

# Private land conservation in Europe

1.11. 2023

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# What is private land conservation?

*"...a voluntary activity carried out by individuals or non-governmental organisations with the aim to protect or to restore natural features of conservation interest on a property under their governance. The opposite of private land conservation is mandatory land conservation through regulatory tools, such as public designation of protected areas or other administrative acts of public authorities"*

See: <https://enplc.eu/terminology/>



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- Key characteristics:
  - *voluntary agreements*
  - *bottom-up initiatives with little interference by the government*
  - *flexible, site-specific, diverse*
  - *can include negative and positive obligations*
  - *long-term/perpetual – agreements that "run with the land"*
- Different ambitions



Strictly protected areas  
(including some Natura 2000 sites)



Protected areas  
(including some Natura 2000 sites)



Land protected for other reasons than biodiversity (but good for biodiversity)



Wider countryside



# Private Land Conservation in the EU – a little history

EU by 2020: “Halt Biodiversity loss” -> but the targets were not reached

“If we want to be successful we need to engage all types of private landowners (voluntary) ”

→ **Lack of programs** in some National/Regional/European laws and policies

→ **Lack of awareness** of existing programs for voluntary engagement of landowners

**RESULT:** two project calls within Life+ Programme to increase engagement



Engagement of **Individual private landowners**

2018 - 2021

ELO



Engagements of **NGOs owning land**

2017 - 2020

NABU

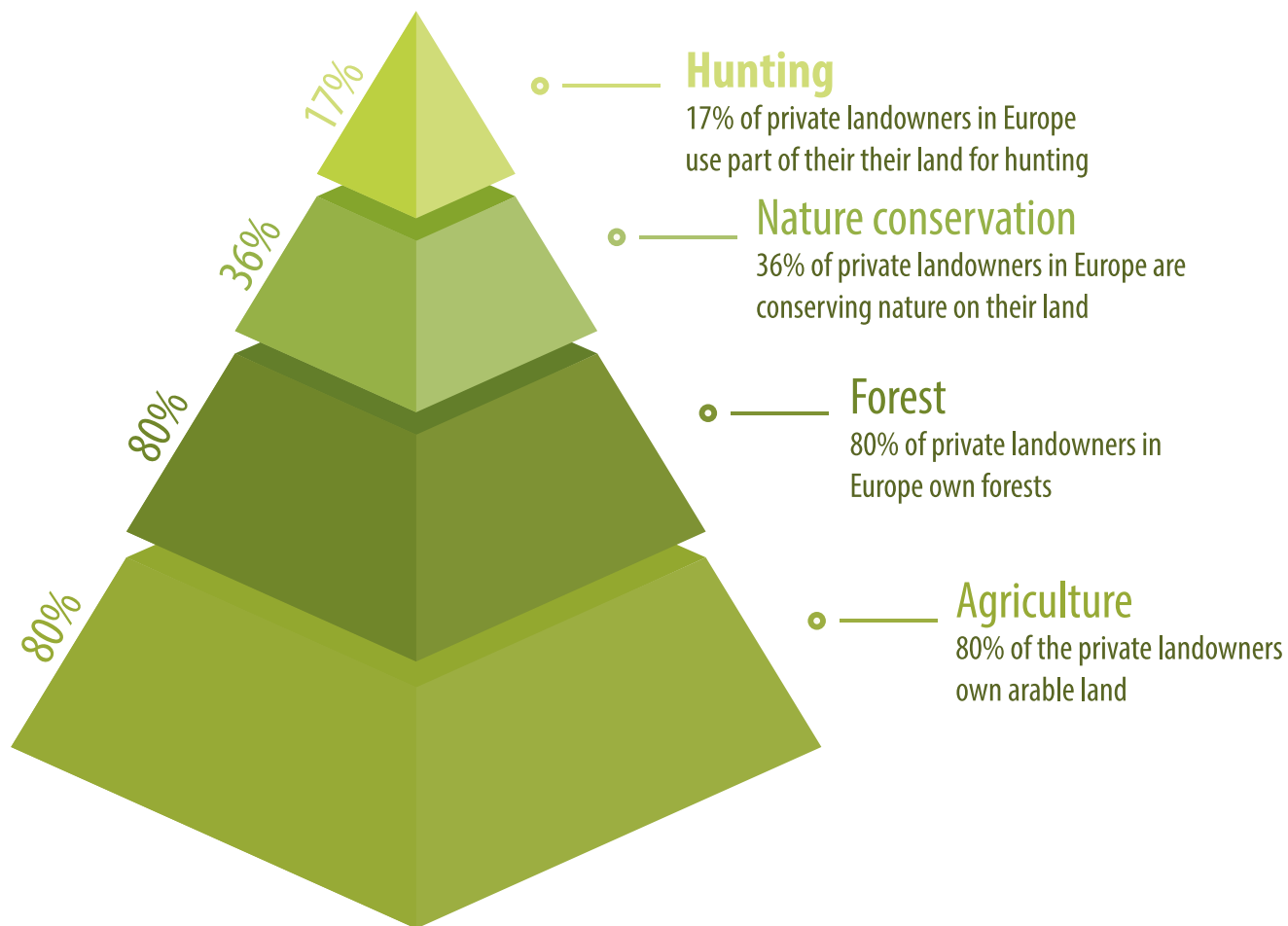




# PRIVATE LANDOWNERSHIP

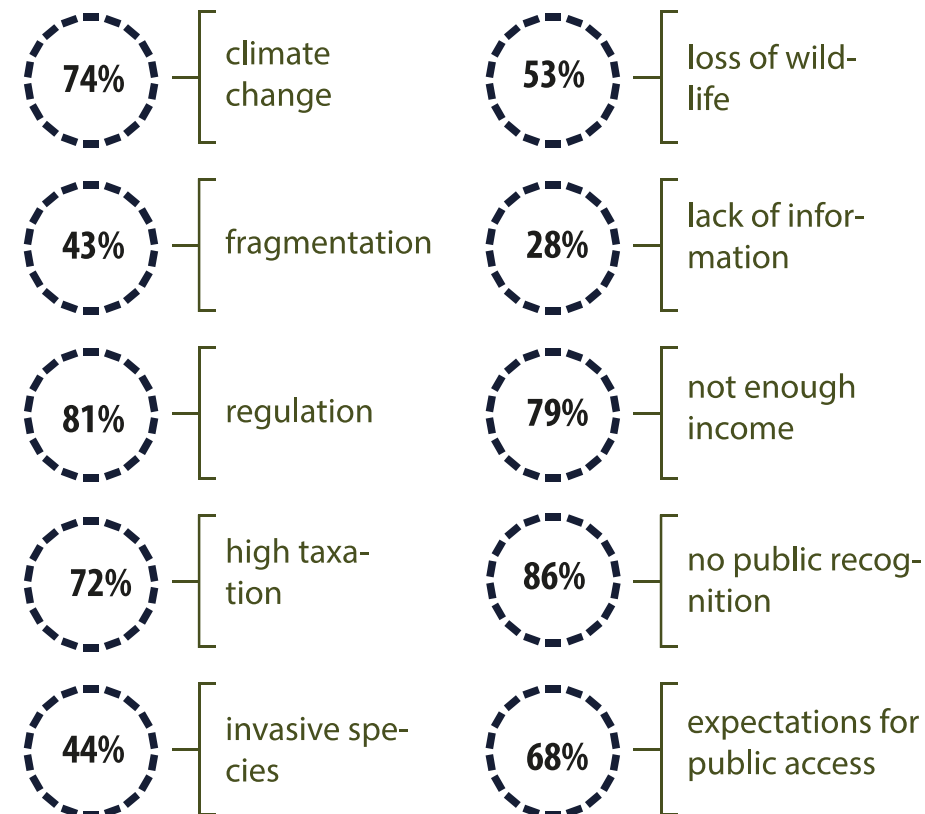
*in Europe*

## Land use

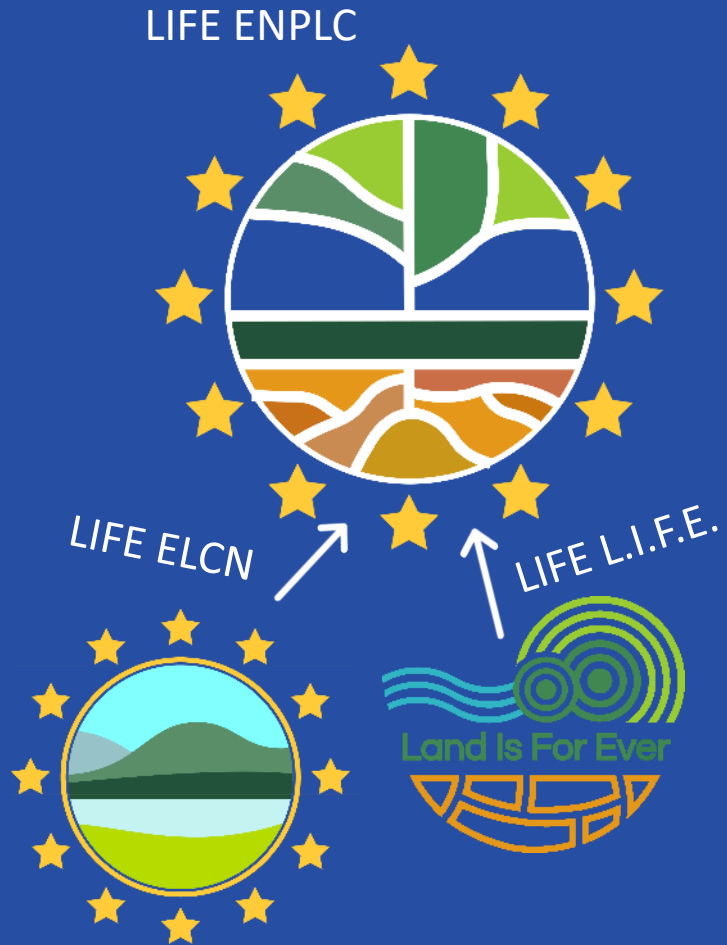


## Nature conservation: issues related to private landownership

The following issues are seen as very important to private landowners (percentage of total of respondents)

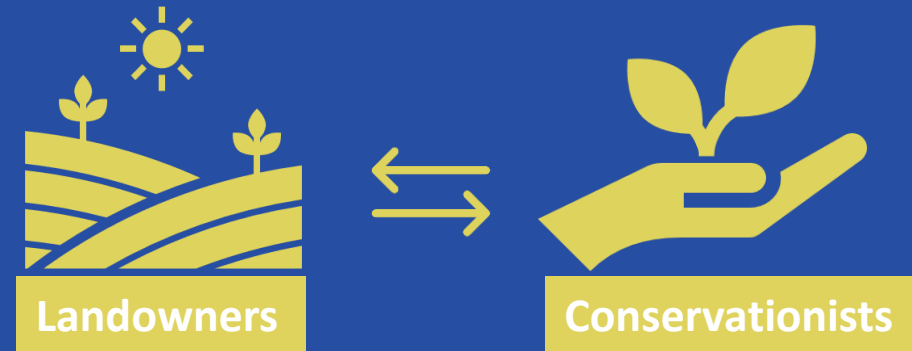


# European Networks for Private Land Conservation (ENPLC)



**What:** An EU wide Network of Private Land Conservation Practitioners

- Equally representing conservation NGOs and landowner organizations'





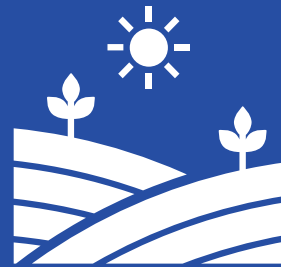
Landowners



Conservationists

- 18 Project Partners
- 11 EU Member States
- Equally representing conservation NGOs and landowner organizations'





Landowners

Private Land  
Conservation  
(PLC)



Conservationists



Civic Engagement



PLC Ambassadors



PLC Tools / Programs



PLC Funding / incentives



PLC Guides



# Private Land Conservation tools (PLC)

Identify & characterise tools to promote PLC at EU level

- Conservation easements
- Land stewardship contracts
- Conservation leases
- Privately protected areas
- Temporary nature / safe harbour agreements
- Result based agri-environmental schemes



# Conservation easements

## Problem:

Occurrence of narrowly adapted, endangered, or rare species outside a nature protection area and under private forest ownership where surrounding habitat is not favourable



REPUBLIC OF ESTONIA  
MINISTRY OF THE ENVIRONMENT



# Conservation easements

**What's it about?**

How long is its duration?

Who manages the land?

What about the money?

Who has the rights?

How complex is it?

Voluntary contract between NGO/public agency and Landowner to protect nature



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Management transfer of some or all use rights of the land which can be compatible with other activities

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Designed for perpetual protection

Transaction costs (notary, land register, contract...)

Written contract registered by notary in land register, usually restrictive (you prevent some actions on the land)

# Conservation easements

## Problem:

Occurrence of narrowly adapted, endangered, or rare species outside a nature protection area and under private forest ownership where surrounding habitat is not favourable



## Solution:

- Easements between forest owner and forest authority on small patches
- Restrictions to forest management are in place for 20 years or longer
- A compensation payment is done to forest owners





# Focus areas: Easements

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- Why easements? They are connected to land -> long-term protection
- 22 out of 25 EU countries have legal basis (variation of mechanism)
- Countries are at different levels
  - Legal barriers, e.g. adding conservation clause to land register; ecological consciousness
- Overall: lack of case studies



# Easement in Estonia ~ Woodland Key Habitats

- Voluntarily agreed
- Notarised
- Compensation payment
- 20 years agreement





# Land stewardship contracts

## Problem:

Landowner of wine yards has water drainage from ponds which decrease productivity



<https://iaeden.cat/grups/custodia-agraria/>



# Land stewardship contracts

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No transaction besides time & learning investment

Can be from verbal agreement to written contract and is usually prescriptive (you do something on land under stewardship)

# Land stewardship as a tool

## A consensus-building tool

Joint work of many people, coming from different collectives, versus a common objective





# Land stewardship contracts

## Problem:

Landowner of wine yards has water drainage from ponds which decrease productivity

## Solution:

- NGO with agricultural conservation objectives together with university and volunteers stop drainage and protect Natura 2000 habitat while the yard production is stimulated again
- Written contract with annual renewal since 2011, no financial transactions between the partners, applied for subsidies and tax benefits



# Conservation leases

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Management transfer compatible with other uses

Land rights stay with landowner

Temporal duration & country dependent

Payment in the form of a lease involved

Written contract but quite familiar to all actors and usually prescriptive (you do something on land leased land)



# Conservation leases

## Problem:

Biodiversity associated to agricultural habitats is decreasing and climate change is an increasing threat

## Solution:

- **Free advice and information service** to landowners and their tenant farmers to agree on measures beneficial for biodiversity
- Temporal and voluntary contract with negotiated measures, temporality
- Lease compensation: to compensate for the economic loss associated with the restrictions, land is leased below market value



© Jasmin Helm



© Frank Gottwald



# Privately Protected Areas

- PPAs
  - Geographical space, **recognised**, dedicated and managed, through legal or other means, to achieve the long-term conservation of **nature as primary objective** and under private governance

Need: national legislation/ recognition

- OECMs
  - areas that are **achieving** the long term and effective in-situ conservation of biodiversity outside of protected areas



## Discover Protected Areas and OECMs



🔍 Search for a Region, Country or Area

- ☒ Terrestrial and Inland Waters Protected Areas
- ☐ Marine Protected Areas
- ☐ Other effective area-based conservation measures ☒

### Map Disclaimer

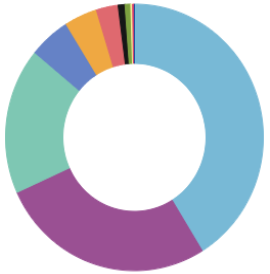
The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

- Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties.
- Final boundary between the Republic of Sudan and the Republic of South Sudan has not yet been determined.

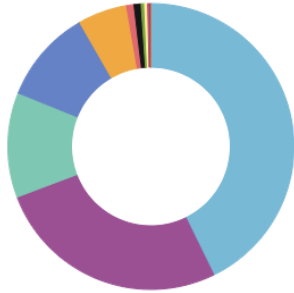


# Governance types

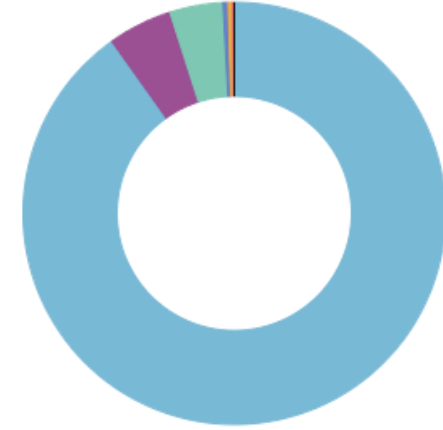
Asia & Pacific



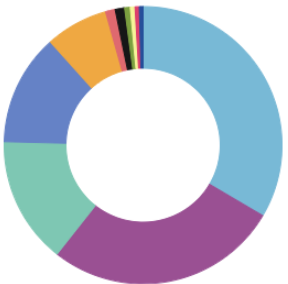
Africa



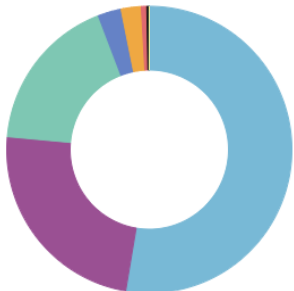
Europe



Latin America & Caribbean



North America



	<b>Federal or national ministry or agency</b>	159199	<a href="#">View list</a> 
	<b>Sub-national ministry or agency</b>	8675	<a href="#">View list</a> 
	<b>Not Reported</b>	7191	<a href="#">View list</a> 
	<b>Non-profit organisations</b>	692	<a href="#">View list</a> 
	<b>Collaborative governance</b>	602	<a href="#">View list</a> 
	<b>Joint governance</b>	199	<a href="#">View list</a> 
	<b>Local communities</b>	6	<a href="#">View list</a> 



# Action plan



Definition of PPAs in  
Europe



Assessment of PPA  
procedures in MS



Identify and support  
successful examples



Awareness raising on  
the EU PPA concept  
How to record and  
support





## Belgium

- PPAs ~'Nature Reserve on non-public land' recognized through the ambition level of the management plan
- Incentives = subsidies and tax benefits

## Spain

- No specific national definition on PPAs but autonomous communities have different degrees of implementation
- No incentive to recognize a PPA for the landowner

## Germany

- PPAs are not defined under the national law, recognised, designated or managed
- A new regulatory framework would need to be developed including legal and administrative guidance on how to define, designate and report PPAs



Variety of tools needed!

# Compensation mechanisms

- **Direct payments from government**  
based on result / based on implemented measures  
cost compensation / economic loss compensation
- **Direct payment from NGO**  
grants  
funds
- **Tax benefits**  
income tax  
property tax  
inheritance tax
- **Label or certification for market access**

# Belgium

## Subsidies linked to ambition of the Nature Management plan

Type 1 Nature 130	Type 2 Nature 78	Type 3 Nature 27	Type 4 Nature PROTECTED AREA 5
-	Achieving <b>25%</b> Natura 2000 objectives - sustainable nature management	Achieving <b>90%</b> Natura 2000 objectives - sustainable nature management	Nature reserve EASEMENT
	<b>partly</b> exempt inheritance tax and gift tax	<b>partly</b> exempt inheritance tax and gift tax	<b>complete</b> exempt inheritance tax and gift tax
	various subsidies	various subsidies	Various subsidies + subsidy (80%) to purchase other land for type 4

\* Number of management plans signed and carried out by an individual landowner only. In total 1000+ plans existing, also many agreed by individual private LO+NGO

# France

## Tax reliefs

**Inheritance tax:** An exemption of 75% is granted if

- Natura 2000 site, national park, natural reserve...
- Management commitments of 18 years
- Certificate delivered by departmental direction of territories

**Income tax:** An exemption of up to 18%-25% of the expenses incurred if

- Natura 2000 site, national park, natural reserve..
- Forest land: for the purchase of forest plots, expenses incurred for forest development work, expenses for contracts for forest management.
- Hunting: Some expenses incurred for hunting conservation can be deductible of the income tax from hunting rental right. (e.g. installation and maintenance of facilities linked to hunting activities)

Direct payments from government entities / public bodies

# Easements and carbon credits

- It is bound to the land, not the owner
- It is flexible and can be adjusted to a broad range of use cases
- It usually lasts in perpetuity (permanence)
- Additionality
- Carbon credits can act as financial incentive for conservation easements



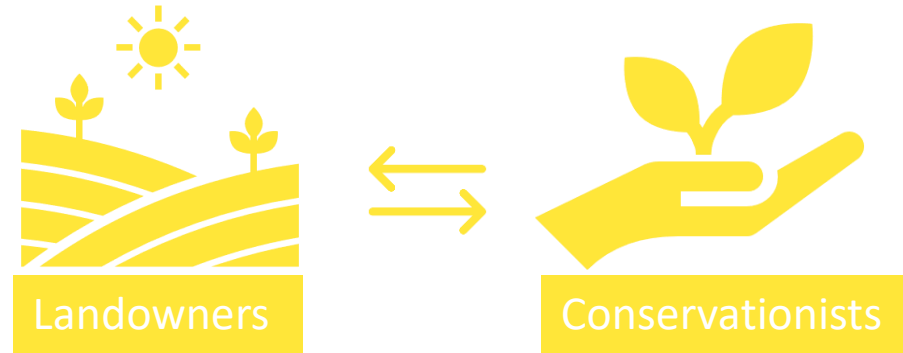


## Private Land Conservation Ambassadors in Europe

- Telling the story of those doing the work 'on the ground'
- Raising the awareness in political debate with stories and concrete results
- Creating a long-term network

See: <https://enplc.eu/>





## ‘Conservation Landowners Coalition’

### SECRETARIAT FOR PRIVATE NATURE CONSERVATION IN EUROPE

- **Contact point:** Help desk for practitioners and decision makers to facilitate cooperation and create knowledge hub
- **Policy consultation:** Link to national networks and actors and connect with global networks
- **Joined projects:** Develop and support new projects to advance and support private land conservation

# The relevance of PLC for the Commission's and EU Member States' policy objectives

- Implementation of Birds and Habitats Directives
- Active management of Natura 2000 sites
- Achievement of EU and national biodiversity strategies
- Development and integration of ecosystem services and nature-based solutions
- Contribution to restoration objectives (focus on the restoration of ecosystem services)
- Development of contractual schemes for ecosystem services, e.g., carbon farming



*ELO and Eurosité directors joining forces  
Nature Directors Meeting, September 2022*

# Q&A

**How and why can Private Land Conservation contribute to financing biodiversity in the EU?**

**Are privately protected areas recognised in Estonia? If not, is it something of interest for the landowners?**

You can also send any reflections to [adam.holub@elo.org](mailto:adam.holub@elo.org).