



SENATE OF THE PARLIAMENT OF THE CZECH REPUBLIC

14TH TERM

309th

RESOLUTION OF THE SENATE

Delivered on the 19th session held on 29th November 2023

on Proposal for a Directive of the European Parliament and of the Council on Soil Monitoring and Resilience (Soil Monitoring Law) /Senate Print no. N 077/14, COM(2023) 416/

The Senate

I.

1. **Considers** the European Commission's initiative on soil monitoring and resilience to be necessary, because it is important that a protection and health of soil receive the same level of legal protection within the EU as air and water;
2. **Supports** the position of the Government and shares the concerns and reservations stated therein, especially in terms of:
 - the need to clarify the definition of land/soil so that it does not include built-up or other paved areas, because the implementation of soil monitoring and other measures would be difficult to realize in these cases;
 - the need to take into account the differences in soil profiles and natural conditions between individual Member States and to set a greater degree of flexibility, especially in connection with the proposed 2 t/ha/year soil erosion rate;
 - the maximum use of existing national soil monitoring systems instead of introducing new ones;
 - the more appropriate choice and better targeting of the proposed descriptors of soil health in order to avoid unnecessary administrative and financial burden;
 - the requirement not to set a fixed value for the descriptors according to Part A of Annex I of the Proposal for a Directive for the entire EU, but to leave the determination of the value for the descriptors to the Member States, especially with respect to the principle of subsidiarity;
 - the proposal to elaborate more on the provision on land take mitigation principles, because the land takes are related to the problem of the agricultural land fund's decline and therefore it is necessary to significantly strengthen soil protection in this regard;
 - the identification of potentially contaminating risk sites only in actively operated potentially contaminating risk sites;

- minimising the costs related to the transposition of the Directive and maximizing financial participation by the EU;
- 3. Appraises positively** that the principles of sustainable soil management stated in Annex III of the Proposal for a Directive include some of the practices of regenerative agriculture, and emphasizes the importance of implementing these practices within the framework of soil protection;
- 4. Considers it necessary** that the mechanism for a voluntary soil health certification has an added value for land owners and managers;
- 5. Requests** the Government to try to quantify the effects of the proposed Directive on the state budget and on the budgets of regions, cities and municipalities before it enters into force;

II.

- 1. Requests** the Government to inform the Senate no later than on 31st March 2024 about the way this Resolution was taken into account and about the further development of negotiations;
- 2. Authorises** the President of the Senate to forward this Resolution to the European Commission.

Miloš Vystrčil
sign manual
President of the Senate

Jan Holásek
sign manual
Senate Verifier