



# European Soil Protection Policies including the EU Framework Directive for Soil Protection

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# Soil protection at European level – current legislation

- **Legally binding rules at European level**
  - Waste Framework Directive, Groundwater Directive, Nitrate Directive, Water Framework Directive, Floods Directive etc
  - Cross Compliance:  
GAEC: soil erosion, soil organic matter, soil structure  
permanent grassland
  - Future soil framework Directive ???
- **Rural Development**
  - Regional approach
  - Incentives



# Soil protection at European level

- **Communication of the Commission** „Towards a Soil Thematic Strategy“ **in 2002**
- **Stakeholder consultation**
- **Internet Consultation** – 2005
- **Soil protection package** (22.9.2006)
  - Thematic strategy for Soil Protection [COM(2006)231]
  - Proposal for a soil framework Directive [COM(2006)232]
  - Impact Assessment



# Soil Framework Directive – Content

## Prevention

- Integration in sectoral policies (Art 3)
- Precautionary measures (Art 4)
- Measures to limit or mitigate sealing (Art 5)

## Identification

- Identification of priority areas for erosion, organic matter decline, compaction, salinisation, landslides and acidification within 7 years (Art 6)
- Identification of contaminated sites within 7 - 15 years (Art 10)

## Action

- Action Programmes within 9 years (Art 8)
- National Remediation Strategy (Art 14)



# Soil Framework Directive – the way through the European Parliament

- **Committee on Environment, Public Health and Food Safety (responsible):** vote on 9.10.2007
  - Rapporteur: Cristina Gutiérrez-Cortines
- **Legal Affairs (opinion):** vote on 13.9.2007
  - Rejection of proposal
- **European Parliament (Plenary):** 1. reading vote on 14.11.2007

# Soil Framework Directive – the way through different Presidencies

- **Portuguese Presidency** (December 2007): no qualified majority in favour of Directive. DE, UK, FR, NL and AT against a Directive
- **French Presidency**: second half-year 2008
- **Czech Presidency**: first half-year 2009
- **Spanish Presidency**: progress report at the Environmental Council meeting on 15 March 2010
  - DE, UK, FR, NL, AT and MT against
  - BE, BG, DK, CY, EL, ES, IT, LU, PT, and SK in favour

# Soil Framework Directive – new justification for action at EU-level

According to the European Commission (DG Environment) the following new points justify a European legal act:

- **Climate change:** impact of land use change
- **Soil biodiversity:** recent report on soil as “the invisible hero” (February 2010)

# Soil Framework Directive – critical remarks (1)

- Soil is one of the most important production factors in agriculture and forestry
- Subsidiarity – best way to deal at national / regional level
- Great administrative burden – similar to Natura 2000
- Soil is always owned by someone (different to air, wild flora and fauna) - Impact on farm land value in Austria: loss up to 2 billion €



# Soil Framework Directive – critical remarks (2)

- In contradiction to decision of European Council:  
Reduction of administrative cost at 25 %
- No focus on quantitative soil protection
  - **Soil sealing:** demand of agricultural areas for housing and infrastructure (Germany: 116 ha per day; Austria: 12,1 ha per day)
  - **Sealed area is a carbon source:** 181-453 t CO<sub>2</sub>/ha and year
- In favour of European strategy for soil protection -  
however, rejection of European soil Directive

**Thank you for your attention!**

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