
Discussion Paper for COP30

Global Peatland Protection in the Context of the Climate- Security Nexus: Legal Perspectives on Multi- and Unilateral Developments in the EU, Ukraine, Russia and the US

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In light of escalating climate and biodiversity crises, peatlands are increasingly becoming a topic in global, European, and national environmental policy. The Peatland Breakthrough of the UNFCCC COP30 Action Agenda may mark a decisive turning point for accelerating global cooperation in the protection, restoration and wise use of peatlands and is set to constitute a key topic at COP30 in Belém, Brazil from a nature-based climate action perspective. While the European Union and Ukraine act as frontrunners in the legal and political recognition of peatlands through multilateral and aligned unilateral agreements—considering not only ecological and conservation-related but also security-related aspects—Russia is recently withdrawing from the global wetland protection mechanism, and the US withdraw in 2025 from the Paris Agreement.

This paper analyses the legal implications of these divergent developments and contextualizes global unilateral and multilateral tendencies in peatland climate protection with regard to expected outcomes of COP30.

Table of Contents

I. Introduction to ‘defence mires’ as a cross-cutting concept – Peatlands Between Climate Protection and Security Policy	3
II. Multilateral and Unilateral Developments and the Role of Law: The Peatland Breakthrough as a Catalyst?	4
1. Definitions and Legal Classifications	4
2. Structure of the Peatland Breakthrough Initiative.....	6
3. Content.....	7
4. The Reality Check: Between Initiatives, Strategies, and Binding Legal Instruments	8
III. Current Legal and Policy Developments on Peatland Protection in the EU and Ukraine from a climate and security perspective.....	10
1. EU Law.....	10
2. Germany as a Member State of the European Union	12
3. Ukraine.....	13
IV. Unilateral Political Tendencies: Russia’s Withdrawal from Multilateral Wetland Protection and the US Withdrawal from the Paris Agreement — Legal and Policy Analysis and Its Implications for Conflict-Affected Regions	16
1. Unilateral Withdrawal from International Treaties	16
2. Implications for Global Peatland Climate Protection — Focus on Conflict-Affected Regions and Compatibility with International Law	17
V. Multilateralism vs. Unilateralism in a Polarizing International Community – Opportunities and Risks for Peatland Climate Protection	18
VI. Conclusion and Outlook toward COP30: Global Peatland Protection at the Crossroads between Hope and Resignation.....	19

I. Introduction to ‘defence mires’ as a cross-cutting concept – Peatlands Between Climate Protection and Security Policy

Peatlands store more carbon globally than all forest biomass combined and thus represent, after the oceans, the largest terrestrial carbon sink, despite covering only 3–4% of the Earth’s surface.¹ Their degradation through drainage for agriculture, forestry and peat extraction significantly contributes to global warming, undermining their immense potential as CO₂ sinks. At the same time, peatlands are biodiversity hotspots, serve as natural buffers against extreme weather events, and function as water reservoirs and drinking water filters – as long as.

In recent years, their security policy value has also gained recognition—particularly in war- and crisis-affected regions such as Ukraine, where peatlands, highlighted by Russia’s war of aggression, can contribute both to territorial defence² and climate adaptation. Beyond immediate security considerations, the sustainable and resilient restoration of ecosystems after the end of Russia’s aggression plays a decisive role. The concept of Environmental Peacebuilding thus gains central importance, especially in light of the manifold co-benefits of peatland rewetting.³ The intersection of climate and security policy can be subsumed under the concept of the Climate-Security Nexus.⁴ Since the framing of this nexus was developed through the lens of climate change impacts and matters of resilience and adaptation, the nexus approach in this paper focusses on a linkage of a military infrastructure dimension of nature-based solutions, in particular peatlands. As a specific concept highlighting this nexus, the special focus in this article sheds light on an innovative concept of strategic rewetting of so-called “defence mires”.

Given the essential ecological role of peatlands and the cross-border nature of many such ecosystems (e.g., Amazon wetlands or the peatland-rich regions along the Finnish-Russian or northern Ukrainian borders), multilateral protection and restoration efforts play a particularly significant role from a climate protection perspective. Conversely, the growing security-political relevance of natural barriers is prompting states to plan and implement unilateral measures for defensive purposes.⁵ However, multilateral frameworks and security commitments within organizations such as NATO and the EU must also be considered, since defence strategies increasingly incorporate natural barriers.⁶ This

¹ UNEP (2022), Global Peatlands Assessment, <https://www.unep.org/resources/global-peatlands-assessment-2022>.

² GMC (2025), https://www.greifswaldmoor.de/files/dokumente/Infopapiere_Briefings/2025_GMC_Infopapier_Moore%2BVerteidigung_final_EN.pdf; just accounting the biomass itself and not forest soils.

³ Reinholz/Kopytsia et al., Environmental Peacebuilding, KlimR 02/2025.

⁴ Regarding the term: Delf Rothe/Christine Hentschel/Ursula Schröder, Recomposing the climate-security nexus: A conceptual introduction, *Geoforum* Volume 159 (2025), 104195; assessed on Ukrainian wetlands: IUCN, Wetland restoration: a nature-based solution for Europe’s security? <https://www.iucn.nl/en/opinion/wetland-restoration-a-nature-based-solution-for-europes-security/>; bzgl. einer Erweiterung zum Climate-Energy-Security-Nexus siehe IKEM,

⁵ GMC (2025), https://www.greifswaldmoor.de/files/dokumente/Infopapiere_Briefings/2025_GMC_Infopapier_Moore%2BVerteidigung_final_EN.pdf.

⁶ Malte Schneider/Franziska Tanneberger/Hans Joosten, Peatlands as a natural defence: An innovative approach to Europe’s security, <https://www.aeco.earth/blog/peatlands-as-natural-defence-an-innovative-approach-to-europes-security#:~:text=The%20rewetting%20of%20peatlands%20has%20historically%20played%20a%20line%20of%20defense%20for%20Western%20Europe.>

represents, in a sense, a return to long-known principles that have shaped military activities throughout human history.⁷

This paper aims to highlight current global initiatives within the existing legal and policy frameworks that strengthen multilateral governance approaches. The *Peatland Breakthrough* will serve as the focal point of this analysis, with its key characteristics outlined in Section II. Subsequent sections will address recent developments related to climate and military aspects of peatlands protection at both EU and national levels—specifically in Germany and Ukraine (Section III).

In contrast to these multilateral and aligned unilateral efforts, Section IV examines the effects of with international agreements non-aligned unilateral decisions, exemplified by Russia’s withdrawal from international wetland protection agreements, on global climate commitments in the context of peatland conservation. Section V then discusses the opportunities and risks these both contradicting and intertwined legal and policy trends between climate protection and security pose for peatland protection. Finally, Section VI concludes with an outlook on COP30 in Belém, Brazil, assessing the cross-roads at which global peatland climate protection currently stands—between hope and resignation.

II. Multilateral and Unilateral Developments and the Role of Law: The Peatland Breakthrough as a Catalyst?

1. Definitions and Legal Classifications

Almost the entirety of climate law is founded upon principles of international law—and therefore upon the sovereign decision-making powers of nation states, their voluntary contributions, and their participation in treaty frameworks. This has become particularly measurable since the establishment of the Paris Climate Agreement (2015) and the obligation to submit Nationally Determined Contributions (NDCs).⁸ The year 2025 marks a decisive moment, as updated NDCs will then be presented.

Focusing on peatland protection as a global and transboundary challenge—especially considering the necessary scaling-up of rewetting efforts within the LULUCF sector (Land Use, Land-Use Change, and Forestry)—the creation of multilateral treaties is essential for achieving climate goals. Conversely, unilateral measures undertaken within individual states may also provide support, though they are subject to greater justification pressures vis-à-vis the international community.⁹ Crucially, such unilateral actions must not undermine global efforts, in order to preserve the integrity of the global climate regime.

Building on this classification, the following tripartite analytical framework is adopted in this paper:

- (1) Multilateralism,
- (2) Unilateralism (understood as genuine efforts to complement international measures),

⁷ Vgl. GMC (2025), https://www.greifswaldmoor.de/files/dokumente/Infopapiere_Briefings/2025_GMC_Infopapier_Moore%2BVerteidigung_final_EN.pdf.

⁸ UNFCCC, Nationally Determined Contributions (NDCs), The Paris Agreement and NDCs, <https://unfccc.int/process-and-meetings/the-paris-agreement/nationally-determined-contributions-ndcs>.

⁹ Till Markus, Unilaterales Umweltrecht als Baustein einer globalen Umweltgovernance – Strukturen, Wirkungen, Legitimation in: Till Markus/Moritz Reese/Wolfgang Köck (eds), *Zukunftsfähiges Umweltrecht III: Unilaterale Beiträge zur globalen Nachhaltigkeitsordnung*.

and

(3) Withdrawal/Denial from international treaties and obligations.¹⁰

These will be examined through the lenses of developments within the EU, Ukraine (Section III), and Russia as well as the US (Section IV). Beforehand, this section provides the theoretical foundations and clarifies the key concepts.

In international law multilateralism refers to a form of cooperation in which multiple states, based on common rules and procedures, conclude binding agreements or form international organizations to pursue collective interests and address global problems.¹¹ Multilateral legal instruments typically arise through conventions, treaties, or within the framework of international institutions such as the United Nations, the World Trade Organization (WTO), or environmental regimes such as the UN Framework Convention on Climate Change (UNFCCC) or the Ramsar Convention¹²—the latter being central for peatland and wetland protection. Multilateralism is closely associated with the principles of sovereign equality of states, the rule of law in international relations, and the rules-based international order.¹³

By contrast, unilateralism in international law refers to actions or legal measures taken by a state on its own initiative—without prior consultation or consent of other states or international organizations.¹⁴ Such actions may be politically motivated (e.g., sanctions) but can also have legal significance, such as when a state unilaterally claims, recognizes, or revises rights or obligations (for instance, through unilateral declarations or territorial claims). Withdrawal from international agreements also constitutes a unilateral act.

However, as this paper will demonstrate, it is necessary to distinguish between a state's motivation for withdrawal, the implications for agreed global protection goals, and the compatibility with international law.

Unilateral acts are therefore legally valid only to the extent that they conform to existing international law and must not violate the prohibition on the use of force, the right of peoples to self-determination, or other peremptory norms of international law (*ius cogens*).¹⁵ The extent to which Russia's unilateral denunciations of international wetland protection treaties fall within this framework will be discussed below (Section IV).

¹⁰ Understood as „hostile environmental unilateralism“, referring to the term “friendly environmental unilateralism”, see for further information e.g. Till Markus (n 9); Scott, Extraterritoriality and Extraterritorial Extension in EU Law, *AJCL* (2014) 87; Hakimi, Unfriendly Unilateralism, *Harvard International Law Journal* (2014) 105.

¹¹ Anne Peters, *Elemente eines institutionellen Völkerrechts: Beiträge zur Fortentwicklung des internationalen Rechts im Zeitalter der Globalisierung*, Nomos 2004, pp. 45 ff.; Definition in Anlehnung an Robert O. Keohane (1990), Multilateralism: An Agenda for Research, *International Journal*, 45(4), S. 731–764.

¹² Ramsar Convention (1971), https://www.ramsar.org/sites/default/files/documents/library/current_convention_text_e.pdf.

¹³ Bruno Simma/Philip Alston, The Sources of Human Rights Law: Custom, *Jus Cogens*, and General Principles, *Australian Yearbook of International Law* (1988), pp. 82 ff.

¹⁴ International Law Commission (ILC), *Guiding Principles applicable to unilateral declarations of States capable of creating legal obligations*, UN Doc. A/61/10, 2006.

¹⁵ Alfred Verdross, *Völkerrecht*, Springer 1964, pp. 200 ff.

In contrast to the governmental approaches and commitments, the Peatland Breakthrough may be classified as a non-state initiative in the broad sense of people-centered multilateralism¹⁶ and is closely linked to international legal institutions through the involvement of organizations such as UNEP (United Nations Environment Programme) and FAO (Food and Agriculture Organization of the United Nations) (see Section II.3). It builds on a United Nations Environment Assembly resolution (2019)¹⁷ on peatlands. From a legal perspective, the initiative does not possess law-making competence and thus lacks binding force. Nonetheless, within the political process of agenda-setting and policy momentum-building, it can play a decisive role in shaping future legislation.¹⁸ Because of this relevance and keeping the drafted timeline of a political process in mind this initiative as a current global development will be used as the starting point for examination of multilateral approaches. Afterwards, a closer examination of the dynamic between governmental and non-governmental actions in light of legal bindingness will follow in the “reality check” (Section II.4).

2. Structure of the Peatland Breakthrough Initiative

A “breakthrough” is a moment that marks a significant advance in the transformation of an economic sector or natural system. The Peatland Breakthrough builds on lessons from other breakthroughs under the 2030 Breakthroughs Agenda, aiming to trigger a system-wide shift toward wet peatland landscapes. Developed in the lead-up to COP30, the *Peatland Breakthrough* can be divided into two phases:

- (a) the pre-COP30 phase, and
- (b) the post-COP30 implementation phase.¹⁹

The first phase focused on raising awareness, developing a shared vision, and establishing scientifically grounded global goals. These elements will be reflected at COP30, where an official side event²⁰ will emphasize the significance of these efforts and elevate the discussion to the political level.

Following COP30, the second phase—implementation—will begin. The initiative’s significance is further underscored by the involvement of numerous key partners, including: Wetlands International, UN Environment Programme (UNEP), Food and Agriculture Organization (FAO), Global Environment Centre, and Greifswald Mire Centre, in collaboration with the High-Level Climate Champions Team, the Convention on Wetlands and the Global Peatlands Initiative.²¹

¹⁶ High-Level Advisory Board on Effective Multilateralism (HLAB), *A Breakthrough for People and Planet: Effective and Inclusive Global Governance for Today and the Future* (New York: United Nations University, 2023), https://unu.edu/sites/default/files/2025-03/highleveladvisoryboard_breakthrough_fullreport.pdf.

¹⁷ UNEA (2019), Resolution adopted by the United Nations Environment Assembly on 15 March 2019, <https://wedocs.unep.org/bitstream/handle/20.500.11822/28480/English.pdf?sequence=3&isAllowed=y>.

¹⁸ On the role of non-governmental initiatives in the agenda-setting process and John Kingston’s underlying understanding of the term: E. Carina H. Keskitalo/Lisa Westerhoff/Sirkku Juhola, *Agenda-setting on the environment: the development of climate change adaptation as an issue in European states*, vol. 22/6 (2012), pp. 381-394, <https://onlinelibrary.wiley.com/doi/abs/10.1002/eet.1579>.

¹⁹ Global Peatlands Initiative, <https://globalpeatlands.org/peatlandbreakthrough>.

²⁰ ‘PEATLAND BREAKTHROUGH: a Global Call to Unlock the Power of Peatlands’ on Monday, taking place on 17 November 2025, from 6:30 p.m. to 8:00 p.m. at the UNFCCC COP30.

²¹ Global Peatlands Initiative, <https://globalpeatlands.org/peatlandbreakthrough>.

The *Global Peatlands Initiative* (GPI) is an effort by leading experts and institutions formed at the UN-FCCC COP in Marrakech, Morocco in 2016 to save peatlands as the world's largest terrestrial organic carbon stock. Members of the Initiative are working together within their respective areas of expertise to improve the conservation, restoration and sustainable management of peatlands. The GPI has been financially supported by the International Climate Initiative (Internationale Klimaschutzinitiative, IKI) of the German Federal Government.²²

3. Content

As other Breakthroughs, the core content of the Peatland Breakthrough are its targets, outlined in a science-based framework for Global Peatland Targets and Guiding Principles. The framework has been developed through a Working Group (led by GMC and FAO), and global consultations with peatland experts. The targets are aligned with jointly defined goals of the participating organisations, though they continue to evolve dynamically

All targets relate to an overarching goal of shaping the interaction of people with peatlands in such a way that peatlands contribute to climate change mitigation and adaptation, biodiversity conservation, safe and clean water supply, sustainable yields and other ecosystem services. Global Peatland Targets reflect shared goals we collectively work towards. The implementation pathways that contribute to these targets should reflect national circumstances, capacities and responsibilities .

A primary objective is the rewetting of 30 million hectares of drained peatlands by 2030, representing a scaling target for emission reduction and carbon sink restoration. Comparable legal mechanisms exist, for example, in the EU Nature Restoration Regulation,²³ the European Climate Law,²⁴ and the LULUCF Regulation^{25,26}

Another easily communicable goal is the principle of “net-zero drainage expansion”—that is, no further peatland drainage, but instead an expansion of protection and planning measures to prevent further degradation.²⁷ This parallels soil protection efforts and the “Net Land Take” objective at both the UN and EU levels. However, the legal framework in this area remains fragmented and largely non-

²² Ibid.

²³ Short NRR, Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869; Legal classification of the relevance of the NRR for peat soil protection: Till Reinholz/Michael Kalis, *Transformatives Recht am Beispiel der Moorbodenschutzes in der Nature Restoration Regulation*, KlimR 2026 (forthcoming); for further information on genesis and voting behaviour: *Bodenbender NuR* 2024, 525.

²⁴ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law').

²⁵ Regulation (EU) 2023/839 of the European Parliament and of the Council of 19 April 2023 amending Regulation (EU) 2018/841 as regards the scope, simplifying the reporting and compliance rules, and setting out the targets of the Member States for 2030, and Regulation (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review.

²⁶ Hans Joosten/Greifswald University/Duene e.V. (Partners in the GMC), Ramsar Technical Report No. 11, Global guidelines for peatland rewetting and restoration, Secretariat of the Convention on Wetlands Gland, Switzerland (2022), pp. 22 ff. https://www.ramsar.org/sites/default/files/documents/library/rtr11_peatland_rewetting_restoration_e.pdf.

²⁷ Wetlands International, Peatland Breakthrough announced at Wetlands COP15, <https://www.wetlands.org/peatland-breakthrough-announced-at-wetlands-cop15/>.

binding.²⁸ A further cornerstone is the expanded protection of intact peatlands, aiming to place significantly larger areas under formal protection and management. Specific instruments may include deeper integration into protected area networks (e.g., Natura 2000), as well as the incorporation of peatlands into national inventories, NECPs (National Energy and Climate Plans), and NDCs.²⁹

On the economic side, the Peatland Breakthrough emphasizes the scaling of wise, sustainable land use practices, especially paludiculture³⁰. This addresses one of the central barriers to peatland rewetting: the lack of economic incentives.³¹ Hence, peatland restoration must be viewed as a multidimensional challenge that integrates legal, ecological, and economic considerations.³²

Lastly, the initiative calls for financial and governance targets, focusing on the mobilization of public and private resources and the establishment of clear national action plans with Monitoring, Reporting, and Verification (MRV) mechanisms. MRV plays a crucial role in establishing a reliable data-driven legal framework. This multidimensional approach highlights the involvement of diverse stakeholders and scientific disciplines and emphasizes the need for interdisciplinary research and interaction between civil society, science, and politics.³³ Nevertheless, this complexity is compounded by the multi-level legal structure (global – supranational – national – regional/local) and the resulting diversity of actors and interests.

4. The Reality Check: Between Initiatives, Strategies, and Binding Legal Instruments

The goals of the Peatland Breakthrough are indeed ambitious. However, there remains a decisive difference between strategic frameworks and multilateral treaties—namely, legal enforceability. As outlined above, the initiative itself lacks binding force; therefore, it is essential to examine the existing legal frameworks it interacts with. The “reality check” of the initiative—and the revelation of potential

²⁸ See for further information Reinholz/Rodi, KlimR 10/2025 and IKEM, [Soil protection and land use as challenges for climate law and policy– Germany and the European Union](#).

²⁹ UNEP/Global Peatlands Initiative, Global Peatlands Assessment: The State of the World’s Peatlands, Main Report, pp. 254 ff., https://wedocs.unep.org/bitstream/handle/20.500.11822/41222/peatland_assessment.pdf?sequence=1&isAllowed=y.

³⁰ A farming and forestry system that targets the production of plant- or animal-based commodities on peatland in ways that preserve the peat soil, maintain or restore core ecosystem functions and services, and ideally re-establishes or continues peat accumulation. (Joosten et al. 2016; Convention on Wetlands 2021).

³¹ See e.g. in context as a Carbon Dioxide Removal (CDR) Technology in the German context Johannes Förster et al., Framework for Assessing the Feasibility of Carbon Dioxide Removal Options Within the National Context of Germany, Frontiers in Climate, Sec. Carbon Dioxide Removal, Volume 4 (2022), <https://www.frontiersin.org/journals/climate/articles/10.3389/fclim.2022.758628/full>; building on the paper of Förster et al. Malgorzata Borchers et al., A Comprehensive Assessment of Carbon Dioxide Removal Options for Germany, vol 12/5 (2024) Earth’s Future, pp. 10 f., <https://agupubs.onlinelibrary.wiley.com/doi/10.1029/2023EF003986>; with a special focus on emission reduction and alternative economical beneficial uses of soils: GMC, Questions & Answers: Bringing Clarity on Peatland Rewetting and Restoration, p. 4, [QA peatland rewetting fin 2023-05-22.pdf](#).

³² Compare Till Reinholz/Jan Peters, COP29 | A Future Framework for Negative Emissions: Multidimensional Interdependencies exemplified by Peatland Rewetting, https://usercontent.one/wp/www.ikem.de/wp-content/uploads/2024/10/20241023_COP29_CDR-Peatlands.pdf.

³³ Till Reinholz/Jan Peters, COP29 | A Future Framework for Negative Emissions: Multidimensional Interdependencies exemplified by Peatland Rewetting, https://usercontent.one/wp/www.ikem.de/wp-content/uploads/2024/10/20241023_COP29_CDR-Peatlands.pdf.

discrepancies between ambition and implementation—will only become evident in the second, implementation phase.

From a legal-theoretical perspective, it must be acknowledged that political strategies, as a growing tool of the executive, are gaining in importance. While this trend is sometimes viewed critically—since it can shift attention away from legislative, democratically legitimized, and binding legal acts³⁴—the process of moving “from strategy to law” has become well-established, especially in environmental law.³⁵ Historically, this field was dominated by political science, and thus legal scholarship on the transformation and genesis of such strategies remains limited. However, the increasing role of non-state actors and scientific institutions in shaping soft-law frameworks and policy strategies is both natural and necessary, as it allows scientific findings to be embedded into future legislation and exerts pressure on policymakers.

In this sense, the Peatland Breakthrough represents an early but crucial step in a long-term process—ideally culminating in binding legislation and tangible outcomes. The assembly of such a prominent network of stakeholders and institutions united behind shared objectives and instruments (see Section II.2) at this early stage is remarkable and gives reason for hope that global peatland protection will gain renewed momentum.³⁶

The role of binding lawmaking and implementation must not be underestimated. This is one of law’s central functions—especially in an interdisciplinary field like environmental law, which must be grounded in scientific knowledge: namely, to translate scientific and sociological insights into applicable³⁷ and durable legislation that ensures the long-term pursuit of climate objectives beyond shifting political majorities and legislative cycles.

The implementation phase following COP30 will confront a fragmented global legal landscape, characterized by contradictory multilateral and unilateral tendencies. Alongside the Ramsar Convention (as

³⁴ See for further information: Ulrich Karpen, Comparative Law: Perspectives of Legislation in: *Anuario Iberoamericano de Justicia Constitucional*, ISSN 1138-4824, núm. 17, Madrid (2013), pp. 141-185.

³⁵ At EU level, for example, Industrial Carbon Management Strategy, Industrial Carbon Management Act; at German level: Peatland Protection Strategy, Peat Reduction Strategy, Negative Emissions Strategy (LNe) currently under development, including amendments to the KSG such as the introduction of Sections 3a and 3b on separate technical and natural climate targets.

³⁶ This is in line with relevant milestones of recent years, such as the development of the Global Peatland Database, which aims to create a global database for policy makers. The aim is to address one of the Achilles heels of good peatland protection legislation: the lack of a data basis. Further information on the Global Peatland Database: GMC, <https://greifswaldmoor.de/global-peatland-database-en.html>; There have also been far-reaching international successes such as the adoption of the following declaration: UNEP, Resolution 4/16. Conservation and Sustainable Management of Peatlands – Resolution adopted by the United Nations Environment Assembly on 15 March 2019, <https://wedocs.unep.org/handle/20.500.11822/30675>.

³⁷ Regarding the terminology of legal acceptance from a sociol-legal perspective: Alfons Bora/Justus Heck/Fritz Jost, Akzeptanz – Rechtssoziologische Überlegungen zu Begriffsgeschichte, Systematik und Anwendungskontexten; Laura Geßner/Marc Zeccola, Akzeptanzfaktoren in der Energiewende und ihre Übertragbarkeit in das Recht in: Cornelia Fraune et al., Akzeptanz und politische Partizipation in der Energietransformation, pp. 133 ff.

the central framework for wetlands) and the Convention on Biological Diversity³⁸ (CBD), the Paris Agreement³⁹ and previous UN resolutions⁴⁰ remain pivotal from a climate-law perspective.

As updated NDCs are set to be presented this year,⁴¹ the Peatland Breakthrough is particularly well timed to restore wetlands to their rightful place on the global stage and to increase political pressure on decision-makers. Whether this ambition can endure in an increasingly polarized climate policy environment—and amid growing doubts about the feasibility of the 1.5 °C or even 2 °C targets—remains to be seen. The following sections will illustrate how deeply divergent international developments are currently shaping the landscape of global climate governance.

III. Current Legal and Policy Developments on Peatland Protection in the EU and Ukraine from a climate and security perspective

The planned implementation of the measures outlined above relies on legally supported, ambitious instruments for peatland protection and active restoration. Since the adoption of the European Green Deal (2019), climate policy ambition has steadily increased within the EU, including in the LULUCF sector (Land Use, Land-Use Change and Forestry). Both the European Union⁴² and Ukraine⁴³ aim to achieve greenhouse gas neutrality by 2050, while Germany⁴⁴ has set an even earlier target of 2045.

This section provides an overview of key legal elements, with a focus on climate law and security policy both aspects with regards to peatlands.

1. EU Law

From a climate law perspective, the European Green Deal⁴⁵ (2019) was followed by the adoption of the European Climate Law, which operationalizes the EU's long-term climate neutrality target. The LULUCF Regulation, closely linked to this framework, was revised in 2023 to raise the EU's ambition to a net reduction target of 310 million tonnes of CO₂ equivalents per year.⁴⁶

³⁸ Full text: <https://www.cbd.int/doc/legal/cbd-en.pdf>.

³⁹ Full text: https://unfccc.int/sites/default/files/english_paris_agreement.pdf.

⁴⁰ See for instance UNEP, Resolution 4/16. Conservation and Sustainable Management of Peatlands - Resolution adopted by the United Nations Environment Assembly on 15 March 2019, <https://wedocs.unep.org/handle/20.500.11822/30675>.

⁴¹ Called NDCs 3.0., see UNFCCC, <https://unfccc.int/ndc-3.0>.

⁴² Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law'), Art. 1 f.

⁴³ Law No. 3991-IX on the State Climate Policy, https://climate-laws.org/documents/https-zakon-rada-gov-ua-laws-show-3991-ix-text_e74b?id=law-no-3991-ix_aa5b.

⁴⁴ § 3 Abs. 2 KSG.

⁴⁵ European Commission, Europäischer Grüner Deal: nachhaltigere Nutzung der natürlichen Pflanzen- und Bodenressourcen, https://ec.europa.eu/commission/presscorner/detail/de/ip_23_3565, EK v. 5.2.2023.

⁴⁶ See further information primarily from a land law perspective Till Reinholz/Michael Rodi, Bodenschutz und Landnutzung als Herausforderungen für Klimarecht und Politik – Deutschland und die Europäische Union, KlimR 10/2025, pp. 295 ff.

In 2024, after a politically charged and contentious negotiation process, the Nature Restoration Regulation (NRR) was finally adopted.⁴⁷ Article 11(4) of the Regulation sets mandatory restoration and rewetting targets through to 2050, complemented by requirements for restoration plans and MRV (Monitoring, Reporting, Verification) procedures. The legislative justification explicitly cites biodiversity and climate mitigation as legitimate objectives of these measures.⁴⁸

Another forthcoming development is the Soil Monitoring Directive,⁴⁹ which is expected to include specific MRV provisions and target horizons. This will further expand the EU's environmental acquis to address soil quality and carbon sequestration, both of which are crucial for peatlands.

The Common Agricultural Policy (CAP) is closely intertwined with the economic dimension of peatland conservation. The CAP framework⁵⁰—structured through its multi-pillar regulatory system—plays a key role in shaping incentive structures for sustainable land use. Current negotiations on funding mechanisms for the next programming period (starting in 2027) remain open-ended, leaving uncertainty about the extent to which climate-friendly agricultural practices will be integrated and promoted.⁵¹

In the economic context, emissions trading certificates also play a decisive role. Under the emerging Carbon Removal Certification Framework (CRCF),⁵² peatland-related carbon credits are currently traded on a voluntary basis. Nevertheless, a significant market may develop in the future—particularly with the introduction of the EU ETS 2⁵³ (expanded Emissions Trading System for buildings and transport)—and potentially even include negative emissions certificates.

As a climate supporting cross-sectoral approach, the Water Framework Directive⁵⁴ (WFD) must also be highlighted, as it directly addresses the raising of groundwater levels for rewetting and recognizes the filtering and storage functions of peatlands. Compared to the regulation of soil protection, water law currently provides a more robust legal framework for peatland restoration. Generally, it can be concluded that soil-related environmental protection lags behind water and air regulation by several decades, leaving peat soils relatively underregulated.

⁴⁷ Short NRR, Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869; Legal classification of the relevance of the NRR for peat soil protection: Reinholz/Kalis, Transformatives Recht am Beispiel der Moorbodenschutzes in der Nature Restoration Regulation, KlimR 2026 (forthcoming); for further information on genesis and voting behaviour: Bodenbender NuR 2024, 525 ff.

⁴⁸ Legislative Justification of Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869; aligned with the European biodiversity strategy: Europäische Kommission, Fragen und Antworten: EU-Biodiversitätsstrategie für 2030 – Mehr Raum für die Natur in unserem Leben, https://ec.europa.eu/commission/presscorner/detail/de/qanda_20_886, EK v. 20.5.2020.

⁴⁹ European Commission, COM/2023/416 final.

⁵⁰ Framed by several regulations: Regulation (EU) 2021/2115, (EU) 2021/2116, (EU) 2021/2117, and amending Regulation (EU) 2024/1468.

⁵¹ For an overview: European Commission, The CAP post-2027 in the next EU budget, https://agriculture.ec.europa.eu/common-agricultural-policy/cap-overview/cap-post-2027-next-eu-budget_en?prefLang=de.

⁵² Regulation (EU) 2024/3012 of the European Parliament and of the Council of 27 November 2024 establishing a Union certification framework for permanent carbon removals, carbon farming and carbon storage in products.

⁵³ European Commission, ETS2: buildings, road transport and additional sectors, https://climate.ec.europa.eu/eu-action/carbon-markets/ets2-buildings-road-transport-and-additional-sectors_en.

⁵⁴ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy.

In continuation of the cross-sectoral understanding from a biodiversity perspective, the Habitats Directive⁵⁵ remains central. This was the legal foundation for early European peatland protection efforts, which are today visible in the extensive Natura 2000 network—widely regarded as a success story of EU environmental law.⁵⁶

Given the emerging debate on the security dimension of peatland restoration, it will be important to observe whether—and how—the European legislator responds.⁵⁷ Possible legal pathways include the classification of potential rewetting areas as critical military infrastructure under the overriding public interest clause, or the creation of targeted financial instruments addressing the climate-security nexus. However, considering the EU’s traditionally fragmented and cautious stance on security policy, the most tangible effects are likely to appear in NATO strategies and national defense policies,⁵⁸ as the following national examples will illustrate.

2. Germany as a Member State of the European Union

Germany’s legal and policy framework on peatland protection is shaped by a multi-level interaction of multilateral and unilateral measures. The country’s steadfast commitment to multilateral environmental agreements—such as the Ramsar Convention, the Paris Climate Agreement, and the Convention on Biological Diversity (CBD)—has remained consistent across changing governments and political coalitions.

Within this multi-level system, unilateral measures—particularly those relating to Germany’s NDCs and EU law commitments—make a substantial contribution to achieving global and international climate goals. Germany consistently emphasizes the importance of multilateralism and plays a leading role in international negotiations, including the elaboration of Article 6 mechanisms of the Paris Agreement and related climate finance and equity discussions, especially regarding the historical responsibility of the Global North toward the Global South.⁵⁹

Domestically, the Federal Climate Protection Act (Klimaschutzgesetz)—especially § 3a on nature-based solutions (NbS)—forms the cornerstone of Germany’s legal framework. This is complemented by the country’s National Energy and Climate Plan (NECP).⁶⁰ However, a closer legal analysis reveals

⁵⁵ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

⁵⁶ European Commission, Natura 2000 Newsletter, <https://ieep.eu/wp-content/uploads/2022/12/Natura-2000-newsletter-featuring-the-results-from-the-project.pdf>.

⁵⁷ No concrete legal measures or statements from leading European politicians have been forthcoming as yet, but the debate is gaining momentum in the media: see, for example, Politico, From Kyiv to the Suwałki Gap, bogs return as Europe’s defensive shield, <https://www.politico.eu/article/russia-defense-kyiv-ukraine-nato-eu-bogs-poland-war-germany/>.

⁵⁸ Compare GMC (2025), Peatlands as a natural defence: An innovative approach to security in Europe and worldwide, https://www.greifswaldmoor.de/files/dokumente/Infopapiere_Briefings/2025_GMC_Infopapier_Moore+Verteildigung_final_EN.pdf.

⁵⁹ Federal Foreign Office, German climate diplomacy, <https://www.auswaertiges-amt.de/en/aussenpolitik/themen/klimaenergie/climate-foreign-policy-2535028#:~:text=Germany's%20first%20Strategy%20on%20Climate%20Foreign%20Policy,Supporting%20the%20sustainable%20transition%20in%20key%20countries>.

⁶⁰ Against the backdrop of the European Governance Regulation, as a core component of the Governance Regulation: Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652, and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council.

that the national regulatory framework (e.g., the Water Resources Act – WHG, the Rural Land Consolidation Act – FlurbG, and the Federal Soil Protection Act – BBodSchG) still favors traditional, dry land-use practices.⁶¹ These frameworks are not yet fully aligned with the EU’s heightened climate ambitions or with recent scientific findings. Consequently, adjustments to sectoral legislation, as well as to spatial planning and permitting law, are indispensable to achieving Germany’s self-imposed target of greenhouse gas neutrality by 2045.

Supplementary strategic instruments include the National Peatland Protection Strategy and the Peat Reduction Strategy. However, these remain non-binding, a limitation that has become particularly apparent since the change in government in 2024, which has led to shifts in policy priorities (see Section II.4). The Natural Climate Protection Action Programme (Aktionsprogramm Natürlicher Klimaschutz – ANK) serves as the economic flank supporting these measures.

Germany’s National Security Strategy refers to the concept of “sustainable resilience”, but it does not explicitly address peatlands as natural defensive barriers in the security sense employed here.⁶² Nevertheless, the security dimension of peatland rewetting has gained traction, particularly in Northern and Eastern Europe, in light of heightened geopolitical threats—especially in border regions adjacent to Russia. These emerging debates will be further illustrated below.

3. Ukraine

Ukraine possesses over one million hectares of peatlands, among the largest areas in Europe, storing an estimated 2.5 billion tons of carbon. These ecosystems play a pivotal role in regulating water cycles, reducing flood and fire risks, and supporting unique biodiversity. Yet decades of drainage, extraction, and agricultural conversion have degraded most peatlands, turning them from carbon sinks into major emission sources. Since 2022, the war has further intensified peatland degradation, both through direct destruction and secondary effects such as fires, contamination, and drainage-system collapse. Against this backdrop, peatland restoration is emerging not only as a climate-mitigation and ecological-recovery priority, but also as a security and resilience measure, linking environmental integrity with defense planning and post-war reconstruction.

Ukraine’s environmental law and policy have undergone extensive reform in recent years, aimed at aligning domestic legislation with European standards in the framework of the EU–Ukraine Association Agreement and the broader EU accession process. This process is simultaneously driven by Ukraine’s legally enshrined commitment to achieve climate neutrality by 2050 and its National Energy and Climate Plan (NECP), adopted in June 2024. Within the NECP, peatland protection and restoration are explicitly identified as priorities under the Land Use, Land-Use Change and Forestry (LULUCF) sector, marking a significant step toward the recognition of peatlands as both ecological and strategic assets.

Ukraine’s legal foundation for peatland protection has gradually expanded through a sequence of statutory and policy developments that collectively demonstrate the country’s commitment to aligning with the European Union’s environmental acquis. The Climate Law No. 3991-IX (2024) establishes a

⁶¹ See Till Reinholz/Michael Rodi, Bodenschutz und Landnutzung als Herausforderungen für Klimarecht und Politik – Deutschland und die Europäische Union, KlimR 10/2025, pp. 295 ff.

⁶² Bundesregierung (2023), Nationale Sicherheitsstrategie, Integrierte Sicherheit für Deutschland, <https://www.nationalesicherheitsstrategie.de/pdf.html#page-64>, pp. 64 ff.

legally binding pathway toward national climate neutrality by 2050 and explicitly recognizes ecosystem restoration—including peatlands—as an integral component of emission-reduction and resilience policy. Parallel to this, the adoption of Natura 2000 principles has guided the integration of ecological networks into Ukraine’s domestic environmental governance framework, marking a decisive step toward harmonization with EU habitat and species protection standards. Complementing these efforts, the Land Code classifies deep or internationally significant peatlands as “particularly valuable lands,” thereby providing a legal basis for their prioritization within spatial-planning and land-management decisions. However, the absence of a dedicated Peatland Act continues to constrain the development of a coherent regulatory regime, particularly in areas such as digital mapping, monitoring, and liability for environmental damage. Despite this notable legislative convergence, policy gaps and enforcement deficits persist: administrative fragmentation, overlapping institutional mandates, and conflict-related disruptions have significantly hindered the implementation of restoration and protection measures.

Following the Russian full-scale invasion in 2022, Ukraine set emergency laws⁶³ allowing the military to repurpose land within two kilometres of the border with Russia or Belarus for defense infrastructure.⁶⁴ One of the measurements could be restoring peatlands and other wetlands which were formerly drained for agriculture. From a legal perspective, this addresses one of the main obstacles for large-scale rewetting efforts: fragmented ownership structures. Many target and land-use conflicts are involved in this complex challenge, which were dissolved in the mentioned area approach with the described drastic legal instrument due to the dramatic crisis for Ukraine as a state caused by the Russian full-scale invasion. Meanwhile, the ongoing Russian aggression has profoundly affected Ukraine’s peatland ecosystems and governance capacities. According to the 2025 Wetlands Convention COP15 report, 48 of 50 Ukrainian Ramsar sites have been directly damaged or rendered inaccessible.⁶⁵ Destruction of drainage and water-management infrastructure, contamination from hostilities, and the large-scale displacement of administrative staff have further weakened monitoring and enforcement systems. In this context, the reliance on digital MRV (Monitoring, Reporting, Verification) systems—supported by European and multilateral partners—has proven essential for maintaining transparency and continuity. International cooperation under the *Global Peatlands Initiative* and the *EU LIFE* programme has facilitated the exchange of technical expertise and the mobilization of limited restoration financing, although field implementation remains constrained in conflict zones.

The war has also brought into sharp relief the intersection between ecological restoration and national security. Building upon the concept of *defence mires*, Ukraine has pioneered the deliberate use of rewetting and managed flooding as tactical defence instruments. In 2022, the controlled inundation of parts of the Irpin Valley north of Kyiv created natural water barriers that slowed Russian troop movements. This operation, while primarily military in intent, underscored the potential of nature-based solutions (NbS) to contribute simultaneously to climate adaptation, flood management, and territorial defense.

The concept has since evolved into a broader policy debate. Scholars and defence planners alike have begun to consider the establishment of “eco-defence zones” where restored wetlands serve as dual-

⁶³ E.g. Law nr. 2952-IX (17.03.2025).

⁶⁴ Yevheniia Martyniuk, Euromaidan Press (24.06.2025), Soviets drained Ukraine’s ancient swamps — now they’re coming back to swallow Russian tanks, <https://euromaidanpress.com/2025/06/24/ukraine-swamps-russian-tanks/>.

⁶⁵ Ramsar, Assessment Report, https://www.ramsar.org/sites/default/files/2025-04/COP15_inf2_implementation_ResXIV20_assessment_report_e.pdf; general overview of the state of peatlands: COP15_inf_3_full_restoration_assessment_report_e.pdf.

use landscapes—providing ecosystem services and also physical protection during conflict. Comparable discussions have emerged in Poland, Finland, and the Baltic States under frameworks such as *East Shield*, suggesting a wider regional diffusion of this hybrid ecological-security paradigm.

While the climate and security benefits of rewetting are clear, ecological trade-offs must also be acknowledged. Rewetted peatlands may reduce agricultural productivity, potentially affecting rural livelihoods. Addressing these concerns requires carefully designed compensation mechanisms and the promotion of *paludiculture* as an alternative income source. Competent partners around UNDP, GMC and Succow foundation already created a comprehensive Paludi Compendium.⁶⁶ Additionally the Ukrainian NECP already references such pilot initiatives, aligning them with the EU’s Carbon Farming and LULUCF frameworks.

Ukraine’s approach to peatland protection also resonates with the emerging field of *Environmental Peacebuilding*. Article 8 of the President’s *Peace Formula* (2022) recognizes “ecocide” and environmental destruction as components of war-crime accountability, integrating ecological rehabilitation into the architecture of transitional justice (See: [Peace Formula of the President of Ukraine, Art. 8 – Ecocide](#)). Peatlands, therefore, are not merely conservation priorities but legal symbols of Ukraine’s claim to environmental justice and sovereignty.

Ukraine remains a party to the *Ramsar Convention*, the *Convention on Biological Diversity* (CBD), and the *UNFCCC*, embedding its domestic policies within global commitments. Updated NDCs highlight peatland restoration as a measurable mitigation action. Collaborative programmes with the FAO, UNEP, and the Global Peatlands Initiative support methodological harmonization and scientific capacity building, particularly in remote sensing and participatory mapping. These partnerships have also facilitated Ukraine’s representation in European research consortia and the elaboration of its Green Recovery Platform, which envisions wetlands as infrastructure for resilience.

From a legal and policy perspective, Ukraine’s evolving peatland governance framework provides an instructive model for integrating environmental protection, climate mitigation, and national security objectives within a unified system of law. To consolidate these advances, the adoption of a comprehensive National Peatland Protection and Restoration Act would be a critical step toward codifying restoration targets, establishing a unified national registry, and clarifying liability for environmental damage. The inclusion of peatland and wetland management within national defence and civil-protection strategies, coordinated with NATO resilience frameworks, would further institutionalize the emerging concept of ecological security. Strengthening financial and economic mechanisms—notably through a dedicated Peatland Restoration Facility embedded in the *Ukraine Facility* and harmonized with the EU’s sustainable finance taxonomy—could ensure continuity of funding and incentivize private-sector participation. In parallel, developing interoperable Monitoring, Reporting, and Verification (MRV) systems aligned with the EU’s Copernicus satellite-based infrastructure would enhance transparency, data credibility, and access to carbon-market mechanisms. Finally, embedding public participation and stakeholder engagement through regional peatland councils and communication campaigns would foster local ownership and social acceptance of rewetting initiatives. Taken together, these measures illustrate Ukraine’s potential to pioneer a holistic approach that bridges climate governance,

⁶⁶ UNDP, *Paludiculture: EU experience and prospects for implementation in Ukraine* (2024), <https://www.undp.org/ukraine/publications/paludiculture-eu-experience-and-prospects-implementation-ukraine>.

environmental law, and security policy—transforming peatland restoration into a cornerstone of ecological resilience and post-war green recovery.

IV. Unilateral Political Tendencies: Russia’s Withdrawal from Multilateral Wetland Protection and the US Withdrawal from the Paris Agreement — Legal and Policy Analysis and Its Implications for Conflict-Affected Regions

1. Unilateral Withdrawal from International Treaties

Russia’s gradual withdrawal from international environmental and biodiversity agreements including its de facto non-implementation of measures under the Ramsar Convention—signals a deliberate departure from international cooperation. This stands in stark contrast to the country’s ecological responsibility: with over 20 percent of the world’s peatland area, Russia occupies a key position in global peatland protection.⁶⁷ For many years, Russia was frontrunning peatland protection and restoration. At UNFCCC COP23 in 2017, UNFCCC secretariat honoured the project "Restoring peatlands in Russia – for fire prevention and climate change mitigation" (PeatRus) because it offers great potential for cost-effective natural climate solutions benefitting the planet and human wellbeing. The project was implemented by KfW Entwicklungsbank with Ministry of Natural Resources and Environment Russia and Moscow Oblast as political partners, Michael Succow Foundation, Russian Academy of Sciences, University of Greifswald and Wetlands International – Russia Programme as implementing partners, and funded by the Federal Environment Ministry with its Momentum for Change Climate Solutions Award.

As the latest and most consequential manifestation of the recent disengagement, Russia formally withdrew from the Ramsar Convention on 22 July 2025—one of the oldest and most successful multilateral environmental treaties.⁶⁸ Already in previous years—and particularly since the start of its war of aggression against Ukraine in 2022—Russia had become increasingly inactive: no new local or regional management plans were adopted, and regular reporting to the Ramsar Contact Group systematically ceased. Accordingly, international cooperation within the Ramsar network must now be considered de facto frozen. Similar withdrawal tendencies are observable in other institutional frameworks, such as the UNFCCC and the Convention on Biological Diversity (CBD).⁶⁹ Russia has questioned its climate commitments, and the few measures presented within its NDCs fall far short of meeting national targets.⁷⁰

⁶⁷ UN/Global Peatlands Initiative, Global Peatlands Assessment: The State of the World’s Peatlands (2022), https://wedocs.unep.org/bitstream/handle/20.500.11822/41236/peatland_assessment_SPM.pdf?sequence=3, pp. 6 f.

⁶⁸ Kelvin S-H Peh, RUSI (17.10.2025), Russia Abandons a Treaty: Environmental Protection During Armed Conflict, <https://www.rusi.org/explore-our-research/publications/commentary/russia-abandons-treaty-environmental-protection-during-armed-conflict>.

⁶⁹ See for further information: Sergey V. Kostelyanets, Between Geopolitical Ambition, Energy Nationalism, and Capacity Deficit: Russia’s Thorny Relationship with Climate Change in: Hussein Solomon et al. (eds), BRICS and Climate Change, Balancing National Interests, National Development Goals and Global Environmental Sustainability, pp. 67-96.

⁷⁰ Lada V. Kochtcheeva, Foreign Policy, National Interests, and Environmental Positioning: Russia’s Post Paris Climate Change Actions, Discourse, and Engagement in: Anastassia Obydenkova (ed), Sustainable Development, Regional Governance, and International Organizations, Routledge 2024.

The United States' withdrawal from the Paris Agreement under the Trump administration⁷¹—demonstrates that even established democracies can exhibit similar anti-multilateralist impulses. The United States is not leaving the UN Framework Convention on Climate Change (UNFCCC) itself, but is withdrawing from the Paris Agreement, which is a treaty under the UNFCCC. President Trump issued an executive order on January 20, 2025, to withdraw from the Paris Agreement, and the US rejoined the agreement under President Biden in 2021 after having previously withdrawn in 2020. Withdrawing from the UNFCCC would require a two-thirds majority in the Senate, which is why the executive order is specific to the Paris Agreement. As the Paris Agreement forms the fundamental basis for national climate protection laws, including legislation on peatland protection and restoration, the recent development substantially hamper peatland protection and restoration in the US. With 38,813,000 ha of peatland, the US harbours about one quarter of the North-American peatland area, and a larger area of drained peatland, and associated GHG emissions (47 Mt CO₂e per year) than Canada.⁷²

2. Implications for Global Peatland Climate Protection — Focus on Conflict-Affected Regions and Compatibility with International Law

Russia's justification for leaving the Ramsar Convention—claiming the agreement had been “politicized”—relates primarily to Resolution XIV.20, which condemned the destruction of Ukrainian wetlands resulting from its invasion.⁷³ From the perspective of fundamental principles of international law, especially Article 2(4) of the UN Charter prohibiting the use of force—this reasoning is untenable. The overwhelming majority votes in the UN General Assembly condemning Russia's aggression⁷⁴ further confirm that the Ramsar Convention was not politicized by Ukraine, but rather by Russia's own actions.

Russia's departure from the Convention as well as the US withdrawal from the Paris Agreement thus exemplify a broader abandonment of the core tenets of international law, including equality among states and the rule-based global order. This regression extends into environmental law, marking a retreat from a world governed by law to one governed by power politics.

The episode highlights not only the politicization of environmental governance but also the interlinkage between security and defence policy across various levels of the international system. Exploiting multilateral climate and ecosystem protection mechanisms as alleged “fig leaves” to justify unlawful warfare represents a distortion of global environmental policy consensus built over decades.

⁷¹ Congress, U.S. Withdrawal from the Paris Agreement: Process and Potential Effects, <https://www.congress.gov/crs-product/R48504>; Presidential Executive Order (E.O.) 14162.

⁷² UN/Global Peatlands Initiative, Global Peatlands Assessment: The State of the World's Peatlands (2022), https://wedocs.unep.org/bitstream/handle/20.500.11822/41236/peatland_assessment_SPM.pdf?sequence=3, pp. 6 f.

⁷³ Ramsar, Resolution XIV.20, The Ramsar Convention's response to environmental emergency in Ukraine relating to the damage of its Wetlands of International Importance (Ramsar Sites) stemming from the Russian Federation's aggression, https://www.ramsar.org/sites/default/files/documents/library/xiv.20_ukraine_e.pdf and based on that Ramsar, Implementation of Resolution XIV.20: Final assessment report of environmental damage on Wetlands of International Importance in Ukraine stemming from the Russian Federation's aggression (2025), https://www.ramsar.org/sites/default/files/2025-04/COP15_inf2_implementation_ResXIV20_assessment_report_e.pdf.

⁷⁴ United Nations news, Ukraine war: Amid shifting alliances, General Assembly passes resolution condemning Russia's aggression, <https://news.un.org/en/story/2025/02/1160456>.

For global peatland protection, Russia's withdrawal from the Ramsar Convention constitutes a serious setback: the exclusion of its vast peatlands from international monitoring efforts undermines global and multilateral collaboration on wetland protection and biodiversity objectives, even though protection efforts in Russia continue on a regional and local scale. Nevertheless, as the majority of the global community—both North and South—remains committed to this agreement, there is currently little indication that such isolationist tendencies will spread widely within peatland protection regimes.

For conflict-affected regions, the erosion of long-standing international principles poses significant risks: the perceived “law of the strongest” may fuel further conflicts elsewhere, threatening wetlands and ecosystems in border zones (e.g., between Russia and the EU beyond Ukraine, or in other geopolitical flashpoints such as China–Taiwan).

On the other hand, the concept of defence mires gains importance and links climate adaptation, mitigation and resilience to another security dimension. As shown above, most national defence strategies approach this topic with unilateral approaches – or not at all (yet). It needs to be seen, how multilateral constructs and alliances like NATO act as actors in that regard and how they may drive governments to recognize the importance of wetlands also from a legal perspective.

Consequently, global environmental law now stands at a dangerous crossroads—between promising advances driven by states and civil-society actors committed to cooperation, and autocratic, destructive unilateralism that jeopardizes decades of progress. Another distinction can be observed by dividing the purposes of wetland protection: While climate challenges are mostly advanced by multilateral agreements supported by unilateral measures, security discussions are driven by unilateral concepts.

V. Multilateralism vs. Unilateralism in a Polarizing International Community – Opportunities and Risks for Peatland Climate Protection

The narrative advanced by Russia regarding the alleged “politicization of wetland protection” illustrates how closely international environmental obligations are intertwined with neo-colonial perceptions within parts of the global community.⁷⁵ The declining participation of certain states undermines the established principles of international environmental governance under multilateral climate protection concepts, such as common but differentiated responsibilities (CBDR). This development not only endangers global conservation efforts but also reshapes power asymmetries within multilateral fora.

Conversely, the interlinkage between climate and security policy in an era of rising geopolitical tension can provide not only ecological but also diplomatic leverage. Peatland climate protection, with its multidimensional, cross-sectoral, and complex nature, may serve as a model case for such integrative approaches alongside uni- and multilateral approaches as shown in the chapter above.

From a legal-political perspective, several avenues for strengthening this integration can be identified, e.g.: embedding peatland targets more firmly in climate-finance instruments (e.g., within the EU ETS

⁷⁵ Applied on unequal international treaties: Douglas Castro, The Colonial Aspects of the International Environmental Law Treaties as Promoters of Continuous Structural Violence, *Groningen Journal of International Law*, vol 5(2), 2017, DOI:10.2139/ssrn.3051164, pp. 169 ff.

connected to more ambitious LULUCF targets, Carbon Farming approaches, or nature and carbon credit frameworks); expanding transboundary cooperation projects under the auspices of the UN and FAO; and forming strategic alliances within the environment of the Global Peatlands Initiative.

These measures highlight that environmental law increasingly overlaps with financial law, trade law (especially emissions-certificate regulation), and—most notably in this paper—with security policy.

While unilateral, destructive decisions that contravene long-standing multilateral environmental agreements undoubtedly pose risks, this same interconnection also opens up new synergies and dynamic opportunities. The integration of environmental considerations into security frameworks can strengthen both resilience and diplomatic engagement.

In this regard, Ukraine can be viewed as a model for “ecological resilience through the rule of law.” During post-conflict transformation, the guiding principle of “build back better” offers not only a practical pathway for reconstruction but also a normative horizon extending beyond the immediate conflict—anchoring environmental restoration, legal harmonization, and peacebuilding within a unified governance approach.

VI. Conclusion and Outlook toward COP30: Global Peatland Protection at the Crossroads between Hope and Resignation

The protection of peatlands has long ceased to be merely an ecological issue — it has become a litmus test for the effectiveness of international environmental law amid geopolitical upheaval, as well as for the interaction between unilateral and multilateral measures.

While Europe and Ukraine assume normative leadership roles through the lens of tackling climate change and actively strengthen international protection efforts, Russia’s and the US’ withdrawal demonstrates the limits of voluntary multilateralism and exposes the fault lines within the climate–security nexus. Strengthening legal institutionalization — through binding monitoring mechanisms, international liability regimes, or trade-based incentives — is therefore essential to secure peatlands in the long term.

At present, several parallel dynamics can be observed within peatland climate protection. Whereas earlier debates focused primarily on biodiversity,⁷⁶ the past decades have brought increasing recognition of peatlands’ roles in hydrological regulation and especially climate mitigation.⁷⁷ These advances owe much to extensive, ongoing scientific research that continues to improve our understanding of peatlands as complex ecological systems.⁷⁸

Most recently, attention has turned to the security-political dimension of peatlands — particularly their crucial role in Ukraine’s defence against Russia’s aggression. This represents, in a sense, a rediscovery of ancient knowledge, since peatlands have served as natural defensive barriers throughout human history. In this light, peatland rewetting — as both a nature-based solution (NbS) and a climate

⁷⁶ Compare EU legal acts like Habitats Directive or international frameworks like CBD.

⁷⁷ Only mentioned in passing in the 1990s in the IPCC Assessment Report, https://www.ipcc.ch/site/assets/uploads/2018/05/ipcc_90_92_assessments_far_full_report.pdf; the significant increase in importance has become particularly clear since 2019 with the IPCC Special Report on Land-Based Climate Systems, <https://www.ipcc.ch/srccl/>.

⁷⁸ Globally leading among others Greifswald Mire Centre (<https://greifswaldmoor.de/home.html>) und die Partner der Global Peatlands Initiative (<https://globalpeatlands.org/>).

protection instrument — may also be viewed as an *exnovation*⁷⁹: the reintroduction of long-known natural mechanisms into modern policy frameworks.

At the same time, considerable financial interests and opportunities are at stake. The current geopolitical situation may, paradoxically, open a unique window of opportunity for linking climate protection with security policy — a development to be welcomed from a climate perspective, despite the tragic and destabilizing origins of the conflict that has prompted it.

Nonetheless, the climate relevance of peat soils alone constitutes a compelling argument for decisive global action. Multilateral initiatives play a central role in achieving the necessary scale and mobilization of financial resources, including from the private sector. Complementary unilateral efforts can make substantial contributions to meeting global climate objectives, provided they align with overarching international frameworks.

Equity considerations must occupy a central position in negotiating future multilateral agreements. The historical and post-colonial inequalities that underlie many of today's North–South divides in climate policy raise profound questions of financing and distribution. Accordingly, the forthcoming COP30 negotiations on the finalization of the Article 6 rulebook under the Paris Agreement will be decisive — particularly as they may coincide with the momentum of the Peatland Breakthrough, potentially producing a historic convergence of legal and political will.

The EU and Ukraine's commitment to multilateralism emerges, therefore, as the only viable path toward solving these global challenges. While unilateral actions — such as Russia's and the US' withdrawal from long-standing treaty regimes — may locally worsen conditions for peatlands and temporarily weaken international climate efforts, they cannot halt global progress.

Mechanisms such as emissions trading, carbon and nature credits, and the steadfast dedication of the overwhelming majority of the international community to peatland and climate protection, together with the significant achievements of recent years, demonstrate that the multilateral path is irreversible.⁸⁰ The interconnection between environment, economy, and international law continues to deepen: climate protection is becoming a competitive advantage, and nature-based solutions occupy an essential role in this transformation.

The EU and Ukraine continue to pursue their legally enshrined path toward climate neutrality, aiming to make Europe the first climate-neutral continent. At the same time, peatland protection is gaining importance in other world regions as well. The Peatland Breakthrough contributes significantly to this development and, with COP30 in Belém, may mark a visible global milestone — one that symbolizes both the hope and the responsibility inherent in safeguarding the planet's remaining peatlands.

⁷⁹ Regarding the term: Pia Sommer/Leonard Frank, Peatland rewetting as drainage exnovation – A transition governance perspective, *Land Use Policy*, Volume 143 (2024), 107191.

⁸⁰ And supported by scientific support by strong non-governmental partners, see e.g. GMC, Global Peatlands Database, <https://greifswaldmoor.de/global-peatland-database-en.html><https://greifswaldmoor.de/global-peatland-database-en.html>.

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