

To: Environment Ministers of EU Member States
Cc: Commissioners for Environment, Climate, Transport, Industry, Agriculture & Rural Development, Health and Food Safety and the Chair of the European Parliament Environment Committee

Concerning: Input to the EU Environment Council Meeting, Luxembourg, 4 October 2019

Brussels, 1 October 2019

Dear Minister,

On behalf of the European Environmental Bureau, I am writing to share with you our views on some of the issues on the agenda of the forthcoming EU Environment Council. I invite you to take our concerns into account during final official level preparations as well as at the meeting itself.

1. Conclusions on the preparations for UNFCCC COP 25, CMP 15 and COP serving as the meeting of the Parties to the Paris Agreement (CMA 2) (Santiago de Chile, Chile, 2-13 December 2019)

The upcoming United Nations Framework Convention on Climate Change (UNFCCC) Conference of the Parties (COP25), is a key opportunity for the EU to send a strong signal to the international community by endorsing a significantly increased nationally determined contribution (NDC), and committing to the goal of early achievement of a climate-neutral economy.

The latest scientific findings as contained in the IPCC special reports presented this year prove the extreme urgency to strengthen the global response to climate change in the context of sustainable development and efforts to eradicate poverty. Together with the IPBES Global Assessment on Biodiversity and Ecosystem Services, these provide clear evidence that climate change, biodiversity loss, land degradation and desertification are strongly interconnected, and require closer cooperation and synergies among the Conventions.

Yet, at the same time, Europe has failed to put forward an updated NDC despite urgent UN reports confirming that, collectively, Nationally Determined Contributions submitted by Parties and current GHG emission trajectories fall far short of what is required to achieve the long-term goals of the Paris Agreement. The lack of ambitious updated NDCs also runs counter to the European Council Conclusions of 20 June 2019 on Climate Change and earlier statements of the importance of stepping up the global climate action which requires also Europe to act immediately

The EU needs to **enhance its nationally determined contribution in 2020 to a reduction target of 65%**, taking into account the collective further efforts needed and actions undertaken by all Parties in line with the IPCC 1.5 °C report.

The EEB therefore calls on the Environment Council to:

- *Take note of the reports released by the Intergovernmental Panel on Climate Change (IPCC) and agree to base its policy decision on the scientific findings;*

- *Request the Commission to put forward a work programme that translates the findings of the IPCC reports into concrete policy proposals for 2030, 2040 and 2050;*
- *Implement the European Council Conclusions of 20 June 2019 on Climate Change and decide to step up EU climate action by enhancing its NDC in 2020 to a reduction target of 65% in line with the IPCC 1.5 °C report;*
- *Agree that EU and Member States' climate neutrality must be achieved at the latest by 2050 and preferably by 2040, building on the progress that several Member States have already set national targets for climate neutrality;*
- *Implement the EU's and its Member States' commitment to scale up the mobilisation of international climate finance, as part of the collective developed countries' goal to jointly mobilise USD 100 billion per year by 2020 through to 2025 for mitigation and adaptation purposes in developing countries;*
- *Commit to finding ambitious solutions with all Parties to develop robust and comprehensive rules on voluntary cooperation under Article 6 of the Paris Agreement that foster global ambition, avoid double counting and ensure environmental integrity, including for the Article 6.4 mechanism and Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA), and to set up an ambitious new Article 6.4 mechanism enabling Parties to enhance their mitigation efforts;*
- *Establish a working group to create synergies with and maximise the climate contribution from the other Rio Conventions (UNCBD and UNCCD), the UN Forum on Forests, the Sendai Framework on Disaster Risk Reduction and the UN Sustainable Development Goals.*

2. EU's strategic long-term vision for a climate neutral economy

It is of utmost importance to find a political agreement on the EU's strategic long-term vision for a climate neutral economy. This is necessary to respond to the climate emergency and to the youth marches in Europe and across the globe, as well as to increase the EU's moral position and its legitimacy to push for greater global commitments.

In this context the Environment Working Party should maintain a leading role to construct the building blocks for the political agenda for the work on the implementation of the EU's Long-term Strategy, while continuing to give all relevant Council formations including energy, transport, agriculture and competition the opportunity to contribute to the discussion. As shown by the Commission's work, achieving the EU's climate commitments requires a 'whole of government' approach, fully combining the efforts on energy efficiency and renewable energy with the circular economy agenda, fully recognizing the CO₂ savings potential linked to saving on material resources and the embedded CO₂, as well as the important synergies with biodiversity and agricultural policies.

European climate and energy policies need to be based on greenhouse gas emission reductions of at least 65% by 2030 and need to go to net-zero by 2040, enabling net-negative emissions thereafter. An increase of the energy efficiency target to at least 40% with at least 45% of energy sourced from sustainable renewable energy by 2030 are essential elements of this and should be done well before the foreseen revision of the Clean Energy for All Europeans Package in 2023.

We therefore call upon the Environment Council to endorse net zero GHG emissions in the EU at the latest by 2050 and preferably by 2040, and help limit warming to 1.5°C, and specifically to:

- **Ensure a substantial increase of the EU's NDC and an endorsement of a net-zero greenhouse gas economy as a contribution to the UNSG Summit and the COP25 climate negotiations:** the EU's leadership in the High Ambition Coalition means the Environment Council has the responsibility to give its full support to the European Commission in the submission of the revised NDC and the LTS.
- **Press for a greater level of climate ambition in the MFF to “walk the talk” of its commitments.** There is a need for a significantly higher climate share of the EU budget - 40% rather than 25% - ringfencing of sustainable Paris compatible funding and exclusion of funding for Paris-incompatible measures that lock in future fossil fuel use and GHG emissions. In addition, the accounting for climate contributions needs to be strengthened, and real climate contributions monitored and assessed so that the budget is truly a climate budget and not just one on paper.
- **Ensure policy synergies between climate and circular economy** (and integrated into a new industrialisation strategy), **climate and biodiversity** via nature management and restoration agendas (peatlands, wetlands, forests, coastal sea grasslands), **climate and agriculture** by strengthening the CAP to drive higher investment in measures that increase soil carbon content and hence storage, with added benefits for soil fertility and productivity, and **climate and air pollution policies**, given the evidence of a wide range of health impacts from exposure to polluted air. **Enhanced coherence** is essential if EU policies are to be a compelling driver to help address the climate emergency.

3. Conclusions on the 8th Environment Action Programme

The 7th Environment Action Programme (7EAP), adopted by the European Parliament and the Council of the European Union in November 2013, is approaching its end (2020). The 7EAP evaluation concluded that it has been a valuable joint commitment by the Commission, Council and Parliament, but there are still gaps and weaknesses in delivery and the nine priorities remain relevant.

The level of the environmental challenges facing Europe and humankind - from the climate emergency, “insectageddon” and wider biodiversity loss, to body-changing chemicals exposure, to corrosive effects of poor air quality on health and society, to the dramatic state of our oceans – each underline that a simple repetition of existing commitments is not enough. A series of small steps forward is not enough, and we need to ensure that we can deliver on our commitments and targets. The urgency to act has also been increasingly manifested in the youth street marches and in the Green Wave in the European elections. We need a transformative agenda to address these challenges as well as the opportunities in the circular economy transition.

This need for such a transformative agenda forms the context for the 8EAP. It has arguably also driven the new Commission's promise of a European Green Deal and is also embraced by the the 2030 Agenda and SDGs.

The decision as to the relationship between the 8EAP, the European Green Deal and the implementation of Agenda 2030 and SDGs in Europe is critically important. They each address a range of common issues creating significant coherence and potential mutual support. They also each have specific areas of focus, springing from different processes with different institutional endorsements and timeframes (see Annex 1).

The EEB therefore calls upon the Environment Council to:

- **Recognise that the 8EAP, the European Green Deal and the 2030 Agenda and associated SDGs are each strategically important, complementary and mutually supporting commitments, and that all three are needed** to enable the needed transformative ecological transition, to address the multiple environmental crises, meet commitments, address emerging issues over the period to 2030, and respond to the citizen call for action;
- Recognise the need for an **ambitious and transformative 8EAP** and commit to developing this to have a Commission-Council-Parliament joint commitment that helps address the climate and environmental crises facing Europe and the planet. There is a need for an 8EAP that can embrace and implement the **European Green Deal**, and that is **coherent with and supports the implementation of the Agenda 2030 and the SDGs**. The 8EAP should provide a long-term framework for a systematic and just transformative change needed to protect people and planet;
- The 8EAP could practically run from **2021 to 2030** so as to link to the **SDGs** and have a **mid-term review in 2025** to renew the European Commission's and European Parliament's acceptance and commitments for action and guide future priorities (see Annex 1 for details);
- The 8EAP can and should do this by complementing the European Green Deal, by: **stepping up specific actions and targets** to rise to specific environmental crises and challenges (many of which should be embraced by the Green Deal); ensuring mechanisms are in place to **respond to emerging issues and knowledge**; **enhancing the level of policy coherence** to build on the synergies and avoid unsustainable trade-offs; **committing to transformative system change** that addresses system lock-ins issues; and **ensuring better, accelerated implementation and enforcement** so as to live up to promises made and to support the rule of law.

4. Conclusions on the circular economy follow-up

The Circular Economy is now well established as a European agenda to progress our society within the planet boundaries, meet our climate targets, reduce our import dependency, drive job creation and innovation and achieve the Sustainable Development Goals. The 2015 Circular Economy action plan initiated or reinforced some actions in various directions and anchored the circular economy as a unique driver for EU policy and economy. It is now time to make circular economy the *new normal* by generalising its uptake across all sectors of our economy, expediting the phase-out of the linear economy and realizing a needed system change in the EU economies, from a linear to a circular economy.

In that perspective, a new CE action plan 2.0 should be defined with the highest ambition, mobilising the whole range of proven policy approaches and best adapting them to the different sectors of the EU economy. It is essential to set performance requirements at the design stage for goods placed on the EU market. This is the most relevant way to create a sound competitive level playing field for economic actors operating in the single market, whether EU companies or from abroad. It is also crucial that there accurate and reliable information on those performances, as well as on material properties and the chemicals contents of products entering the EU to make sure that circular opportunities are seized and consumers are oriented towards the most sustainable products. Producer responsibility schemes rewarding the best companies when it comes to circularity should also be extended towards more economic sectors.

In addition, as the best way to create legal drivers streamlining innovation and securing investments, specific circular economy objectives should be set at EU level, focused notably on reduction of virgin resources consumption, waste prevention and decreased environmental footprint of products and materials.

The EEB therefore calls upon the Environment Council to:

- Recognize the **unique contribution of the circular economy to reducing greenhouse gas emissions** of the EU and call for setting a **carbon and material footprint for all goods entering the EU market**. This will ensure that the embedded emissions in the materials and products we use can be documented and will enable the setting of a **carbon border tax** as committed to by incoming EU President von der Leyen in her Political Guidelines;
- Call for a **sound implementation and enforcement of waste policies** according the waste treatment hierarchy. In that perspective, clear messages to limit and reduce incineration of waste, as their landfilling, should be proposed;
- Acknowledge the merits of the **Ecodesign policy** and call for it to **set even more circularity requirements for electric and electronic products, notably smartphones / ICT, and for adopting similar minimum design requirements approaches for batteries and non-energy products, notably textiles, furniture, buildings and construction material;**
- Call for **establishing an EU product information system** to inform consumers on the performances and circularity of products, and also **convey information on chemicals and material contents** along whole value chains, thus unleashing material savings opportunities and progressing towards a non-toxic environment;
- Propose an **EU headline target on virgin resource use reduction per capita with phased objectives until 2030 to unleash further CE actions**. In association, **a target on the rate of reused and recycled materials on total materials used could be also defined with phased objectives for the coming decade**. The ratio of reused and recycled materials to total material use in the EU was only 12% in 2018, despite record recycling targets and could be doubled by 2025.

(see Annex 2 for additional measures)

Thank you in advance for your consideration of these points which support the ambitions of the European Green Deal made in the Political Guidelines and will help catalyse progress in meeting the environmental challenges facing Europe and the planet. This will also support EU and national legitimacy in the eyes of the electorate and those engaged in the street marches who are as yet too young to vote.

Yours sincerely,



Jeremy Wates
Secretary General

ANNEX 1

EEB comments on 8EAP

The 7th Environment Action Programme (7EAP), adopted by the European Parliament and the Council of the European Union in November 2013, is approaching its end (2020). The 7EAP evaluation concluded that it has been a valuable joint commitment by the Commission, Council and Parliament, but there are still gaps and weaknesses in delivery and the nine priorities remain relevant.

The decision as to the relationship between the 8EAP, the European Green Deal and the implementation of Agenda 2030 and SDGs in Europe is critically important.

- The **8EAP** is expected to be agreed in 2020 and it would make sense for it to run from 2021 to 2030 so as to fit with the timescale of Agenda 2030 and the SDGs targets. It would make sense to have a mid-term review in 2025 to allow the subsequent European Commission and Parliament to take ownership of the Programme, as well as to embrace a changing Council over the ten-year period.
- Implementing **Agenda 2030 and SDGs in Europe** is a European Commission and Member State commitment for 2030, but still missing are EU specific targets and indicators, and an overarching sustainable Europe 2030 strategy and Implementation Plan to 2030.
- The promised **European Green Deal** will be developed in the first 100 days of the new Commission and will be a major instrument for the 2019 to 2024 Commission term that will have implications not only to the end of the Commission period, but to 2030 and pending measures leading to 2050.

The promised European Green Deal is expected to offer major political commitments to catalyse progress at an unprecedented rate in Europe through a series of major headline commitments. It is unlikely that it will cover in detail all of the issues that need to be addressed for a just ecological transition. The 8EAP, which has a wider institutional endorsement, has the potential to provide additional detail on operationalizing the commitments, and furthermore can and should arguably cover a wider agenda given that it can embrace commitments that cover two Commission and EP terms. The overall Agenda 2030 and SDGs have a wider remit than the 8EAP and potentially the European Green Deal given the range of social and economic targets that go beyond what might be embraced in the Green Deal and 8EAP. Conversely, the needs for progress on health and environmental issues in the EU would require ambition beyond those embraced by the SDGs in some areas (e.g. chemicals) and clear implementing measures.

The EEB therefore calls upon the Environment Council to:

- ***Recognise that the 8EAP, the European Green Deal and the 2030 Agenda and associated SDGs are each strategically important, complementary and mutually supporting commitments, and that all three are needed to enable the necessary transformative ecological transition, to address the multiple environmental crises, meet commitments, and respond to the citizen call for action;***

- Recognise the need for an **ambitious and transformative 8EAP** and commit to developing this to have a Commission-Council-Parliament joint commitment that helps address the climate and environmental crises facing Europe and the planet, can embrace and implement the **European Green Deal**, and that is **coherent with and supports the implementation of the Agenda 2030 and the SDGs**. The 8EAP should provide a long-term framework for a systemic and just transformative change needed to protect people and planet;
- The 8EAP could practically run from **2021 to 2030** so as to link to the **SDGs** and have a **mid-term review completed by 2025** to renew the European Commission's and European Parliament's acceptance and commitments for action and guide future priorities, and target:
 - Addressing **climate catastrophe**: a carbon neutral world that stays within 1.5 degrees;
 - Responding to the **biodiversity emergency**, committing to restoration, management and policy coherence;
 - Committing to a **zero-pollution world**, free from exposure to pollution and harmful chemicals;
 - Ensuring **clean water for all** and reaching **good status of EU waters**;
 - **Catalysing a new industrial transformation** and promoting a resource-efficient **circular economy**;
 - Ensuring a **Sustainable Common Food and Farming Policy** that provides nutrition for all;
 - Committing to the **effective rule of law and democratic accountability** and **improve enforcement actions**;
 - Putting **wellbeing, social and environmental justice** at the heart of EU policy.

This will thus support the European Green Deal. The 8EAP can and should do this by (a) **stepping up specific actions and targets** to rise to specific environmental crises and challenges while enhancing the level of policy coherence and ensuring mechanisms to address emerging issues; (b) **committing to transformative system change** that addresses system lock-in issues; and (c) **ensuring better, accelerated implementation and enforcement** so as to live up to promises made and to support the rule of law.

This will require: (a) **open and cooperative governance** (i.e. a whole of government approach) as well as **increasing corporate sustainability and responsibility**; (b) a change in **green finance and economics** (both public finance and private, via the green taxonomy and "brown" taxonomy); and (c) embracing and targeting **sustainable digitalisation**, including artificial intelligence for people and planet.

The above measures can and should be designed to ensure a just transition that will support the legitimacy of EU action and buy-in by the electorate. They should also prove invaluable to help EU's progress towards meeting its commitments under Agenda 2030 and the SDGs, and support EU's standing and negotiating position in international fora.

ANNEX 2

EEB comments on the circular economy follow up - additional recommendations

- **Translate the Basel amendments on the shipment of plastic waste into the EU waste shipment regulation** and the related OECD rules. This would prevent that hazardous plastic waste streams such as PVC, PTFE and contaminated/hard-to-recover mixtures of plastic waste remain on the green list and can be shipped within EU or OECD, without the sound control of the *prior informed consent* procedure.
- Recognise that **green/sustainable procurement** should go much beyond the weak indicative objective set for nearly ten years and never considered seriously. Green public procurement should be the default approach for public authorities and for companies engaged in corporate social responsibility strategy. A robust monitoring system of green procurement should be defined at EU level, with associated criteria, to inform the policy and monitor binding improvement targets.
- Call for a better recognition and promotion of the **EU Ecolabel and the Eco-Management and Audit Scheme (EMAS)** in order to enlarge their uptake through a wider coverage of products and services and higher integration within green public procurement.
- Recognise the importance of **Circular Economy in the Strategy for a Climate Neutral industry**. CE can play a positive role to increase energy intensive industry's material efficiency, thus lowering overall CO2 emissions. In consequence, calls should be made on taking policy actions in the frame of heavy industry transition towards carbon neutrality. Both push and pull measures should be considered, as well as increased funding for research programmes, to improve material efficiency and to mitigate climate emissions in the heavy industry sector.