



Copa-Cogeca's Reflection
paper on the EU Soil
Strategy for 2030

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Soil Health: A Priority for Copa-Cogeca

At the end of 2021, the European Commission released a strategy on the future of soils for the next 10 or so years, while also setting targets in the seemingly distant future for 2050¹. Copa and Cogeca are truly heartened, and welcome the importance that the Commission places on soils, their health, and their rejuvenation in certain areas. Healthy and fertile soils are essential for how we live; the ground we walk on, the land we grow food from, and also the source from which we take some of our most valuable and renewable resources. Healthy soils are one of the key resources for involving our carbon cycles in climate adaptation and climate mitigation as our planet moves towards a circular economy and sustainable way of life. As a result, a soil strategy to protect terrestrial ecosystems and to rejuvenate soil health is to be welcomed.

Copa-Cogeca as a whole very much welcomes certain targets and goals set out in the new Strategy. Among these are the reduction in soil sealing and land take by 2050 to zero; the reduction in nutrient losses; the promotion of sustainable soil management practices; and the promotion of free-soil sample testing for land managers.

Alongside these goals, Copa-Cogeca also welcomes the ambition to continue to expand the network of excellence practitioners; the streamlining of the Living Labs and Lighthouses of the Soil Mission; and the further dissemination of tried and tested sustainable soil and management solutions. Finally, Copa-Cogeca appreciates and understands the Commission's endeavour to recognize and reward farmers, foresters, and land managers for their role in sustainable soil management, and their promise to publish the guide on financial opportunities for dissemination by 2022.

Copa-Cogeca will continue to support all of these ambitions as long as they continue to add to the activities of farmers, foresters, and land managers in achieving their goals, and do not instead begin to add unnecessary red-tape, bureaucracy, and financial strain on an already overly encumbered and financially constrained sector. It is through innovation, research and knowledge and examples on best practices, combined with genuine and sustainable incentives for action, that soil health goals can and will be achieved by 2050.



The New Soil Health Law: Another Law Governing Our Soils

However, since 2006, the European Commission has been trying, with the adoption of the Soil Thematic Strategy, to legislate on a soil framework

directive. This is a proposal which was soundly rejected by the European Council in 2007 and finally abandoned by the European Commission in 2014. Among the issues that Member States, stakeholders, as well as farmers and foresters had with this legislative act was the breach in subsidiarity, the cost of implementation, the unfair burden on land-users, and the difficulty of harmonization of long constituted soil protection laws with other Member States. And yet, over 15 years on from the original proposal, we stand at the same cross-roads, with another legislative act in the form of the Soil Health Law being pushed upon land managers.

With the European Commission looking to regulate soil in the same way that it does water and air, it consistently neglects and ignores a variety of issues needed for accomplishing this successfully and equitably to all involved.

First of all, soil is different from field to field, from region to region, and from country to country. No two fields have the same parent material, the same water and biodiversity resources, or the same climactic conditions. The origins from which our soils develop is extremely relevant to how these soils evolved, how they deteriorate, and how they can be returned to a healthy function and structure; these elements are not in our hands, and never will be. Therefore it is quite risky to design and assign general regulations for certain areas with specific goals. Especially since we still have to gain knowledge on soils and their diversity. 2030 and more so 2050 are still far away and it is hard to predict the consequences of these regulations on an area, especially when we stick a label (and target) on these areas.

Alongside this, with increasingly erratic climatic weather events, there is already a consistent and increasing level of challenges to soil: water infiltration, erosion, nutrient uptake, and salinisation of some of our already most endangered soil types and areas. These are ongoing threats, depleting our precious soil structure week by week, month by month. They need local action, not further additional supranational red tape. Local problems necessitate local solutions and adapting to climate is one of the most local and regional obstacles attached to the agricultural and forestry sectors in the 21st Century. It is likewise of the utmost importance to underline that implementing solutions can often prove challenging, as it takes time to carry out soil testing and master these new practices that can also lead to additional costs potentially jeopardising the profitability of farms. Also, there are a whole list of legislation, strategies, policies and schemes which currently govern soil in the European Union, among them the Common

¹ EU Soil Strategy for 2030. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021DC0699&from=EN>



Agricultural Policy (CAP), the Water Framework Directive, the Nitrates Directive, the Sustainable Use of Pesticides Directive, and the Nature Directives. These all deal directly, or indirectly with soil health, soil structure, and soil fertility improvement, and all have direct implications on those who manage soil on a day-to-day basis. Alongside this, there is national or regional soil protection legislation in many countries, With the reintroduction of another new soil law at EU level, there is an even greater risk that this will only lead to a duplication of regulations, to the undermining of the Member States' right to subsidiarity and proportionality, and increase financial and bureaucratic burdens on farmers, foresters, and land managers.

The EU collection of legislations includes air, climate adaptation and mitigation, water; however, soil is a privately owned resource that is constantly nurtured, maintained, and improved for future generations. Soil, unlike the other resources mentioned are protected under EU law, is thus fundamental to the privately held rights of farmers, foresters, and land managers across the EU. To own the land is to own the soil underneath it, and the private and principle right to property is an indisputable right; it is the protection of this right which must be ensured and taken into account when any and all measures and legislation are being discussed.

Nonetheless, and taken into account the importance of the agricultural soils for the future of food security throughout Europe, some improvements could be made in the legislation to face the major issue for soil: the soil sealing, which causes irreversible impact to soils. Indeed, farmers are not the threat to soils, but the best caregivers to its health. The real threat to fertile soils in Europe, to our agricultural and forested lands, is coming from activities which are in competition with agriculture in the use of soils, for different market purposes which are not always related to public interest, as food security or the ecosystems services generated by agriculture are instead.

There is still a major consumption of fertile agricultural lands in some Member States for a variety of purposes other than agriculture and the reason why these fertile soils are being sealed (irreversibly) is due to economic reasons and lack of political direction, especially on the protection of agricultural lands from soil sealing. Practices of transforming agricultural lands instead of using already irreversible sites to build new infrastructures must not be allowed any longer. Especially because the agricultural sector will play a major role in reaching the goals of the Soil Strategy. A healthy soil is and will remain one of the most important means of production to farmers, foresters and land managers.



Achieving our soil goals: local issues with local solutions

Copa and Cogeca thus welcome the update of the Soil Thematic Strategy, and all of the boons it can bring to the protection of soil as an essential resource for human existence, and also for the rejuvenation of this precious resource. However, Copa-Cogeca remains committed to objecting to any legislative act or legally binding targets that deal with the issue of soil or associated nature. However, updates of directives which concern fertilizers and pesticides are relevant, as they protect soil characteristics free from harmful substances like xenobiotics from recycled materials which are a risk for soil health.

It is of the utmost importance that all future action within the goals and ambitions of the EU Soil Strategy for 2030 applies the principles of subsidiarity and proportionality. The strategy is proposing limitations regarding the use of organic soils and, as communicated “legally binding objectives in the context of the Nature Restoration Law, to limit drainage of wetlands and organic soils and to restore managed and drained peatlands, in order to maintain and increase soil carbon stocks, minimise flooding and drought risks, and enhance biodiversity, taking into account the implications of these objectives for future carbon farming initiatives and agricultural and forestry production systems”. The limitations concern not only peat soils but also mull soils having 20-40% organic matter, which has severe consequences for the bioeconomy in those countries where organic soils are typical and important part of farming and forestry, like in Finland or Estonia where the percentages of peat are 30% and 23% respectively, and as a result, this sector could be seriously threatened despite the sustainable management practices in use. It is essential that those Member States who are experiencing soil deterioration due to climate change (not land management) should be supported in implementing localised solutions, but not forced into land use change by legally binding EU-regulations. This is particularly true in those regions such as along the Mediterranean where climate change is causing extreme detriment to the local soil beds through desertification, hydrogeological instability, and the rising of the saline wedge. Acceptance of the true cause of deterioration is the first step to achieving a concrete solution, and this is especially true in soil health.

We also emphasize that in the case of peatlands, the need for peat-using sectors (e.g. horticulture) needs to be clarified. It must be ensured that the input needed for production is available, so the

effects of the proposed activities must be analysed in a comprehensive way. The EU Soil Strategy states that the Commission will assess the possibility of making the target of reducing nutrient losses by at least 50% legally binding. There is a clear danger that in limiting the amount of fertilizer, it could lead to loss in soil fertility. The use of fertilizers should focus on reducing the risks associated with their use and increasing their efficiency, not on limiting quantities. Optimal nutrient loss and nutrient efficiency targets need to be set before setting quantitative targets for fertilizers use. It is not possible to apply uniform indicators to all EU Member States here, but they must be developed on a Member State-specific basis and based on thorough research. Account must be taken of the current level of use of fertilizers in the Member States, the types of production, geographical and geological characteristics, etc.

Thus, Copa and Cogeca call for an acknowledgement that soil is a local and regional issue, and that progress in the achieving our European goals must be acknowledged as coming from local solutions and through a voluntary approach. Policy with incentives for better soil management will be more effective than strict rules.

The EU Soil Strategy for 2030 should aim primarily to be a platform to promote and support information exchange, the sharing of best practices, and the promotion of sustainable soil management at EU level, while acknowledging and respecting the Member States' competences.

The 2030 goals can only be accomplished through the continued development of farmers and foresters in their daily activities, including through reward schemes for sustainable soil measures, the support of innovation in crop breeding (NGTs), the fostering of large-scale precision agriculture and innovations in digital agricultural practices, and the promotion of techniques which reward the land manager as well as the soil. To make the most sustainable use of soils, land managers need better soil data and their interpretation to show progress. A data-driven approach would also allow farmers to put more accent on management-based aspects of their practices. Alongside a greater amount of data it is essential that the discussion around the ownership and authorisation of this data is duly undertaken, as without this, land managers can often do little with such salient information. When looking for climate smart farming practices for different soil types, a remarkable knowledge gap in site and management specific emission factors appeared. Therefore, considerable efforts and investments in soil science applied in agriculture and forestry in different pedo-climatical conditions should be prioritized in the Soil Strategy.

Further, in order to ensure healthy soils, it is not just down to the primary sectors to contribute, but all sectors need to and must contribute. Essential productive soils can and have been irreversibly destroyed by soil sealing and construction; it is therefore essential that the role of all sectors is acknowledged in soil health, and likewise essential to maintain the growth potential of farmland and forests for cultivated soils, which are the basis for food security, renewable raw materials, and also for biodiversity well-being.



Summarized

- Copa and Cogeca welcomes the Soil Strategy; healthy and fertile soils are essential for farmers, foresters and land managers. Copa-Cogeca support the ambitions stimulating farmers, foresters, and land managers in better soil management for a healthier and more fertile soil environment. However this should not come from further legislation.

- Soil is different from field to field, from region to region, and from country to country. Local challenges necessitate local solutions. A common policy cannot provide this.

- Already there is a lot of legislation and there are strategies, policies and schemes currently governing soil in the European Union. Alongside this, there is national or regional soil protection legislation in many countries. Duplication will only reduce effectiveness not increase it.

- Agricultural and forestry land should be better preserved from land-use change for the purpose of food and resource security.





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Copa and Cogeca are the united voice of farmers and agri-cooperatives in the EU.

Together, they ensure that EU agriculture is sustainable, innovative and competitive, guaranteeing food security to half a billion people throughout Europe. Copa represents over 23 million farmers and their families whilst Cogeca represents the interests of 22,000 agricultural cooperatives. They have 66 member organisations from the EU member states. Together, they are one of the biggest and most active lobbying organisations in Brussels.