

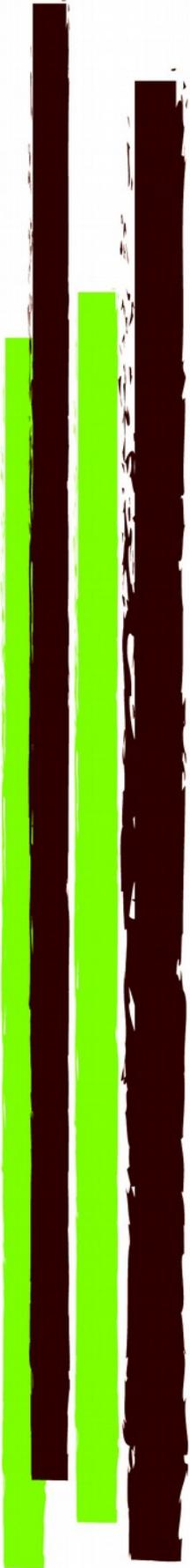


## POSITION PAPER

**Soil is one of the most important natural resources of the planet**, but until now its ecological significance has been greatly underestimated. The availability of elements essential for life depends on soil, as well as climate change adaptation and water availability. Soil is home of a wide variety of organisms that contribute to its formation and participate predominantly in global biodiversity. Soil and biodiversity are thus involved in an interdependent and inseparable relationship. Soil regulates and accumulates carbon in the form of organic matter, so any land use change can influence the overall balance of greenhouse gases. **Land take and soil degradation represent one of the main environmental emergencies in Europe**, affecting human communities as well as nature on which they depend.

**Soil is a vital, limited, non-renewable and irreplaceable resource:** the welfare of current and future generations depends on the health of soils. The effects of soil degradation, even if local, have an impact at global level: floods, erosion, landscape degradation, greenhouse gas emissions, biodiversity loss, famine and drought are supra-local phenomena, largely related to the loss or degradation of soils. Soil is also a key resource for the sustenance of human beings. Soil fertility is the basis of agricultural production and, therefore, of human nutrition.

In Europe, an area of nearly 200,000 square kilometers (approximately, the size of Great Britain) has permanently lost its soil-related functions, having been occupied by urbanisation. Each day, 3 sq km of soil disappear. New buildings and infrastructures are replacing the soils of the most fertile plains and coastal areas. At southern latitudes, the agricultural soils have lost much of their organic matter due to intensive farming practices, largely dependent on strong chemical inputs. In the semi-arid zones, depleted soils are at risk of desertification. The industrial pollution has produced large contaminated areas, which in many cases cannot be rapidly restored due to the lack of economic resources for their remediation. Today, 500 million EU citizens depend on the productivity of soils outside Europe for their basic needs, and the European footprint on global land use is constantly growing. **We can no longer allow the waste of land and the loss of soils' ecological functions in Europe**, nor can we accept an increased dependence on other continents' agricultural soils, resulting in raised pressures on natural ecosystems and indigenous peoples.



**Soil is a common good essential for our lives**, and it should be recognized as such, shaping a legal framework that ensures its conservation. Such legal protection should relate to the right of ownership which, legitimately exercised, should contemplate the responsibility of preserving the soil resource for the benefit of current as well as future generations. The legal protection of soil, according to the European Treaties, does not conflict with the subsidiarity principle, but it complements and supports national legislations in preventing all forms of speculative or financial abuse that can limit the people's right to gain access to land and the services it delivers.

**At present, soil in Europe is unprotected** against arbitrary decisions and aggressions that produce effects of degradation, erosion or sealing. It's a legal gap that affects the laws of the Member States and also the credibility of the European environmental policies: how is it possible to stop biodiversity loss if ecosystems are being eroded and fragmented by urbanisation and infrastructures? How is it possible to deal with climate change mitigation and adaptation without considering soil? How is it possible to develop energy efficiency policies in the civil and transport sector if urban sprawl is intrinsically resource -and energy- intensive?

**For all these reasons, the citizens claim the right to soil in the EU legislation. The European Union must adopt a specific legal framework to protect its soils. An effective soil legislation should include the following features:**

- the acknowledgment of ecosystem services provided by soil and the recognition of its importance for biodiversity conservation and food security;
- the implementation of a land use monitoring system;
- the translation into law of the principle 'no net land take', to be implemented through a binding soil sealing reduction program with short term deadlines;
- the prevention of land grabbing and land concentration, together with the promotion of access to land by local farmers and communities;
- the deployment of policies committed to reverse the declining trend in soil organic matter and to reduce inputs by synthetic fertilizers and pesticides;
- the assessment of land use change impacts on the water balance, including the obligation of compensatory measures for every intervention that modifies the permeability of soils;
- a remediation program for contaminated soils, to be implemented through fiscal and financial measures under the "polluter pays" principle, and a preventive action to be taken in the direction of owner's responsibility for activities with a significant risk of soil pollution.

