

Statement on Article 6 of the EU Nature Restoration Law

The major cities in the Finnish capital region (Helsinki, Espoo and Vantaa) and the Regional Councils of Southern Finland (Helsinki-Uusimaa, Päijät-Häme and Kymenlaakso) wish to express their serious concern about Article 6 of the EU Nature Restoration Law, "Restoration of urban ecosystems", which is currently under preparation.

The goal to also promote biodiversity in urban environments is vital. The national legislation in Finland is securing the value of nature at all plan levels in cities and towns. There is a risk that the proposal for Article 6 of the Nature Restoration Law will have the opposite of the intended effect: In the Finnish circumstances, Article 6 is detrimental to biodiversity and also to climate change mitigation, for example, as it hinders the sustainable development of municipalities and regions. The obligations of this article in the form proposed are also impossible to implement in many respects in Finland. It must be possible to implement the existing legally valid plans.

The Article 6 needs to be made more general, setting out more general and clarified targets for the promotion of biodiversity in urban areas and requiring national actions. Only at national and local levels will it be possible to take into account the specific features of the regions and devise measures that genuinely promote biodiversity.

The definitions of this article and the obligations it imposes must be clarified and their impacts assessed. At the moment, the definitions and obligations are unclear and partly counterproductive.

If the current wording of Article 6 is meant to be a starting point of a process ([Proposal 22 June 2022](#)), we suggest the following amendments according to the principles in the national statement of Finland (statement given by the Grand Committee 14/2022 vp 30.11.2022.)

1. **The obligations of the Article should only be aimed at urban areas where the urban green space falls under the minimum level set by the union.**
2. **The obligations should not be tied to individual cities, administrative boundaries and percentages of their total areas. It must be possible to promote the biodiversity goals in such a way that the urban region is taken into account as a functional whole. In the largest urban regions in Finland, the whole consisting of urban and green structures crosses the administrative boundaries of different cities.**
3. **The furthering of biodiversity should be guided by the quality of green space, not just with percentage increases based on the total area of the municipality. If a net increase is however required, the starting point should be the area of built-up environments, not the entire area of a municipality.**

The impacts and necessity of Article 6 must be assessed in relation to the other articles. The other articles of the Nature Restoration Law also apply to cities and thereby contribute to the protection and restoration of habitats also in cities. Article 6 would partly overlap with these other articles. For example, in Finland, national legislation also requires taking biodiversity into account and safeguarding natural values in cities at all planning levels.

Yours sincerely,

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Jaakko Mikkola, Regional Mayor, Regional Council of Kymenlaakso

Niina Pautola-Mol, Regional Mayor, Regional Council of Päijät-Häme

Jukka Mäkelä, Mayor, City of Espoo

Juhana Vartiainen, Mayor, City of Helsinki

Ritva Viljanen, Mayor, City of Vantaa

General grounds

The promotion of biodiversity is also important in cities. Since the regulation will apply throughout the EU, its wording must be made more flexible, so that the different starting points of the various regions can be genuinely taken into account when it comes to safeguarding and enhancing biodiversity.

In cities, attention should be paid to the quality of the green environment also because of the benefits it brings to people. Diverse local nature plays a major role in the health and well-being of city residents, for example. However, this is a different goal from the promotion of biodiversity. Although the goals relating to biodiversity and benefits for people can support each other in many places, they require partly different means in order to be realised. It seems that a sufficient distinction has not been made between these different aspects in the preparation of the article.

From an environmental point of view, it is most sustainable at the urban region level if human activities are mainly centralised – this way, humans take up less space from nature and society can function in a resource-efficient way. Article 6 prevents the densification of the existing urban structure and, by contrast, decentralises it and thereby works against sustainability goals. This is a significant problem in Finland, where cities are typically large in area and the regional and urban structure is more scattered and less dense than elsewhere in the EU on average. Urbanisation is still ongoing, and it is important that it can be controlled sustainably.

Article 6 conflicts with Finland's legislation and land use planning system. It would have significant impacts on planning and sustainable urban development. In its current form, Article 6 works against climate and other sustainability goals. It might lead to the decentralisation of the urban structure and deforestation and causes adverse effects on, for example, housing production, livelihoods, sustainable mobility, food production and cultural heritage.

It must be possible to implement the existing legally valid plans. In its present form, the article would lead to revoking legally binding decisions on land use. The implementation of legally valid plans would be prevented. The net addition of green areas in urban municipalities in the manner set out in the article is very difficult in practice. The areas to be built up to 2030 have already been largely planned and their implementation has been democratically decided. The required 5% increase in green areas by 2050 will require changes in the built environment in up to several tens of square kilometres within individual cities. Relocating the activities from the areas to be changed to other areas is very difficult and

contrary to sustainability goals. In practice, this would require that new unbuilt areas be taken over by human activities, and the activities would be scattered across municipalities not covered by the article.

The definitions of this article, the obligations it imposes and their impacts are all very unclear. The initial data and terminology used are not clearly defined, so no sufficient impact assessments can be made. In its present form, the article appears to be unworkable and partly impossible to implement. There is a risk that the resources used will be wasted – and that the overall situation will even deteriorate from the current situation in terms of biodiversity.

Grounds for the proposed amendments

<p>Amendment 1.</p> <p>The obligations of the Article should only be aimed at urban areas where the urban green space falls under the minimum level set by the union.</p>	<p>In all Finnish cities and towns, the minimum level of urban tree canopy cover has been reached already. This is aimed at in the Article. There is also a considerable part of green space to be found in them - also in the largest and most densely populated cities.</p> <p>Obligations to increase the amount of green space should be targeted in areas where the lack of green spaces is a distinct problem.</p>
<p>Amendment 2.</p> <p>The obligations should not be tied to individual cities, administrative boundaries and percentages of their total areas. It must be possible to promote the biodiversity goals in such a way that the urban region is taken into account as a functional whole. In the largest urban regions in Finland, the whole consisting of urban and green structures crosses the administrative boundaries of different cities.</p>	<p>The article puts very different cities across the EU in an unequal position. In Finland, cities are typically large and the built-up area is small in relation to the area of green spaces. If the obligations to increase the area of green spaces are tied to percentages of the total area of cities, they are very difficult or even impossible to achieve in practice, as they would mean transforming man-made environments into green spaces in areas of up to dozens or hundreds of square kilometres. These obligations seem particularly unreasonable, since they are most heavily targeted where the amount of green space is already the highest.</p> <p>If the goals of the article cannot be applied taking into account regional entities consisting of several cities, this will lead to a situation where construction will be spread from the most urban municipalities to those not covered by the article. If this happens, construction will increasingly target areas that are currently rural or natural and, contrary to the goals of the article, biodiversity will be reduced overall.</p> <p>In Finnish cities, the administrative areas include large areas of green space. Obligations promoting biodiversity in urban environments should be targeted at genuinely urban environments. The extensive rural areas and natural environments included in the administrative area of cities in Finland must not influence the basis of calculation in such a way that the percentage increase in the amount of green space calculated on the basis of the size of the city's administrative area would become unreasonable.</p>

Amendment 3.

The furthering of biodiversity should be guided by the quality of green space, not just with percentage increases based on the total area of the municipality. If a net increase is however required, the starting point should be the area of built-up environments, not the entire area of a municipality.

The quality of green spaces is important for biodiversity, and things like the diversity and connectivity of habitats affect the quality. These are more important than just the percentage of an area.

It must be possible to define at national or local level the best locations and most effective means of increasing quality and promoting biodiversity in different types of cities. The starting points and conditions of the regions, both in terms of administrative boundaries and urban structure and in terms of natural conditions, are very different in different parts of the EU, as are the challenges relating to biodiversity. The same procedures and indicators do not work everywhere.

Appendix:

Illustrations about the impacts of Article 6 in Finland, Helsinki-Uusimaa Regional Council