been taken regarding the fight against plastic waste in the sea: on 2 March 2022, the UN Environment Assembly (UNEA) adopted the principle of a legally binding convention against plastic pollution, the text of which should be ready by the end of 2024.

Agriculture and food

- [26] Another important aspect of biodiversity policy has to do with agriculture. On the one hand, agriculture cannot exist without ecosystem services (pollination, fertile soils, water supply ...) and the sector contributes to some of these ecosystem services (e.g. water and carbon sequestration). On the other hand, size and nature of agricultural activities have an impact on habitat and biodiversity, in addition to climate change, desiccation, pollution and urbanisation. Here too, the EU has made strides, launching a new food strategy in 2020 along with its biodiversity strategy. The Farm to Fork strategy proposes a number of measures to bring biodiversity concerns into agriculture and make it more sustainable. For instance, there are targets to halve pesticide use,⁵⁶ use 20% less fertilisers, use less antibiotics in livestock farming, achieve a minimum of 25% organic farming by 2030, and transform at least 10% of agricultural land into landscapes with high diversity. There is also a focus on making imports of animal feed more sustainable and on more sustainable fisheries (with support for sustainable farming of fish, seafood through aquaculture).
- [27] 'Farm to fork' also points to a number of other new economic opportunities that deserve attention in addition to sustainable aquaculture. For instance, carbon sequestration by farmers and foresters can be an interesting new business model (carbon farming), as can agro-forestry (the combination of trees/shrubs with agricultural crops/animals) and circular projects with optimisation of residual flows to reduce pressure on agricultural land. **The Council recommends governments and stakeholders to pursue these avenues of carbon storage and circularity in our country, also in view of the revision of the LULUCF regulation⁵⁷ as part of the European 'Fit for 55' package (cf. §10).** However, it should be noted that carbon emissions and storage in the land use sector are less predictable than in other sectors, partly due to changes in managed and natural ecosystems that are not predictable (e.g. forest fires, diseases or other often climate-related changes - which are expected to increase): "The main drawback of LULUCF activities is their potential reversibility and non-permanence of carbon stocks as a result of human activities, natural disturbances or a combination of the two with loss of carbon stocks and release of GHG into the atmosphere as a result".⁵⁸

⁵³ 'Together for a cleaner Wallonia' (bewapp.be) | <https://www.bewapp.be/>

⁵⁴ Home | Mooimakers.be | <https://mooimakers.be/>

⁵⁵ Green Deal 'packaging differently' (vlaanderen.be) | <https://ovam.vlaanderen.be/web/green-deal-anders-verpakt/wat-is-de-green-deal-anders-verpakt>

⁵⁶ This objective was concretised in a proposed regulation on 22 June 2022: Proposal on the sustainable use of plant protection products (europa.eu) | https://ec.europa.eu/food/system/files/2022-06/pesticides_sud_eval_2022_reg_2022-305_en.pdf

⁵⁷ LULUCF: Land Use, Land Use Change and Forestry. Zie Land Use, Land-Use Change and Forestry (LULUCF) | UNFCCC | <https://unfccc.int/topics/land-use/workstreams/land-use-land-use-change-and-forestry-lulucf>

⁵⁸ o.c. footnote 58. See also the Minaraad opinion (2021) on Carbon storage via (semi-)natural processes – Minaraad | <https://www.minaraad.be/themas/klimaat/aanbevelingen-semi-natuurlijke-koolstofopslag-lopand-eigen-initiatief>

This also includes the production of renewable energy (biogas) from waste and manure. It is worth noting that the Netherlands has the positive intention to make a transition to circular agriculture in 2030.⁵⁹ In Belgium, too, there are already developments in this field: both in Flanders with Circular Flanders⁶⁰ and in Wallonia with Circular Wallonia,⁶¹ circular solutions within the food chain are being pursued. **The Council appreciates that in such a circular approach the import of raw materials for agriculture is also limited (greater feed sovereignty), which reduces the pressure on biodiversity in third countries (see further § 34).** Moreover, a shift to more circular agriculture will also have positive ecosystem impacts domestically through the reprocessing of output such as manure.⁶²

[28] The Farm to Fork strategy, as the European Commission's food strategy, is related to the Common Agricultural Policy (CAP) and the new Strategic Plans for CAP implementation in the member states. In the new CAP, there is an increased focus on climate and environmental concerns, and it is up to member states to translate these EU policies into national plans on agriculture. **In this context, the Council calls for additional funds to promote further sustainability in agriculture and horticulture. This could include transition and investment support, research and innovation programmes, advice and guidance, as well as funding for the transition to more environmentally friendly and circular methods.** This provided support is thus linked to the provision of social services such as supporting biodiversity and taking good care of soil, water and air quality. Farmers who invest extra in social services are thus compensated fairly.

In addition, other players in the food chain, such as processors, distributors and consumers, are also involved in the transition to a more sustainable agriculture, and it is necessary that each takes responsibility - also where it concerns a fair distribution of costs and benefits in the chain. In this distribution, it is also important to be aware of the real price of food (including environmental, climate and health externalities) and to implement this in policy. Important here is both a correct price for the consumer and a fair remuneration of the producer, who must have sufficient margin to carry out his activity profitably.

It is also important that customers are transparently informed about the food offered in terms of health, sustainability and fair remuneration for the producer, taking into account the European context.

From this perspective, the Council considers it important that initiatives to promote local food also pay attention to the sustainable character of this local food. The 'short chain' approach is certainly interesting in the context of food sovereignty, fair compensation for the farmer and reduced impact of transport, but locally produced does not automatically mean that this is done in a sustainable way, i.e. also taking into account the impact on biodiversity. Attention to biodiversity and sustainability criteria here is also important as part of an integrated policy.

⁵⁹ See Vision Agriculture, Food and Nature: Waardevol en Verbonden | Ministerie van Landbouw, Natuur en Voedselkwaliteit | Rijksoverheid.nl | <https://www.rijksoverheid.nl/ministeries/ministerie-van-landbouw-natuur-en-voedselkwaliteit/visie-lnv>

⁶⁰ Circular Flanders - <https://vlaanderen-circulair.be/en>

⁶¹ L'économie circulaire en Wallonie | <https://economiecirculaire.wallonie.be/>

⁶² (cf. study Tackling root causes - Sitra | <https://www.sitra.fi/en/publications/tackling-root-causes/#a-transition-to-a-circular-economy-can-on-its-own-halt-global-biodiversity-loss>)

- [29] Regarding food, the Council notes that in a 2011 FRDO-CFDD opinion,⁶³ the entire civil society expressed support for a protein transition, as part of an overall transition to a more sustainable agricultural and food system. This protein transition consists of "shifting the consumption of animal proteins towards more sustainably produced animal proteins and towards also sustainably produced plant proteins". This protein transition should be seen in conjunction with the import of raw materials for food production (cf. §§ 34ff) and with the climate and environmental impacts of food production.
- [30] Regarding this environmental impact domestically, several reports indicate that emissions of ammonia (NH₃) and nitrogen oxides (NO_x) still contribute to harmful nitrogen deposition in natural areas (cf. status of habitats mentioned in §10). The deposition of NH₃ largely originates from domestic emissions, mainly from the agricultural sector; that of NO_x largely from foreign emissions. Here, road traffic is mainly responsible for domestic emissions.⁶⁴ **The Council underlines that our country should adapt its nitrogen policy in line with the EU Habitats Directive (92/43/EEC), and take measures to further reduce nitrogen emissions.** In this context, Flanders took an important step in February 2022 by approving an agreement on the final Programmatic Approach to Nitrogen (PAS) and the corresponding adjustment of emissions policy. The agreement includes a substantial reduction of emissions in all livestock sectors (linked to social flanking policies), a manure stop in valuable nature and forests from 2028, an investment plan for damage repair and a modified assessment framework for new permits. In Wallonia, the European Nitrates Directive is applied through the "Programme de Gestion Durable de L'Azote en agriculture" (PGDA).⁶⁵ An adaptation of this programme is under preparation.
- [31] **The Council therefore considers it appropriate, for reasons of environmental and climate impact, to adequately support this protein transition on both the supply and demand sides, and where necessary to provide additional resources for actors who want to switch over (both food SMEs and farmers).** One can think here of support for research and innovation programmes, advice and guidance for producers towards more feed autonomy, investment support for the cultivation and purchase of protein crops in our country. Given the still increasing demand from consumers and the distribution chain for local and plant-based protein alternatives, there are economic and social opportunities here in addition to possible ecological ones. These new business models are currently underused, as indicated for Flanders in the 2019 report 'Protein Transition for Flanders'.⁶⁶ This report sees opportunities both for agriculture and producers of plant protein alternatives, and points, among other things, to a lack of investment capital among SMEs in the food sector that want to start innovative projects in this field. It is also essential that agricultural and food policies are aligned on the protein transition.
- [32] Meanwhile, the Flemish government, together with farming organisations, the food industry and other stakeholders, has published an 'Protein Strategy 2030' (February 2021).⁶⁷ This strategy aims at developing alternative protein sources (insects, algae ...) and growing more protein crops domestically (e.g. field beans, peas, grass clover, local quinoa and soya), intended for human consumption and as animal feed. For the latter, the strategy also sees an important role for co-products from the food

⁶³ See Opinion on animal and plant proteins | <https://www.frdo-cfdd.be/en/publications/advices/opinion-animal-and-plant-proteins>

⁶⁴ See VMM report on Emissions and air quality in Flanders - 2020 review - Vlaamse Milieumaatschappij (vmm.be) | <https://www.vmm.be/publicaties/lucht-2020/uitstoot-en-luchtqualiteit-in-vlaanderen-evaluatie-2020> | and Nitrogen deposition - Vlaamse Milieumaatschappij (vmm.be) | <https://www.vmm.be/lucht/stikstof/stikstofdepositie>

⁶⁵ The Programme - Portail de l'agriculture wallonne (wallonie.be) | <https://agriculture.wallonie.be/le-programme>

⁶⁶ See <https://www.vlaio.be/nl/nieuws/eiwit-transitie-biedt-volop-opportuniteiten-voor-vlaanderen>

⁶⁷ See Flemish protein strategy 2021-2030 (vlaanderen.be) | https://lv.vlaanderen.be/sites/default/files/attachments/vlaamse_eiwitstrategie.pdf

and biofuel industry: this circular approach should account for 50% of the raw materials used in the Belgian feed industry by 2030. In this way, the share of imported soy for animal feed can be substantially reduced, which will have a favourable impact on the climate and on biodiversity in third countries (cf. §§ 34ff). Wallonia is also developing initiatives in this direction: the mentioned report for the recovery plan 'Go Wallonia' announces an action 'The production of alternative proteins': *"This action, studied and validated within the framework of the Wallonia Economic Program, aims to initiate a transition towards agricultural systems diversified in protein production. It also aims to make Wallonia a leader in alternative proteins with high added value for human and animal nutrition. The objective is both to reduce the dependence of the sector on imported proteins and to have better control over production costs."*⁶⁸ **The Council appreciates these policy initiatives and believes that it is appropriate to align approaches in this area in the regions in order to achieve even better results.**

- [33] The protein transition is part of a global food policy, integrating concerns of health, environmental and climate concerns and economic viability and affordability.⁶⁹ A systemic approach and coherent policies are needed, the OECD stated in a study last year.⁷⁰ In Belgium, in this context, a scientific project Futures4Food,⁷¹ a transdisciplinary research project is currently underway that will conduct two case studies in a first phase: the sustainable production of cereals and the protein transition.⁷² **The Council believes that an approach is indeed needed that coordinates food policy horizontally (between domains such as agriculture, environment, health, education, work, innovation) and vertically (between policy levels and stakeholders).** This policy should then take shape in a mix of measures and actions to make a sustainable and healthy diet the easiest choice, also translating the policy into concrete nutrition recommendations for citizens, such as the recent version of the food triangle by the Flemish Institute for Healthy Living,⁷³ which emphasises the link between healthy and environmentally responsible eating. Such communication can also mention that sustainably produced food justifies a fair price for the producer.

Action on biodiversity in other countries

- [34] The previous sections dealt mainly with biodiversity at home. But our consumption also causes biodiversity loss elsewhere in the world, through the import of raw materials or products.⁷⁴ The most important factor here is land use, accounting for 70% of biodiversity loss through our consumption, ahead of water use (23%) and climate change (7%). For example, research⁷⁵ shows

⁶⁸ See <https://gouvernement.wallonie.be/files/%255BRapport%255D%20-%20Get%20up%20Wallonia%20-%20Rapport%20du%20conseil%20strate%cc%81gique%20au%20Gouvernement%20wallon.pdf> (wallonie.be) en https://www.wallonie.be/sites/default/files/2021-10/plan_de_relance_de_la_wallonie_octobre_2021.pdf point 3.6 "Renforcer la souveraineté alimentaire", projet 198.

⁶⁹ We already see this global approach in existing food strategies in our country such as 'Manger Demain' in Wallonia, 'Vision 2050' in Flanders, the 'Good Food strategy' in Brussels and the Federal Food and Health Plan.

⁷⁰ OECD, jan. 2021: OECD iLibrary | Making Better Policies for Food Systems (oecd-ilibrary.org) | https://www.oecd-ilibrary.org/agriculture-and-food/making-better-policies-for-food-systems_ddfba4de-en

⁷¹ Under the Federal Science Policy Office's BRAIN programme

⁷² Cf. Federal sustainable development plan 2021: https://www.duurzameontwikkeling.be/sites/default/files/content/fpdo_2021_nl.pdf

⁷³ Nutrition triangle | Healthy Living | <https://www.gezondleven.be/themas/voeding/voedingsdriehoek> See also the SALV opinion on food policy: SALV_ https://www.salv.be/sites/default/files/documenten/SALV_20200626_ADV_2020-08_Voedselbeleid_HapklareInzichten_wv6_DEF.pdf p 26

⁷⁴ See Flemish Nature Report 2020 INBO, D8: https://purews.inbo.be/ws/portalfiles/portal/29122479/INBO_Natuurrapport2020_2.pdf

⁷⁵ See, among others, the Feasibility study on options to step up EU action against deforestation: - (europa.eu) | <https://ec.europa.eu/environment/forests/pdf/KH0418199ENN2.pdf> | Pendrill e.a. (2019): Agricultural and forestry trade drives large share of tropical deforestation emissions - ScienceDirect | <https://www.sciencedirect.com/science/article/pii/S0959378018314365> ; Natuurrapport Vlaanderen 2020: | <https://www.vlaanderen.be/publicaties/natuurrapport-2020>

that our consumption of imported meat, soy, palm oil, coffee and cocoa, among others, often leads to deforestation and biodiversity loss in many Latin American, African and Asian countries. There is also this impact through the production of non-food products, such as textiles, paper, rubber, leather. Therefore, in view of the new post-2020 global framework of the Convention on Biological Diversity (CBD), our country will develop the theme of "promoting biodiversity in sustainable cities" in addition to the theme of "changing production and consumption patterns", in order to reduce the impact of the consumption of imported products on biodiversity in third countries, stop imported deforestation and reduce biodiversity loss through domestic production.⁷⁶

- [35] A regulation on deforestation in third countries is currently being prepared at the European level. The European Parliament adopted a resolution to this effect on 22 October 2020, and the Commission, after a public consultation in early 2021, published a communication⁷⁷ on 17 November 2021 on how it will combat deforestation elsewhere in the world. The Commission wants to require companies importing the products mentioned in previous § and their derivatives into the EU to use only agricultural land *"that has not been subject to deforestation after December 31, 2020."* It also prevents the import of illegal products, which were not made according to the laws of the country of origin. Products that do not meet both conditions will be banned from the European market. This regulation is currently still under discussion in the European Parliament and the Council of Ministers and is targeted to be finalised by the end of 2022.
- [36] At the same time, the application of biodiversity criteria in trade agreements is also being concretised, including through legislation to regulate the import of products that lead to deforestation in third countries.⁷⁸ It is indeed crucial to include these sustainability criteria in trade policy as well, analogous to the planned EU carbon border adjustment mechanism.⁷⁹ With this in mind, several parties questioned the EU's planned trade agreement with Mercosur countries. Given that the sustainability of the agriculture, horticulture and agri-food chain within the EU (cf. the CAP and the Farm to Fork strategy) mentioned in §26 et seq. leads to higher standards than the food safety, health and environmental standards with which imported products have to comply, this agreement, in addition to weakening the mentioned standards, also threatens to create a competition problem for EU producers of agricultural products.⁸⁰
- [37] **The Council notes that the biodiversity, deforestation and food part of the European Green Deal, like the climate part, will have certain repercussions not only for foreign trade but also for finance.** At EU level, in addition to a regulation on sustainability disclosure in the financial services sector, the Green Deal is developing a taxonomy for financial products,⁸¹ where the principles of "contributing substantially"⁸² and "not seriously affecting" (cf. previous §§) the protection and restoration of biodiversity and ecosystems are criteria in the assessment. **In this context, the Council stresses the importance of aligning**

⁷⁶ See News.belgium | <https://news.belgium.be/nl/belgie-zet-zich-op-alle-fronten-voor-biodiversiteit>
<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52021PC0706>

⁷⁸ See also the federal coalition agreement 2020 here: 'In the context of European free trade agreements and ongoing European legislative initiatives, the federal government will advocate that these take into account the negative impact of (illegal) deforestation, including by imposing the necessary environmental and sustainability standards.'

⁷⁹ Cf. communication Commission on 'an open, sustainable and assertive trade policy': Communication on the Trade Policy Review (europa.eu) | <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52021PC0706>. Wat betreft het carbon border adjustment mechanism, zie <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:52021PC0564>

⁸⁰ See among others the SALV opinion 26/02/2021: https://www.salv.be/sites/default/files/documenten/SALV_20210226_BRADV_2021-02_Mercosur.pdf p 12

⁸¹ See EU taxonomy for sustainable activities | European Commission (europa.eu) | https://ec.europa.eu/info/business-economy-euro/banking-and-finance/sustainable-finance/eu-taxonomy-sustainable-activities_en

⁸² Cf. Article 15 of Regulation (EU) 2020/852: <https://eur-lex.europa.eu/legal-content/NL/TXT/PDF/?uri=CELEX:32020R0852&from=FR>

financial flows with the biodiversity framework, and appreciates that EU Member States are putting forward an agenda item for COP15 on this: *"(The European Council) STRESSES the need for the biodiversity proofing of all relevant financial streams, in order to avoid having negative impacts on biodiversity, and where possible, to produce co-benefits for it"*.⁸³

Given that biodiversity loss, together with climate change, also poses a systemic risk to the financial system, it is also in the self-interest of financial actors, pending and complementing this and other regulations, to take the necessary steps themselves by ceasing to invest through credits, investments or participations in projects that harm biodiversity.

[38] The Council calls on the Belgian authorities, in the spirit of its commitments (such as the High Ambition Coalition and the Amsterdam Declarations Partnership, see § 42) to play a leading role, both at European (EU) and global level, in the processes mentioned in previous §§ aimed at avoiding biodiversity loss, and to deploy themselves all instruments at their disposal to stop imported deforestation and the conversion of other ecosystems and to reduce the negative impact of our consumption and production on global biodiversity. This should be done while ensuring a level playing field and respecting the EU legal framework. The objective is by 2025 *"to achieve sustainable and deforestation-free agricultural commodity supplies and thereby contribute to sustaining forests and their ecosystems globally"*.⁸⁴

Thus, conditions in this area can also be included in public procurement (procurement policy). **The Council urges governments to work on this in the short term.** At the federal level, the Federal Sustainable Development Plan⁸⁵ foresees a review of the awarding of public contracts, including sustainability criteria (such as biodiversity conservation). However, this process (including the revision of the government communication of 16 May 2014) has been dragging on for years: **the Council asks the federal government to implement the revision in 2022 and to consult stakeholders on it.**

[39] Besides governments, producers and traders are also making voluntary and complementary efforts in this field to reduce the ecological footprint of their products. **The Council appreciates the various initiatives that have already been launched, whether emanating from individual companies, federations or multi-stakeholder collaborations and partnerships, calls for these initiatives to be strengthened and multiplied, and calls for commitments to be strengthened, at least in line with the Amsterdam Partnership target (see §42) to achieve deforestation- and conversion-free supply chains by 2025, and to report transparently on progress made.** An interesting example of a multi-stakeholder initiative is "Beyond Chocolate", a partnership involving several companies, governments, knowledge institutions and civil society actors in the chocolate sector, which aims for all chocolate produced and consumed in Belgium to come from sustainably certified cultivation by 2025. By 2030 at the latest, all cocoa farmers supplying the Belgian market will have to earn a living income and there must be no more deforestation caused by cocoa production for the Belgian market.

[40] There are also sector initiatives for other imported commodities to reduce deforestation and biodiversity loss elsewhere. For soy, for example, there is the Amazon Soy Moratorium, endorsed by Belgian animal feed producers since 2006, an agreement to

⁸³ See Council Conclusions 19/12/2019, pdf <https://data.consilium.europa.eu/doc/document/ST-15272-2019-INIT/en/pdf> § 19

⁸⁴ Amsterdam Declarations Partnership, statement of ambition 2025 zie AD Partnership Statement 2025.docx (ad-partnership.org) | <https://ad-partnership.org/wp-content/uploads/2021/02/AD-Partnership-Ambition-Statement-2025.pdf>

⁸⁵ https://www.duurzameontwikkeling.be/sites/default/files/content/20211001_fpdo_nl.pdf

ensure that soy production in the Amazon only takes place on non-deforested farmland. Since 2018, it has also endorsed the Cerrado Manifesto. In addition, the Belgian Feed Association (BFA) has been buying sustainable soy certificates collectively since 2009: these covered 55% of the sector's total soy consumption last year, and the aim is to reach 100% coverage by 2030. Regarding palm oil, there is also a sectoral push for sustainability through the Belgian Alliance for Sustainable Palm Oil,⁸⁶ in which a number of federations and companies commit to using only certified palm oil (by the *Round Table for Sustainable Palm Oil*) in food products for the Belgian market.

[41] These and other sector initiatives to make the commodity supply chain more sustainable are valuable and contribute to reducing negative biodiversity impacts in countries of origin. **However, it points out that voluntary certification as a tool is important, including where policies for improved working conditions are concerned, but that voluntary certification is currently not sufficient to prevent the full range of problems of deforestation and biodiversity loss.** In some cases, the market volume falls short, the quality and implementation of certification schemes is inadequate, transparency on parts of the chain is lacking or one observes a displacement of the problem to other regions, for instance when certification is site-specific. For each commodity, an evaluation is needed to identify what other instruments are needed to achieve the desired results ('policy mix'). This could involve both enabling better data collection and availability, tracing, risk management, monitoring and regulation/enforcement (such as those at EU level), improving certification and shaping projects in cooperation with exporting countries or through international cooperation (e.g. also to support biodiversity in exploitation zones). To ensure success in combating deforestation and ecosystem conversion, governments do need to take into account the differences between the value chains of the sectors involved, as well as provide adequate support to stakeholders during a transition period.

[42] Regarding the import of raw materials for biofuels, the federal government has anticipated EU regulations by already imposing a tightening of product standards in this regard: from mid-2022, no palm oil-based biofuel may be distributed in our country, and from 2023 there will also be a ban on soy as a raw material for biofuels for transport. This decision is linked to our country's accession (January 2021) to the Amsterdam Declarations Partnership, an alliance of nine European countries aiming to make imports of raw materials (soy, palm oil, cocoa) more sustainable and to combat deforestation in this context.⁸⁷ **The Council underlines that palm oil and soya should not be substituted by other first-generation biofuels, to which the same biodiversity and nutrition issues are linked.** As directive RED II allows, we should completely move away from first-generation biofuels.

In the Federal Sustainable Development Plan 2021,⁸⁸ the federal government announces a strategy for sustainable food import chains ('beyond food strategy') from which further measures and actions should emerge. **The Council calls for priority and careful implementation of this strategy, based on the action plan mentioned in the Federal Plan for Sustainable Development,⁸⁹ taking into account the specificity of the sectors involved. The Council is prepared to provide input in this regard.**

⁸⁶ See | BASP | <https://www.duurzamepalmolie.be/>

⁸⁷ See About - Amsterdam Declarations Partnership (ad-partnership.org) | <https://ad-partnership.org/about/>

⁸⁸ https://www.duurzameontwikkeling.be/sites/default/files/content/fpdo_2021_nl.pdf

⁸⁹ https://www.duurzameontwikkeling.be/sites/default/files/content/fpdo_2021_nl.pdf 6.4

[43] Stopping biodiversity loss elsewhere in the world through our consumption will also require consumer involvement and engagement. **The Council believes that communication efforts are needed to better inform consumers about the issue of imported biodiversity loss, and to help them make sustainable choices in terms of daily food.** Specific product information can be useful for this (e.g. via transparent product labelling and labelling, ideally harmonised at EU level) but also global information. An example in this area is the food triangle⁹⁰ of the Flemish Institute for Healthy Living mentioned in §33, which recommends choosing a predominantly plant-based diet with mostly seasonal vegetables, and for a number of precarious products recommends buying products with a label (e.g. MSC, ASC for fish). These recommendations that look at human health and environmental health together (cf. §6 on 'one health') are in line with the dietary recommendations of the Superior Health Council⁹¹ and Sciensano.⁹² **It advises governments to link them to other (e.g. fiscal) incentives to switch to a more sustainable food pattern, as mentioned in the Farm to Fork strategy.** The European Council has already made a start in this direction in December 2021 by no longer requiring member states to levy a minimum 5% VAT on fruit and vegetables. At the federal level, the new Federal Food and Health Plan (FVGP) for the period 2021-2030 could provide the framework for this. **The Council asks the relevant ministers to examine this and consult stakeholders.**

[44] Even in a broader framework, communication and awareness-raising on biodiversity conservation is essential. **The Council believes that initiatives such as the BeBiodiversity campaign,⁹³ which concretely links the consumption behaviour of various actors to a biodiversity impact and proposes solutions, and Biodiversitree,⁹⁴ an online tool for biodiversity actions in companies, are very useful.** But an effort is also needed in the field of education and upbringing. Every young person needs to understand why biodiversity is so important, and see that we are connected to the natural world around us. Both the global post-2020 biodiversity framework and the European strategy on this matter mention the issue of education as a general principle. **The Council supports the Global Youth Biodiversity Network's call to translate this into concrete and measurable actions. The issue of biodiversity needs to be addressed in official education programmes at all levels, in a cross-cutting sustainability approach, just like the climate issue.** Educational institutions can also make their students understand the intrinsic value of ecosystems in a more informal way, by bringing them into regular contact with nature. Here, it is important that these institutions also set a good example themselves by integrating biodiversity into their operations. The FRDO-CFDD underlined this a few years ago together with education experts in the context of a forum on learning practices on climate and sustainability: *'educational messages should be based on coherent practices of sustainable management of schools (in terms of materials management, mobility, energy consumption, purchasing policy, the functioning of the school refectory, etc.)'*⁹⁵ In terms of biodiversity, opting for making hard surfaces water-permeable and for blue-green playgrounds is a good example in this regard.

Wild meat

⁹⁰ Food Triangle | <https://www.gezondleven.be/themas/voeding/voedingsdriehoek>

⁹¹ See <https://www.health.belgium.be/en/advisory-report-9284-fbdg-2019>

⁹² See: Nutritional habits (gezondbelgie.be) | <https://www.healthybelgium.be/en/health-status/determinants-of-health/nutritional-habits>

⁹³ See | BeBiodiversity | <https://bebiodiversity.be/en/>

⁹⁴ See | Biodiversitree | <https://www.biodiversitree.be/nl/startpagina>

⁹⁵ Cf. Expert recommendations (frdo-cfdd.be) | https://www.frdo-cfdd.be/sites/default/files/content/download/files/recommandations_forum-jeunes_climat_nl.pdf

[45] Another form of imported biodiversity loss, linked to a health risk for humans and animals, concerns the import of wild meat, from third countries. Research commissioned by the Federal Public Service of Public Health, Food Chain Safety and Environment, shows that 44 tonnes of wild meat from Africa (bush meat), including from endangered and protected species, enters our country illegally each year through Zaventem airport in passengers' luggage. A related study found traces of potentially harmful zoonotic bacteria and African swine fever virus in seized meat. A recent customs inspection of 72 passengers at Zaventem airport found three CITES⁹⁶ violations, and confiscated 1,287 kg of other products of animal origin and 5,397 kg of products of plant origin. **The Council therefore urges the government to urgently implement an efficient and permanent prevention policy, with more and systematic controls at the borders.** First and foremost at airports, where airlines are necessarily involved parties to contribute to its implementation. Furthermore, legislative initiatives are needed to effectively sanction infringements, the government should invest more in recruitment, training and technical support for control services (including customs), and an awareness-raising campaign for consumers is required.⁹⁷

[46] **Regarding illegal wildlife and timber trade, it calls for strict enforcement of the CITES and EUTR regulations.** In particular, better coordination and exchange of knowledge and information is needed between all actors in the enforcement chain (FPS Environment, Customs, Environmental Crime Unit of the Federal Police, prosecutors). Greater use should also be made of scientific analysis (wood anatomy, isotopes and DNA) to improve the detection, investigation and punishment of illegal wildlife and timber trade under CITES and the EUTR in Belgium. In relation to trade in wildlife and their meat, a national action plan is under preparation for approval by an expanded Interministerial Conference on the Environment. **It asks governments to move swiftly on this in light of the upcoming COP, and also ambitiously support the revision of the European Action Plan against illegal wildlife trade.**⁹⁸ This is important in the context of the Corona recovery policy not only for biodiversity reasons, but also to reduce the risk of transmission of zoonoses. It is worth noting that the latest federal coalition agreement indicates that it will actively combat the wider framework of illegal trade in timber, wildlife and plants, and that the Federal Plan for Sustainable Development mentions some actions to this effect (6.2), including the control of e-commerce in this regard.

⁹⁶ The Convention on international trade in endangered species of wild fauna and flora.

⁹⁷ Cf. also the recommendations from the Belgian Biodiversity Platform: DOCUMENTS. | <https://www.biodiversity.be/5051/>

⁹⁸ See The EU Approach to Combat Wildlife Trafficking - Environment - European Commission (europa.eu) | https://ec.europa.eu/environment/cites/trafficking_en.htm

Annex 1. Specific contribution by the advisory council on environment of the Brussels Region (RLBHG)

Preliminary remark

- The Environment Council (hereinafter "the Council") concurs with the opinion of the Federal Council for Sustainable Development (hereinafter "the FRDO-CFDD") on biodiversity in policy.
- The Council wished to make additional comments using this annex. It provides clarification on some of the points set out and also proposes to address an additional topic, which was not addressed in the FRDO-CFDD opinion.

Annex to opinion on biodiversity in policy

Measures on biodiversity in our country

Protection of natural land and water areas - paragraph 13

- The Council recalls that not only green spaces, but also open spaces more generally, are a concern: they should be able to be reclassified (to be demineralised and greened) in order to promote the integration of nature in urban and rural areas.
- The Council requests that the protection, expansion and interconnection of natural areas would take into account not only existing spatial policies and current uses of these lands, but also future policies, possibilities and opportunities.
- The Council adds that, in addition to binding targets on the restoration of natural land and water areas by 2030, there is a need to ensure that their destruction is prevented and that natural fires can be extinguished when they occur.
- In addition, the Council believes that it is not enough to protect rural and agricultural areas from urbanisation, but that the goal for these areas should be to optimise them ecologically.

Spatial planning - paragraph 14

- The Council hopes that the new spatial planning orientation of our cities and towns will include sustainable and coherent networks of open spaces as a core element. After all, the ecological optimisation of scarce valuable open spaces is a sine qua non for the qualitative densification of cities. Facilitating and enhancing the "ecosystem services" of existing open spaces deserve special attention.
- The Council calls on governments to update the green and blue infrastructure map every two years so that they have a legal instrument on which to base positive or negative responses to permit applications.

Artificial light - paragraph 20

- The Council reiterates that the disruption of day and night cycles by artificial lighting poses problems not only for insects but also for migratory birds and bats. Such lighting is often unnecessary or at least inappropriate; when it is needed, it should be adaptable to the time of day and seasons.

Waste management - paragraph 25

- The Council considers that the deposit system for plastic bottles and aluminium cans should be extended to the whole of Belgium to encourage individual collection initiatives. In addition, the Council suggests introducing regulations

prohibiting plastic from being processed for burial and coming into contact with natural soil. Although derived from recycled material, plastic comes into direct contact with the soil and inevitably contaminates it down to the water table.

Agriculture and food

Agriculture - paragraph 26

- The Council calls for great vigilance in the application of the Farm to Fork strategy, especially in the case of "emergencies" that would justify the use of pesticides.

Impact of electromagnetic pollution on biodiversity

- The Council wishes to address the issue of electromagnetic pollution in the context of this own-initiative opinion on biodiversity. Waves, which are increasingly present in urban environments, can be harmful to human health and, by extension, to biodiversity as a whole. Several studies have shown a negative impact of these waves (and more generally of the telecommunications sector) on the behaviour of animals and plants,^{99,100,101} as well as on the environment.^{102,103,104} The Council therefore invites governments to pay particular attention to this issue, which is still not sufficiently addressed, when designing their environmental policies.

⁹⁹ <https://kompetenzinitiative.com/des-abeilles-des-oiseaux-et-des-hommes-la-destruction-de-la-nature-par-lelectromog/>

¹⁰⁰ https://baden-wuerttemberg.nabu.de/imperia/md/nabu/images/regional/bw/einmaligeverwendung/thill_2020_review_insekten_komplette_studie_mit_zusammenfassung.pdf

¹⁰¹ https://baden-wuerttemberg.nabu.de/imperia/md/nabu/images/regional/bw/einmaligeverwendung/thill_2020_review_insekten_komplette_studie_mit_zusammenfassung.pdf

¹⁰² <https://theshiftproject.org/article/impact-environnemental-du-numerique-5g-nouvelle-etude-du-shift/>

¹⁰³ <https://www.mdpi.com/2071-1050/10/9/3027>

¹⁰⁴ https://www.greenit.fr/wp-content/uploads/2019/10/2019-10-GREENIT-etude_EENM-rapport-accessible.VF_.pdf