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CARBON, BIODIVERSITY AND NUTRIENTS: NEW LAND USE CONSIDERATIONS

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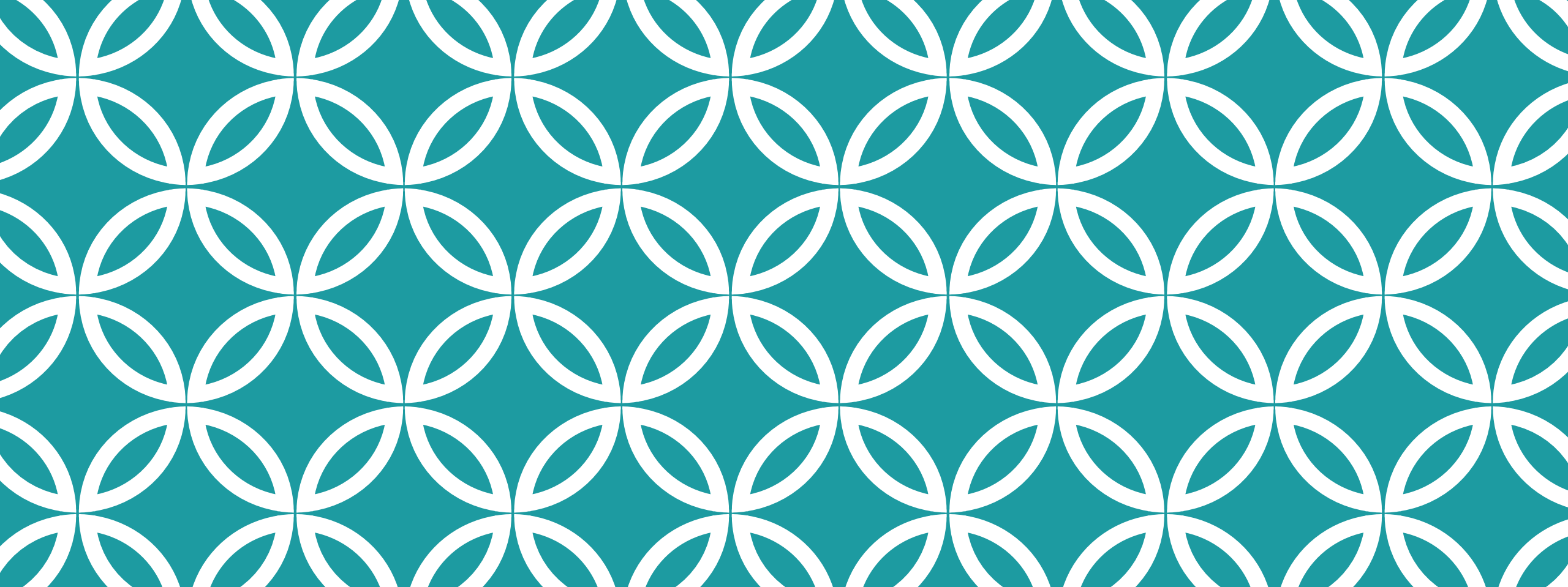
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UNIVERSITÉ DE NANTES

Droit et changement social



1. INTRODUCTION



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AGRICULTURE

ENVIRONMENT

CLIMATE

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LAW?

compensate, reduce or repair...

IMPACT?

ENVIRONMENT

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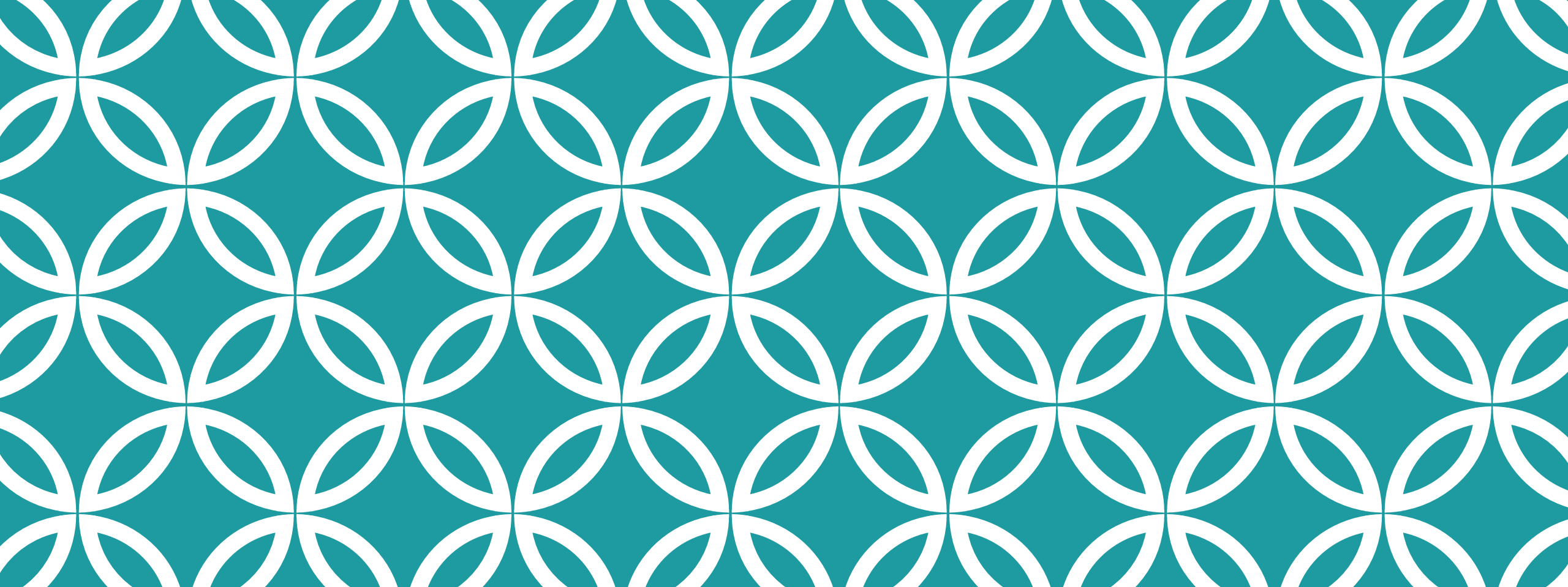
compensate, reduce or repair...

IMPACT?

ENVIRONMENT

CLIMATE

**1-CARBON
2-BIODIVERSITY
3- NUTRIENTS**



2. CLIMATE, CARBON AND AGRICULTURE



Agricultural and Food policies, Agricultural Law and Planning Law: focuded on climate change Issues

Last fondamental Law: Law no. 2021-1104 on Climate and Resilience:

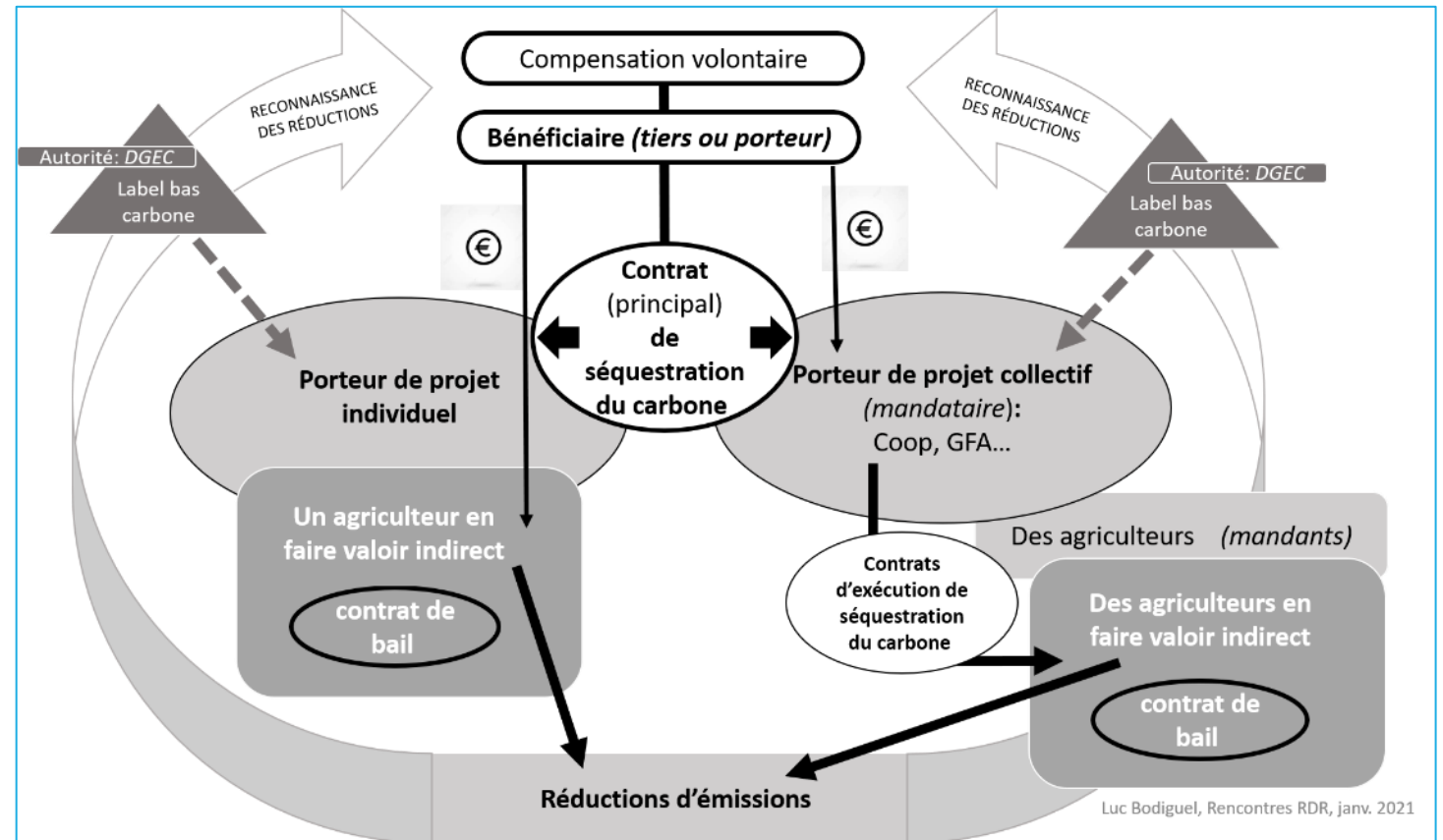
- Achieving the objectives of the Paris Agreement and the Green Pact for Europe
- Providing measures to support healthy, sustainable food for all with low greenhouse gas emissions
- Raising the quality and diversity of food products in public catering (environmental quality, vegetarian menu, legumes and seasonal products)
- More environmental and climatic conditions for protected geographical products
- Promote environmental labelling of products...

France's National Low-Carbon Strategy, launched in the 2000s and now under the banner of carbon neutrality.

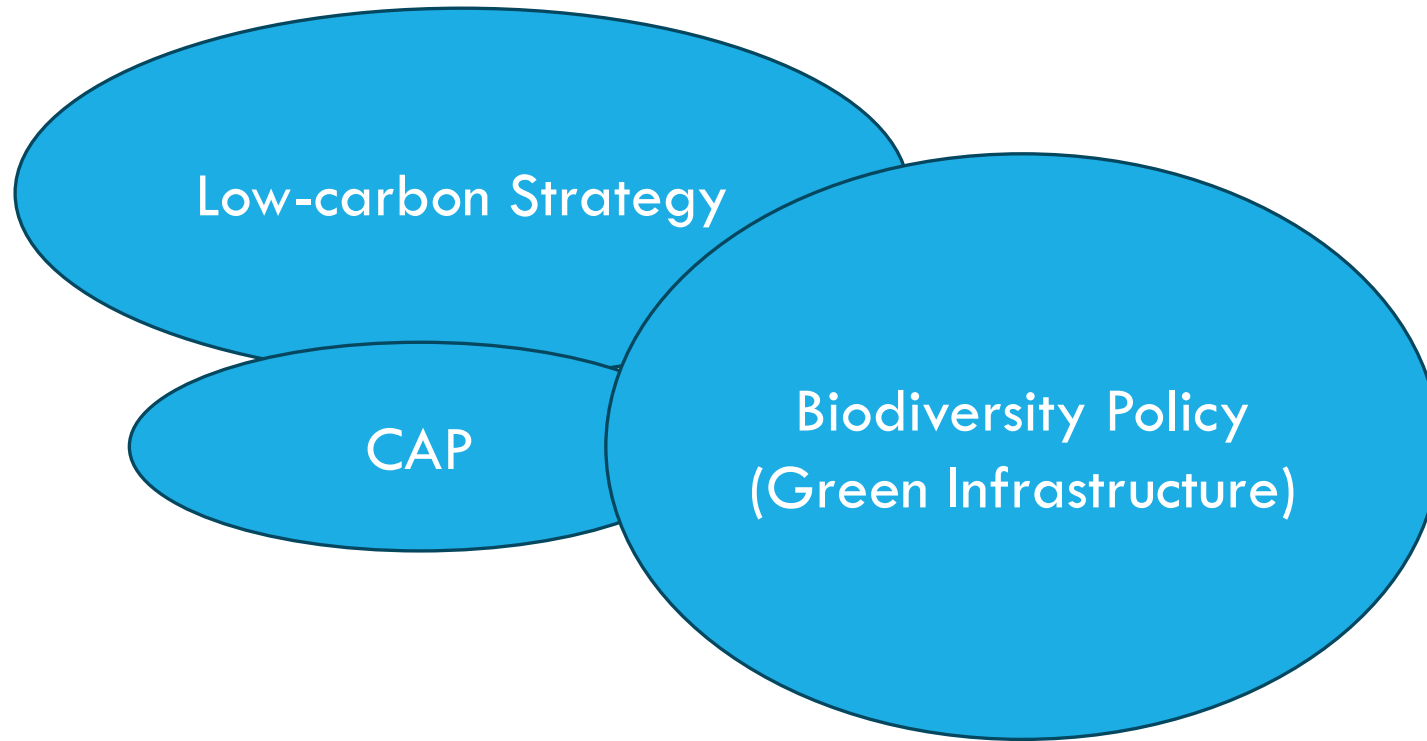
➔ To achieve this objective: **Low-carbon Labelling System.**

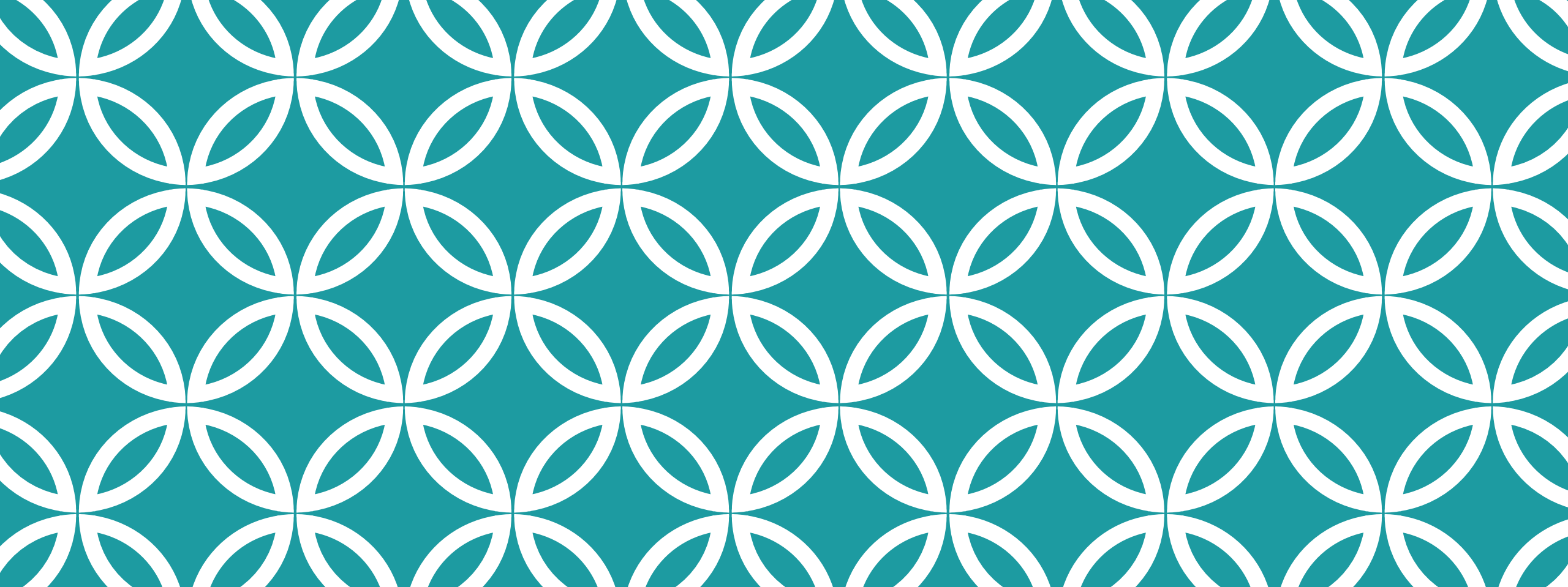
The low-carbon label is still at an experimental stage and faces a number of questions:

1. Voluntary nature: individual interest in contracting commitments?
2. Very light regulation for contractual relationships?
3. Relationship between "carbon sequestration contract" and tenancies?



The legislator is seeking to link its various policies with the objective of carbon sequestration:





3. BIODIVERSITY AND AGRICULTURE



Incorporating an ecosystem approach into agricultural and food policies

➡ Indelible mark left by the Millennium Assessment Report published in 2005, which promoted and continues to promote ecosystem approaches

Agriculture: both a component of complex ecosystems and one of the objects of biological diversity through the concept of agro-diversity

➡ Need for diversified cropping systems using multiple vegetative materials.

Climate and Resilience Law :

anchor the ecosystem approach at the heart of agricultural and food policy

- ✓ recognise and make better use of the positive externalities of agriculture, particularly in terms of environmental services
- ✓ farmers can receive payments resulting from the ecosystem services they produce or protect (for eg. low-carbon label / CAP)
- ✓ CAP based on compatibility with the low-carbon strategy, the national biodiversity strategy and the national strategy to combat imported deforestation

Protecting biodiversity through labelling Biodiversity various public and private labelling systems (brands).

➔ "High Environmental Value" certification

➔ 2021-1104 law: new era of public labelling aimed directly at consumers.
Agricultural, forestry, food and seafood products will be eligible for private labels

➤ should lead to the creation of biodiv-scores

Protecting biodiversity through public support under the CAP: **French Strategic Plan:**

- ➔ Strategic objective: "Contribute to the protection of biodiversity, improve ecosystem services and preserve habitats and landscapes".

- ➔ Four areas of intervention on the basis of four identified needs
 - ✓ Supporting global levers by taking account of biodiversity issues
 - ✓ Promoting the conservation and sustainable use of biodiversity in agricultural and forestry practices
 - ✓ Reducing the "pressure factors on biodiversity of agricultural origin in practices

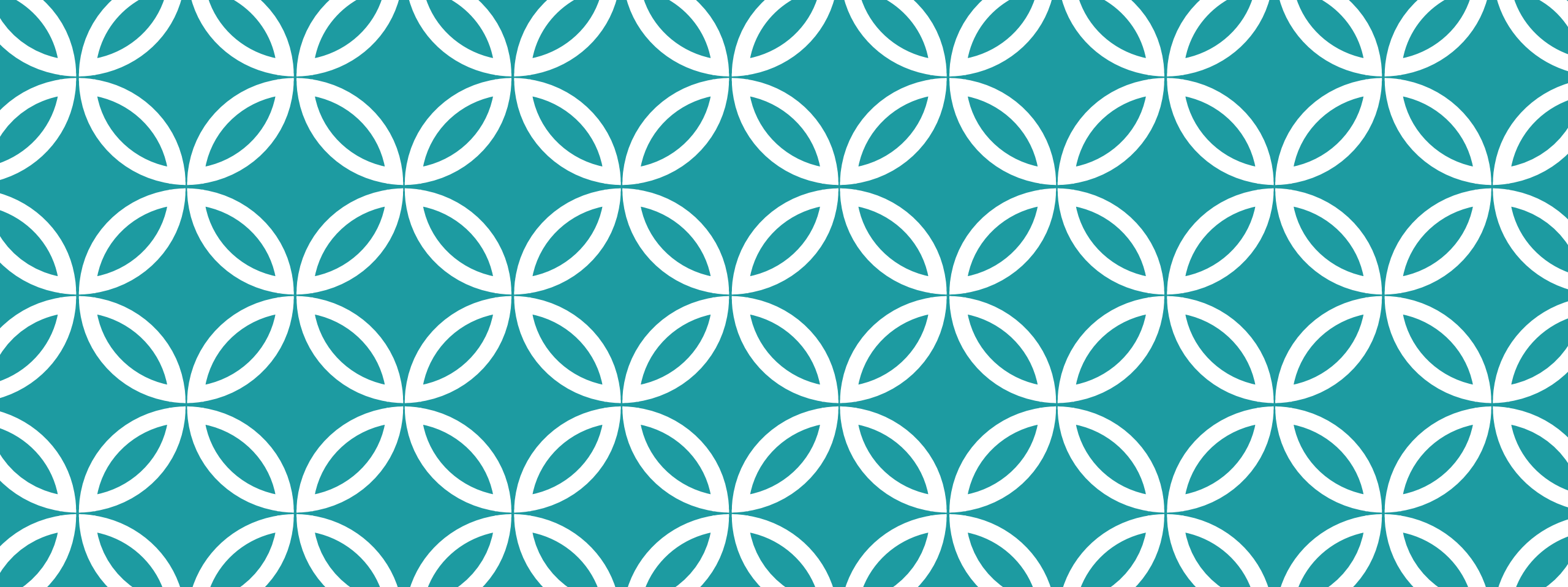
- ➔ Measures in favor of Biodiversity:
 - ✓ Main rules for applying cross-compliance.
 - ✓ French eco-regimes scheme: "voluntary programmes for the climate, the environment and animal welfare"
 - ✓ Agri-environmental and climate measures (Maec) and support for Organic Farming

Zero net artificialisation (ZAN) of agricultural land

Since Law 2021-1104: Local urban planning must be designed and implemented to avoid any net artificialisation in the long term.

- ➔ That is to say:
 - controlling urban sprawl in order to protect "natural, agricultural and forest areas", renaturalise "artificialised land" and preserve and restore "biodiversity and (...) nature in the city*
 - Striking a balance between urban planning objectives and soil protection (delicate task)*
- ➔ Policy applied at all local levels: regional, inter-municipal, municipal.
- ➔ Law No. 2023-630 of July 20, 2023: aimed at facilitating the implementation of ZAN objective

France:
20,000 /
30,000
hectares
of
Natural,
Agricultural
and
Forestry
Land
are
consumed
every year



4. NUTRIMENTS AND AGRICULTURE



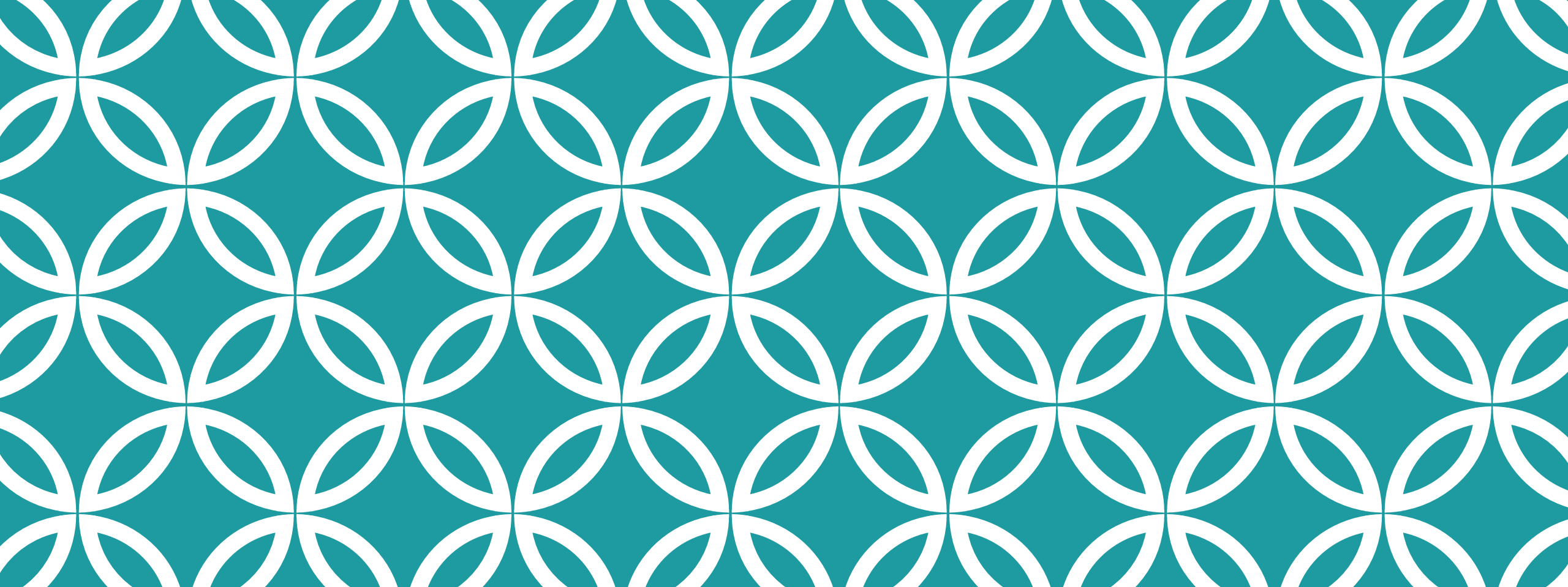
The legislative and regulatory framework

Farm-to-table Strategy:

reduce nutrient losses by at least 50%, while taking care to avoid any deterioration in soil fertility... lead to a reduction in the use of fertilisers of at least 20% by 2030

France: numerous provisions in this area:

- ❑ All marketing and use of fertilising materials, adjuvants for fertilising materials and growing media is subject to autorisation (unless there is a derogation or exemption)
- ❑ Since law 2021-1104: **National Action Plan to reduce ammonia and nitrous oxide emissions** from the use of mineral nitrogen fertilisers.
- ❑ National Action Plans: Ecophyto (2008), Ecophyto II (2015) Écophyto II+ (2018) **new Ecophyto 2030**: a "more global approach to plant protection products, with two main objectives: *Reducing their use and the risks to human health and the environment; Adapting crop protection techniques so as not to leave farmers without a solution.*"



5. CONCLUSION



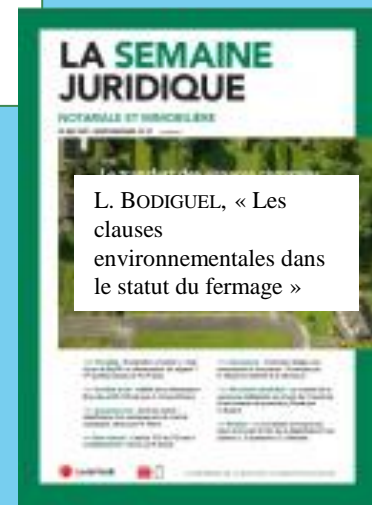
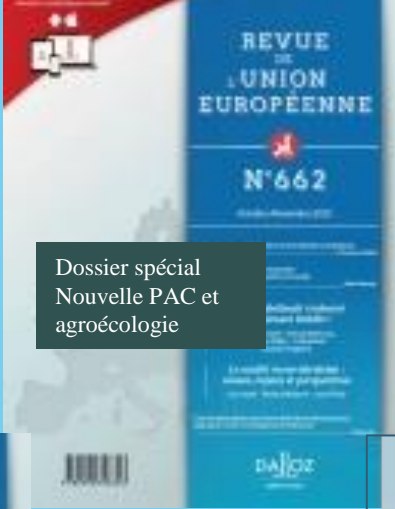
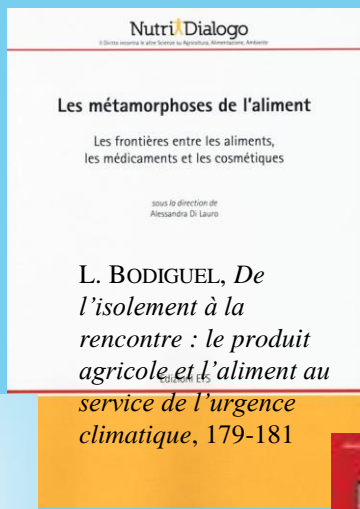
To go further on **CARBON, BIODIVERSITY AND NUTRIENTS** Issues:

Abundance and diversity of legal approaches in France:

- Laws and Regulations v/ Planning Approaches
- State or Local Authorities expected to move but also Business: collective construction processes

Practical Impacts of Law?

- Each specific point: require an in-depth, multidisciplinary analysis
- Evaluation? Sometimes a fool's game, with information lacking, incomplete or requiring resources that do not exist, indicators that can't be informed
- Difficulties to implement? Importance of local effects and conditions / difficult or biased to generalise



THANK YOU

