Consultation about the proposal of a Soil Health Law
Position Paper, *March 2022*

SOIL HEALTH:
CIVIL SOCIETY CALLS FOR EUROPEAN LEADERSHIP IN THE CHALLENGE TO COMBAT LAND DEGRADATION

Soil is a limited, irreplaceable and non-renewable environmental heritage, of which any degradation represents a loss for present and future generations. **Combating soil degradation** is crucial to overcome global challenges, framed by the 2030 Agenda of the United Nations, starting from those related to food security, sustainability of cities, protection of biodiversity, mitigation and adaptation to climate change, prevention of desertification. It is essential for the establishment of a bioeconomy capable of developing safe alternatives to dependence on fossil resources, pursuing circularity in the use of materials. Healthy soils are also the result and, at the same time, prerequisite of the agroecological transition in the food systems. These are some of the reasons why healthy soils are the seedbed in which the European Green Deal should take root.

Soil protection in Europe requires a **concert of actions by all private and public actors,** who in various titles hold a right of ownership, a mandate of administration over land, or indirectly influence land use and soil health through market power. Administrative powers, as well as the expression of national sovereignty, and the exercise of property rights are not in question within their respective borders, but the poor health conditions of soils and the threats they suffer, amplified by the effects of climate change, give rise to a framework of environmental concerns and social risks extended to a supranational dimension. Soil also has features of a common good, its governance requires the seeking of participatory solutions. Reversal of soil degradation trends in Europe requires action programs, inclusive and coordinated, whose effectiveness depends on **a sound European leadership and a concurrence of responsibilities by all Member States**, with the proper application of the **principle of subsidiarity**: subsidiarity is not a limit to action, but a positive tension for coordinated actions in areas that require shared efforts. This is certainly the case for soil, on whose health, like on the quality of water and air, depends the provision of ecosystem services essential to the lives of humans and of all organisms populating terrestrial habitats.

A European **Soil Health Law is urgently needed** to make credible the challenge of reducing soil degradation, developing a set of regulative tools and levers to guide the behavior of economic, social and institutional actors, supporting their choices consistently with shared targets in order to preserve biodiversity, food security, natural carbon sinks, citizens' health and the quality and safety of food production, which depend on soil. It is also essential to establish a level playing field for businesses in transactions involving land uses that may affect the ability of soil to provide ecosystem services.

All that premised,

we are aware of the presence of important **knowledge gaps** about the state of soil at the level of territorial representation: the huge diversity of soil types and the strongly site-specific character of soil interactions with climatic, biological, geological and land-use-related pressures constitute a major problem in drawing accurate maps at a detailed scale, that only partly can be realistically filled by the improvement of soil evaluation techniques. For this reason, we consider the development of a tool such as the **soil health index** at the level of individual land parcels, to be calculated and used in each single land transactions, to be a key innovation: acknowledging that the commercial valuation of soil cannot disregard its health status is an element of transparency in trade but, above all, it is a useful incentive to evaluate and enhance the efforts of soil care implemented by the owners.

We call for the establishment of a system of public funding for **independent research and investment in innovation** supported by farms in the area of improving soil health and biodiversity, including the carrying out of soil testing in order to allow monitoring and assess the effectiveness of agricultural practices adopted as part of Common Agricultural Policy payments.

We ask that a special chapter of the Soil Health Law be dedicated to the **protection of intact soils,** such as those covered by forests, pastures, bogs, wetlands or grasslands: they contain the largest continental stock of organic carbon and host the most significant repository of terrestrial biodiversity in the entire European continent. The establishment of mandatory targets on conservation of intact soils, together with those for the **improvement of the ecological status of cultivated soils,** must be adequately prioritized.

We call for efforts to reduce the ecological footprint of European imports causing soil degradation on other continents. As the largest impacts are linked to imports of feed, meat, biofuels and raw materials, including minerals and hydrocarbons, the Soil Health Law must cooperate with other mechanisms, treaties and food system regulations, and support investments in circular economy and bioeconomy, to **stop the outsourcing of soil degradation.** In order to reduce the import of inputs and the production of environmental externalities, while preserving the long-term fertility of European soils, it is necessary to pursue a reasonable balance between the intensity of agricultural production and, in particular, livestock density, compared to the carrying capacity of the land used for these purposes, setting the farming activity according to agroecological criteria.

We urge the European institutions to fully commit to the soil-related **targets of the Green Deal strategies**: reduce the application of **fertilizers and chemicals** in agriculture and animal husbandry, increase the land covered by **organic farming** and **natural landscapes** in rural areas, promote the agroecological transition, restore natural habitats in rural areas, reclaim and regenerate the soils of **degraded, sealed or contaminated sites**.

We call for an update of the '**zero net land take by 2050'** target, introducing a binding timeline, including **short- and medium-term milestones**, and targets for the **reuse** of urban areas and the conservation and regeneration of permeable and vegetated urban surfaces, essential for the provision of ecosystem services and the resilience to climate events at the urban scale.

We further urge that the opportunity provided by the possibility of regenerating soils through the **biocycle of organic wastes** is not lost. With the whole EU starting of separate food waste collections and treatment from 2024, the opportunity is to return up to 15 million more tons p.a. of high quality compost to soil. To ensure materials fit for purpose, the Fertiliser Regulation will possibly require strengthening while the quality of inputs through source separation collections will need to be defined and implemented to avoid soil contamination.