

Don't kill the bee! Legal insights to combat the biodiversity crisis

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PANEL 2. Legal challenges to achieve a regulatory body that embraces an ecocentric and biocentric approach

The role of soil restoration in addressing the biodiversity crisis

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The prevention and restoration of soil degradation can be considered as one of the main drivers for the protection of biodiversity. As recently highlighted in the EU Biodiversity Strategy for 2030, indeed, “soil is a hugely important non-renewable resource” and ensuring its health is essential. First, the presentation will therefore critically assess the consideration that the issue of soil degradation has within the relevant EU instruments, also appraising the possible effect of international obligations in other fields. Subsequently, it will be noted that one of the regulatory challenges arising from soil protection pertains to the establishment of a regulatory framework in relation to the remediation of the contaminated sites. In order to frame such regulatory challenge, the presentation will analyse which models of liability may be adopted and how they differ. Furthermore, it will be assessed whether a European framework is necessary and how it may help restore and preserve the soil ecosystem in light of biodiversity protection. In this context, it will be evaluated the role of restoration of degraded soils and remediation of contaminated sites in the EU Soil Strategy for 2030. Such analysis will also take into consideration the Soil Health Law proposal, which is expected to be published in the second quarter of 2023.