

SolutionsWeek

Virtual workshops

New tools and instruments for private land conservation in Europe

Monday, March 8, 2021

16:00 – 17:30 CET

This event is hosted by

ELO European Landowners' Organization

The Nature Conservancy



#FFA2021



New tools and instruments for private land conservation in Europe

Date and time	Monday, March 8 th 2021, 16:00-17:30 (CET)
Description	Has the EU the necessary tools and instruments to enable private landowners to play an important role in the realisation of the European biodiversity goals?
Background	<p>The EU 2030 Biodiversity Strategy proposes that 30% of the total land area should be protected. This is only possible with the active participation of private landowners. But do we have the necessary tools and instruments to ensure their participation?</p> <p>In the framework of the Life+ project “Land Is For Ever”, private land conservation tools and their use were studied. During this webinar these tools are presented and discussed.</p>
Aim	The aim of this event is to present the audience a set of tools which can be effective to engage more European private landowners in nature conservation, and to open the discussion with the speakers and the audience commenting on this set and criteria for success.
Replays	<p>Event video: https://www.youtube.com/watch?v=nCgFB6vQevk&list=TLGGvS7Yj7dw718xMjAzMjAyMQ&ab_channel=ForumfortheFutureofAgriculture</p> <p>All FFA videos: https://www.forumforagriculture.com/ffa2021-videos/</p>

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Speakers



Philip Tabas
Senior Special Advisor
The Nature Conservancy



Tilmann Disselhoff
President
Eurosites



Anne-Sophie Mulier
Project Officer
ELO



Jan Menschaert
Expert, Agency for
Nature and Forest



Joseph van der Stegen
Policy Officer DG
Environment



Chandni Navalkha
Associate Director of
the ILCN



Jakob Leidekker
Head of Operations
National Park De
Hoge Veluwe

Philip Tabas – Senior Special Advisor at The Nature Conservancy

Tilmann Disselhoff - President of Eurosites, Coordinator Life ENPLC

Anne-Sophie Mulier – Project Officer, ELO, Life LIFE and Life ENPLC

Jan Menschaert – Representative Flemish Agency Nature and Forestry

Joseph van der Stegen - Policy Officer DG Environment

Chandni Navalkha, Associate Director of the ILCN

Jakob Leidekker – Head of Operations National Park De Hoge Veluwe

Summary

The EU 2030 Biodiversity Strategy proposes that 30% of the total land area should be protected. This is only possible with the active participation of private landowners. In the framework of the Life+ project “Land Is For Ever”, private land conservation tools and their use were studied to support this engagement. The main aim of the event ‘**New tools and instruments for private land conservation in Europe**’ was to present the audience a set of tools which can be effective to engage more European private landowners in nature conservation, and to open the discussion with the speakers and the audience commenting on this set and criteria for success. The discussion outcomes will now feed into the impactful policy recommendations the European Landowners’ Organization (ELO) and The Nature Conservancy are soon proposing at the European level on how to engage individual landowners in a voluntary conservation approach, complementary to what nature conservation organizations are doing today.

The Nature Conservancy (TNC) has protected more than 120 million acres of land and more than 5,000 river miles in 72 countries around the world and in all 50 US States. Although the US has a tradition of private property and private actions, private land conservation is still an innovative but very popular conservation approach in the US with a growing land trust movement and use of easements. As of beginning this year, TNC owns and manages 2.5 million acres outright and holds 3,100 conservation easements covering 3.4 million acres around the world. As of 2015, some 1400 land trusts in the US have protected 16.8 million acres by conservation easements and 20.7 million acres through outright acquisition of land. Philip Tabas, Senior Special Advisor at The Nature Conservancy, dedicates this success to the availability of reliable conservation science information, locally initiated approaches to funding for conservation, a growth of the landscape scale approaches and the availability of a wide range of tax incentives for private landowners. They continue to work on finding ‘sweet spot’ land uses which are both conservation and economically compatible, to change the land use focus from development and fragmentations to



restoration, ecosystem functioning and habitat management. A private landowner stepping into a conservation program should have a clear understanding of the expected conservation actions both on individual and landscape scale and has access to sustainable incentives which can be ensured through robust partnerships. Climate change with its challenge of landscape changes over time remains a main challenge today for long-term private conservation.

Tilman Disselhoff, president of Eurosite and coordinator of the 'Life ELCN' project, studied the concept of 'easements' for conservation purposes in an EU context following the promising US example. This easement (or "covenant" or "servitude") is a legal agreement that allows the transfer or restriction of use rights linked to a property, in order to protect the conservation values of this property, without a transfer of the complete ownership. Conservation easements are voluntary and site-specific agreements between two parties, registered by a notary on long-term or in perpetuity bound to the land. In contrast to the US, conservation easements have not been widely used in Europe yet. The concept of a conservation easement is however already legally possible under the property law of most EU Member States.

A new life project 'European Networks for private land conservation (ENPLC)' has been set up by Eurosite and ELO together to continue the implementation of a set of innovative tools in Europe to support European private landowners in conservation activities on their land. This project will also continue to work on a model easement language, study testcases in various member states and produce guidance on the further implementation of this concept.



This new 'ENPLC' project is building further on the findings of the two ending projects 'Life ELCN' and 'Life Land Is For Ever'. The latter one was coordinated by the European Landowners' Organization with the aim to assess preferences of individual private landowners for new voluntary conservation tools and to assure that the new set of conservation tools, soon proposed to by the European Commission, will respect the legal and economic entity of an individual landowner. It seems that the tools proposed from this research match

however the ones preferred by conservation organizations, explains Anne-Sophie Mulier, coordinator of the 'Life Land Is For Ever' project. There is a growing interest from individual owners to work together with existing or new land trust organizations. The Trust organizations can fulfil various functions and use different conservation tools which give them the right to secure long-term conservation of the land, but in close cooperation with the owner and with respect to his/her reality and requirements. The concept of easements for individual private landowners is promising and should be kept open for various types of partners e.g. individual taking over management of public land, companies taking over the management for conservation compensation purposes, etc. Subsidies, tax benefits and labels seem to be the most promising incentives.

"Landowners cannot systematically be obliged to invest in nature conservation, give them the liberty and the motivation to do so by providing the right tools"

Compensation for an engagement in an easement agreement or contractual payments for ecosystem services should equal the amount a landowner would receive when for example renting out the land for agriculture. The New Nature legislation of Flanders (Belgium) is a good example of an instrument which allows for this. Covering all types of nature for long-term conservation planning and evaluation, this one instrument has a clear procedure, compensation regulation and ambition, which are the same

for both individual landowners and conservation organizations, explains Jan Menschaert, expert from the Flemish Agency for Nature and Forestry.

Joseph van der Stegen, Policy Officer DG Environment, in name of the European Commission, agrees on the need for a set of tools which offer a variation in required ambition and fitting the various regional settings. The concept of land trusts, easements and stewardship partnerships should be included in the proposed set. The European Commission strives to more recognized engagement of private landowners, beyond the legal context, by contributing to the management of protected areas, by designating more land as a protected area, or by conservation initiatives in the wider countryside apart from the legally designated protection areas. Besides tax incentives and subsidies, conservation labels have shown to act as an effective incentive. The new tools and incentives need to contribute to the long-term perspective, which is beneficial for nature, for the landowner, for the trust in partnerships and to justify the use of public money for these conservation investments. Communication by peers to share experience and successful stories is crucial to involve fellow landowners. Making use of the innovative set of tools will make it possible to recognize and scale up what private landowners have been doing, contributing to the goals of the Biodiversity Strategy.

Chandni Navalkha, Associate Director of the ILCN agrees there is need for a mix of voluntary binding and non-binding tools and instruments that are backed by financial and non-financial incentives in Europe. The ILCN has a long worldwide experience on private and civic land conservation initiatives implementing a broad variety of tools and working with many types of conservation organizations on multiple scales. Still, financing, the setup of partnership agreements with all stakeholders and capacity building remains to be recurring challenges. Tools can only be effective when they foster trust amongst the parties and the public. They should bridge the needs in Europe of conservation organisations and individual landowners and be included in a strong, supportive infrastructure.

Although the great variety amongst active individual landowners, their management goals are most often long-term, as sustainable nature conservation should be. With a clear and transparent structure, they can act as most efficient stakeholders in conservation initiatives and complement the conservation organizations' approach, which often depends on a short-term political system. Jakob Leidekker, Head of Operations National Park De Hoge Veluwe, stresses again the importance of recognizing the independence of private landowners, financially, but also in the decision making by involving their (field) expertise in the discussion. The importance of labels should indeed not be underestimated as an effective incentive for private landowners to give them the deserved recognition and motivation for further investments.

Taking into account the experiences, comments and expectations and ensuring transparency, trusted partnerships and a long-term approach, a set of promising innovative tools has been selected to enable private landowners to play an important role in the realisation of the European biodiversity goal. This set will now be tested with the support of the European Union's LIFE programme under the lead of EUROSITE and ELO.