

Mr. Jean-Claude Juncker  
President of the European Commission  
European Commission  
Rue de la Loi 200  
1049 Brussels

Brussels, 12 May 2015

Dear President Juncker,

**Re: Better Regulation package**

We are writing to share our views on the forthcoming 'Better Regulation' package which we understand will be issued on 19 May 2015.

We welcome your intention and readiness to engage more closely with the European Parliament and Council in preparing the Commission's work programme through a revised Inter-Institutional Agreement on Better Lawmaking. However, the entire exercise will be contaminated if, as media reports suggest, it involves seeking to commit the other two institutions to the Political Guidelines which you presented to Parliament on 15 July 2014. We remain of the view that the Guidelines are deeply flawed through their failure to recognize and affirm sustainable development as the overarching priority of the Union and to include environment (other than climate change) among the top-level priorities. While we hope that the belated inclusion of sustainability in the mandate of Vice-President Timmermans will eventually result in concrete initiatives, it was not accompanied by any revision of the Guidelines which are supposed to serve as the primary point of reference for 'filtering' all new Commission initiatives and the yardstick for deciding what Europe should be 'big' on.

Thus in our view the process should start with a negotiated revision of the political guidelines and priorities, before these can provide the basis of any enhanced cooperation with the other institutions. The expected adoption of global sustainable development goals this autumn would strongly point to the need for such a readjustment of priorities and the mid-term review of the Europe 2020 Strategy provides an obvious opportunity for correcting what many regard as a significant imbalance in your initial priorities.

Second, we are deeply concerned at media reports indicating that the Commission is contemplating new measures that seem more aimed at de-regulation than better regulation. An example of this is the reported intention to urge Member States not to move beyond minimum standards, using controversial terms such as 'gold plating'. Apart from the fact that this possibility to move beyond

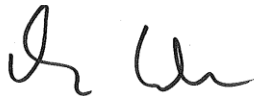
minimum standards where environmental legislation is concerned has been a fundamental and longstanding aspect of EU environmental policy that is legally rooted in the Treaty on the Functioning of the European Union (Art. 193), it is important to note that in practice it has been a source of innovation, higher levels of protection and other benefits.

The reported intention to introduce a new body to 'quality control' amendments made by the European Parliament and Council is also of concern, as this would make it more difficult for the two democratically elected institutions to change a Commission proposal once it has passed all the internal hurdles such as the new Regulatory Scrutiny Board. Not only does this create a risk of much needed proposals being severely delayed or never seeing the light of day but it is also blurring the boundaries between evidence gathering and political judgment.

If the forthcoming package paves the way for a realignment of the Commission's top-level priorities to better reflect environmental and sustainability issues, and genuinely focuses on better regulation rather than deregulation, we believe that it can help Europe to play to its strength of developing effective and ambitious new laws that will help the world tackle the really big challenges such as climate change, biodiversity loss, overconsumption of resources and protection of human health.

We urge you to take these points into consideration in your final deliberations over the content of the package that you will present shortly.

Yours sincerely,



Jeremy Wates  
Secretary General

Cc: College of Commissioners