To: Environment Ministers of EU Member States  
Cc: Commission President, Executive Vice-President for the European Green Deal and Commissioners for Environment, Transport, Energy, Industry, Agriculture, Health and Food Safety and the Chair of the European Parliament Environment Committee

Re: Input to the EU Environment Council Meeting, Brussels, 18 December 2023

Brussels, 5 December 2023

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 in the context of the final months of the European Green Deal.

Over the past half year, there has been a considerable increase in the level of opposition from certain political forces to a growing number of European Green Deal (EGD) files. They adopted a range of tactics, including an increased use of disinformation techniques and fake news for certain files, and even personal attacks, that risk undermining not only the files themselves and the transformative potential of the EGD, but the confidence in EU institutions and EU’s “Community Method” for setting the policy agenda that has been seen as a particular strength of the European project. In addition, there are worrying examples of spreading misleading information and basing important policy decisions on the flawed arguments. For example, wolves are currently at the risk of having their protection downgraded, as the European Commission is currently assessing ‘evidence’ generated by an irregular public consultation process. As expressed in the joint letter, any decision to change the conservation status of wolves must be based on reliable scientific data, according to the provisions of the relevant legislation, and not on anecdotal evidence submitted through a non-transparent and irregular consultation process.

This resistance to progressive and science-based regulation has grown despite the undeniable evidence of ever more dramatic impacts of climate change across the globe, science showing more and more pollution impacts on health, and ever more evidence of biodiversity loss and ecosystem degradation that result in associated losses of ecosystem functions and services that are important to people and business.

While there are strong calls for a progressive agenda to make the EGD a truly transformative moment in Europe's history (and recognition that more needs to be done in 2025-29), political forces and vested interests are blocking progress (such as the REACH Revision and Sustainable Food Systems Law being halted), diluting legislation (IED and exclusion of agriculture; Sustainable Use of Pesticides Regulation (SUR)), and delays (risks to the Packaging and Packaging Waste Regulation; SUR). Weakening legislation will just extend the negative impacts, miss opportunities for change, losing out on Europe's potential for first mover advantages, and push the need for action to an unclear future date, undermining confidence in EU institutions just as the European Parliament elections approach.

With respect to the specifics of the 18 December Environment Council agenda, we are pleased to share civil society’s perspective and hope that this proves helpful to your reflections and deliberations. I invite you to take our concerns into account during the final official level preparations, as well as at the meeting itself. Many files will, of course, remain active under the Belgian Presidency.
and a few during the Hungarian and potentially Polish Council Presidencies, and the issues on many specific files are also relevant to the wider Community Method of policy making and good governance. We have structured the letter according to our understanding of the 18 December Council Agenda.


Levels of packaging waste are at an all-time high (188.7kg per capita in 2021). Over the last decade, its growth outpaced the economy, rising faster than the volume of traded goods. The packaging sector is responsible for approximately 59 million tonnes in CO2eq., more than the annual emissions of Hungary. Packaging is also a major driver of virgin resource exploitation – using 40% of plastic and 50% of paper in Europe. In this context, the Commission's proposal for a regulation is more than justified. The legislation must deliver on both the political commitment to make all packaging reusable or recyclable by 2030 and reverse the trend of increasing levels of waste.

We therefore call upon the Environment Council to:

- Adopt a general approach before the end of 2023 and commit to swiftly conclude interinstitutional negotiations, so that the new rules can be approved before the European elections;
- Support ambitious reuse targets across a range of sectors both for 2030 and for 2040, including the retail sector, currently missing from the proposal;
- Support the restrictions of unnecessary packaging, including for disposable plates and cutlery in restaurants and for fruits and vegetables, where packaging is not necessary to protect the products;
- Refrain from introducing broad and unjustified derogations from the reuse targets and the measures to tackle unnecessary packaging, which would undermine their effectiveness, practical implementation, and enforcement;
- Focus on genuine solutions to the packaging waste crisis such as prevention and reuse, refraining from encouraging simple material substitutions (e.g. from single use plastics to single-use paper-based products);
- Support the ban of harmful substances in food packaging proposed by the European Parliament;
- Ensure that the Regulation clearly empowers Member States to adopt all the measures needed to achieve the packaging waste prevention targets.

Additionally, the negotiations on the Packaging and Packaging Waste Regulation have been subject to unprecedented levels of lobbying by the throwaway industry, targeting EU decision-makers in the European Parliament and national representations. These attempts to undermine key waste prevention provisions were not accompanied by any credible alternatives to tackle the growth of packaging waste. Despite their arguments being debunked by NGOs, scientists and the Commission, aggressive lobbying strategies, untransparent studies and mis-information campaigns have heavily influenced the outcome of the Plenary vote on the 22 November, leading to a drastic weakening of the proposed rules to prevent waste. The EEB is concerned that these untransparent and increasingly aggressive tactics will be replicated on other policies if they are allowed to succeed in weakening the Packaging regulation.
We therefore call upon Ministers to:

- Dismiss deliberate strategies aiming to delay negotiations and stall the adoption of necessary legislation which has been under development for several years;
- Base decisions on peer-reviewed and independent evidence rather than on biased studies sponsored by vested interests which merely sow doubt and aim to maintain the status quo;
- Reject misleading and unsubstantiated arguments propagating overinflated fears about the unintended impacts on hygiene, food waste and recycling infrastructures;
- Ensure that the Council acts on behalf of the public interest and serves European citizens by delivering credible solutions to the packaging waste crisis.

2. Directive on Soil Monitoring and Resilience (policy debate)

It is estimated that 60 to 70% of EU soils are unhealthy – a critical situation given the fact that healthy soil ecosystems are intrinsically linked to many of the challenges we face today. An ambitious Soil Law is a precondition for the success of the European Green Deal as healthy soils are crucial for attaining climate neutrality, halting and reversing biodiversity loss, achieving zero pollution, food and water security, as well as circular economy.

For this reason, the EEB welcomes the European Commission proposal for a Soil Monitoring Law as presented in July this year. Soil needs to be given the protection air and water already have. However, the Commission proposal includes some notable shortcomings and must be significantly improved to fulfil the objective of achieving healthy soils by 2050.

We therefore call upon the Environment Council to support and improve the Commission's proposal for a Soil Law and engage in the Council discussions towards agreeing on a progressive Directive by:

- Ensuring effective monitoring and assessment of soil biodiversity by replacing the current soil biodiversity descriptors with (i) community-level physiological profiling and (ii) metabarcoding, which are better suited to monitor and assess soil functional and taxonomic biodiversity. Soil health criteria need to be set after the first round of monitoring;
- Establishing legally binding targets for achieving healthy soils by 2050 and for intermediate steps. Targets are a standard EU legal tool that facilitate implementation and ensure continuous progress towards achieving the objective of the Directive;
- Including binding provisions on land take by introducing a legally binding target for “no net land take” by 2050 and strengthening the wording of the Article 11;
- Ensuring implementation of the Polluter Pays Principle by holding big players that degrade soil accountable and therefore recovering parts of the costs imposed by the Directive;
- Maintaining the provision on access to justice as it is the right step towards ensuring better enforcement and implementation of the law and promoting environmental democracy;
- Including mandatory soil district plans as they are a key tool for implementing the Directive and allow the flexibility of solutions that are adapted to local conditions;
- Upholding the Commission’s positive subsidiarity and proportionality check as the current proposal is fully in compliance with the EU Treaties.

Please see Annex 1 for justifications of the respective points.
3. Regulation on a monitoring framework for resilient European forests (policy debate)

Forests are essential for our health and wellbeing, and the health of the planet. They are rich in biodiversity and are hugely important to tackle climate crisis. We welcome the proposal from the European Commission for a Regulation on a monitoring framework for resilient European forests (Forest Monitoring Law, FML) as we believe it is needed to strengthen forest protection and restoration across the EU as well as to enhance sustainable forest management. Improving the monitoring and effective planning on forests in the EU will certainly help to ensure resilient forest ecosystems. Regretfully, the proposal for the FML does not require Member States to act on the data collected on the state of forests.

We therefore call upon Environment Council to:

- Insist that the Environment Council leads the negotiations on the file, since the key element of the proposal is to have a better understanding of the environmental state of Europe's forests for harmonised information across the EU27. Like other transboundary environmental issues (e.g. air and water quality, climate change), the health of forests is an interest shared between EU Member States and the European Community;

- Make strategic planning mandatory. Sustainability of forestry is achieved through a healthy interaction between environmental, social and economic indicators, hence the added value of strategic planning that needs to be mandatory;

- Recognise the cost-benefit for forested countries of tracking the health of forest ecosystems. Countries with a large forestry sector and existing monitoring systems can benefit from harmonized and remote sensing-based monitoring in a way that reduces the costs for monitoring;

- Ensure data sharing for robust remote sensing. Robust remote sensing relies on exchange of data between Member States and GIS practitioners to use information from ground sampling, destructive sampling and other monitoring measures to put context to what we see in satellite imagery;

- Prioritise a strong participatory process for development of methodologies and analysis of data quality. Encourage the participation of biodiversity experts, use of citizen science and stakeholder consultations to develop and analyse data under the monitoring framework. Data should be made publicly available;

- Identify and measure outcomes that serve the objectives of the European Green Deal and the EU Forest and Biodiversity Strategies, including mapping and protection of primary and old-growth forests and assessing forest resilience against climate change;

- Improve social and economic indicators (including wood traceability) in order inter alia to protect guardians of the forest: Indigenous and local communities fighting environmental crime are at risk of losing their livelihoods and even their lives to identify illegal or destructive logging activities. It is key to track extent, locations, and other useful information regarding illegal forest activities such as hunting and fishing (e.g. protected species), logging & subsequent trade (e.g. from strictly protected areas or degraded forests), etc. to provide support to communities on the front lines;
• **Improve systematic monitoring of non-wood resources that are important for the forest-based bioeconomy, including ecotourism:** Non-wood products offer a significant value to the economy and rely on resilient forests. There is, however, a need for recognition of the value of regulatory services the resilient forests provide: micro-climate regulation, air purification, protective functions, hydrological regulation (rain capture & generation, filtration, flood control, etc) provision, biodiversity regulating functions, health benefits, etc. These services must be properly valued to accurately reflect the costs borne by forester, citizens and governments of degradation of these ecosystems.


This piece of legislation is one of the mayor files still open in the Fit for 55. Its definition is key for the full implementation of the EED and the National Energy and Climate Plans (NECPs). Besides, buildings are responsible for 35% of our emissions and 80% of the energy used in buildings goes for heating and cooling. It is urgent that an ambitious EPBD is approved also to set the scene for making progress in the ecodesign and energy labelling of the heating technology, a critical file for the decarbonisation of our economy and for the achievement of the Repower EU targets. It is also worth mentioning that electrifying and renovating Europe's buildings will lead to a projected 0.8% increase in GDP by 2030 and a 1% increase by 2050. Ramping up production of heat pumps alone will create an estimated 500,000 skilled jobs across the continent. But missing this decarbonisation moment could seriously jeopardise industry's €5bn announced investments in heat pump manufacturing before 2025, and a transition that could also lead to a 2.5% net increase in EU GDP by 2030.

*We therefore call upon the Environment Council to:*

- **Ensure that the fossil fuels technologies are no longer installed in new and renovated buildings,** to avoid undermining the EU climate targets;
- **Ensure a phase out date of the use of fossil fuels that is in line with the Paris agreement and EU's climate neutrality plans, hence not later than 2040;**
- **Ensure that only the most efficient technologies are installed in new and renovated buildings** and that fossil heating and cooling technologies are no longer eligible for public subsidies;
- **Strengthen the focus** decarbonising the worst performing buildings in National Building Renovation Plans (NBRPs) to fight energy poverty, as well as reinforce the need for targets and limit values for whole life-cycle emissions of new buildings.

5. **2040 Climate Target**

The EEB strongly supports a decarbonisation pathway that is in line with the commitments of the Paris Agreement. Together with our partner Climate Action Network Europe, we have developed a scientific scenario to decarbonise both production and consumption of energy. Our modelling shows that complete decarbonisation is possible by 2040, by deploying the best available technologies in energy efficiency at fast pace, updating the electricity grids, and deploying renewables. The transition needs to increase in speed after the 2030 targets. We also believe that the pathway should be consistent and monitored, hence it will need an intermediary mandatory target. Lastly, we believe that the current setting, with mandatory climate, renewable and energy efficiency targets should be kept. More clarity should be given to the consequences of missing climate targets under the Effort-Sharing Regulation,
ideally with fixed fines (or fines based on a multiple of the price of carbon emissions in the ETS system). Countries wishing to deploy untested or unreliable technologies such as new nuclear power plants need to have robust plans in case new capacities arrive later than anticipated.

We therefore call upon the Environment Council to:

- Start the discussion for an **EU framework for the 2040 mandatory climate target** that aims for at least 95% decarbonisation;
- Include in the discussion **renewable energy and energy efficiency targets**;
- Include in such discussions the need for a mandatory mid-target in 2035;
- Consider robust governance mechanisms (beyond the current flexibilities) for those sectors covered only under the **Effort Sharing regulation**.

The above will lead to significant opportunities for new jobs that will help many regions in transition and manifest solidarity with affected regions. Support for skills and training will be essential to realise these benefits. The transition should also lead to considerable energy savings and hence lower energy bills for households, businesses and the public sector. Realising these benefits on energy bills requires investment to make this happen – *inter alia*, in renewables, energy efficiency, and building renovation. The targeted use of ETS revenues, green public procurement and national funds can help complement the MFF and EU own resources to enable the pace of the transition and hence the savings that are critical for public acceptability and engagement. Revision of public transport pricing schemes will also be important for mobility, affordability and use, which in turn requires increased investment in public transport and active transport infrastructure. As there is fear of both climate change and the perceived costs of mitigating emissions, it is essential that the real benefits to people are well communicated and supported to give citizens hope and hence for them to embrace the transition.

6. **Regulation establishing a Union certification framework for carbon removals**

The EEB is seriously concerned that the draft Council position for the new **Carbon Removal Certification Framework (CRCF)** will greatly undermine the EU’s climate and environmental ambition, and risks having disastrous consequences for our climate, nature, and rural communities.

We therefore call upon the Environment Council to:

- Prevent the use of CRCF certified units as offsets on voluntary carbon markets, which would make this Regulation a greenwashing tool for industry;
- Ban double counting/claiming of removals by corporate actors and national inventories, which deeply undermines the environmental integrity of this Regulation and is misleading to EU citizens and consumers;
- Demand that improvements in ecosystem integrity and biodiversity are a prerequisite for all CRCF activities and resulting removals linked to land-use and/or biomass, in order to prevent perverse incentives and aim for the longest duration of storage possible;
- Set strict and precise definitions and eligibility criteria to only certify high-quality removals; i.e. ensuring real permanence, excluding emissions reductions, guaranteeing a net removal outcome, and differentiating between temporary sequestration through carbon farming or storage in products and permanent removals.
7. Directive on air quality (recast)

Air pollution is the biggest environmental health risk in Europe; it responsible for around 300,000 premature deaths per year and contributes to several health issues such as asthma, dementia, impairment of cognitive and lung development in babies and children, and cancer. In 2021, 97% of the EU population were exposed to air pollution levels above those recommended by the WHO. Air pollution also damages our environment causing acidification, eutrophication and crop yield loss. The cost of action is lower than the cost of inaction, as clearly highlighted in the European Commission’s Impact Assessment supporting its proposal for a revised Ambient Air Quality Directive, presented in October 2022.

Although the proposal is a step forward compared to the existing legislation, several important elements need to be strengthened. In particular, the updated legislation must be fully aligned with scientific recommendations, to achieve WHO Air Quality Guidelines levels by 2030, while providing a solid enabling framework with no loopholes or flexibility mechanisms. These are necessary to secure that citizens’ right to breath clean air and to live in a clean and healthy environment are respected.

The position that has been adopted by the Council, allowing the start of the trilogues, is very weak and does not adequately respond to the urgency to reduce air pollution and to protect public health and the environment. It is calling, for example, for: flexibility mechanisms, accessible through unacceptable conditions, such as poverty and projections; a long timeline for the definition and adoption of air quality plans; the emptying of the provisions on compensation rights.

We therefore call upon the Environment Council to:

- During the trilogues, remember the damage that air pollution causes to human health, especially vulnerable groups, babies and children, and the environment, including crops. With this in mind, conduct a race-to-the-top debate, aiming to secure an ambitious and swift agreement;
- Promote the full alignment of EU air quality standards with WHO Guidelines and comply with them as soon as possible;
- Support the definition of additional air quality standards and monitoring requirements for pollutants that are not covered by the WHO Guidelines, including black carbon, ultrafine particles and ammonia (for which evidence within the European context already exists);
- Ensure the definition of a solid and coherent enabling framework within the new AAQD: limit values must be the driving tool, together with the establishment of clear monitoring requirements and bold provisions on access to information, access to justice, penalties and compensation;
- Recognise the prominent role that science must have compared to fake-news and short-term political fixes used to justify decades of inaction;
- Listen to civil society calls for a tough, comprehensive and credible action to reduce air pollution;
- Commit to prioritising the work on air quality, and the revision of the Ambient Air Quality Directives, in the Presidency’s agenda, so to ensure that a final agreement is achieved within this European Commission and European Parliament’s mandates;
• Support just and workable compensation rights for victims of adverse health impacts caused by illegal levels of air pollution.

Thank you in advance for your consideration of these points which will help address the climate, biodiversity and pollution crises in the EU, and give citizens confidence that their leaders are taking decisions to create the basis for a better future for them than without this legislative progress. Supporting the measures will also strengthen EU resilience and create a better basis for EU economy and productivity in the future. Your support and engagement on each of these files in the Council, in trilogues and at home, is essential.

Furthermore, the issues on fake news and disinformation, seen in the context of some files, creates a worrying precedent and risks eroding a process of decision-making that Europeans can be proud of – of three institutions agreeing on legislation on the basis of science, national realities, citizen interests, and due analysis of costs and benefits of action and inaction. There should be no space for fake news and false claims and spurious non-science. That would not only erode confidence in EU institutions but be building the future on sand.

As is tradition, there will be a G10-Ministers reception on the 17th of December, the evening before the 18th of December Environment Council. I hope to meet you or your team there and discuss the way forward not only on these files, but also the finalisation of the EGD, and what is needed for the next Commission and Parliament mandate.

Yours sincerely,

[Signature]

Patrick ten Brink
Secretary General, European Environmental Bureau (EEB)
Annex 1: Policy recommendations for the policy debate on the Soil Monitoring Law

To effectively improve the state of European soils, the European Commission proposal for a Soil Monitoring Law needs to be significantly improved. For this reason, we invite you to consider the following points during the policy debate in the EU Environment Council as well as during the follow-up elaboration of the Council’s position.

➢ Support and improve the Commission’s proposal for a Soil Monitoring Law

We urge Member States to engage in Council discussions towards agreeing on a progressive Directive. The Soil Law presents a unique opportunity to address the pressing issue of soil degradation in Europe and to contribute to the achievement of other Green Deal objectives. A robust and ambitious Soil Law is a fundamental requirement to reverse the alarming trajectory of soil health deterioration and to protect the vital soil functions that underpin our society and economy.

➢ Ensure effective monitoring and assessment of soil biodiversity

Soil biodiversity is intrinsically connected to the provision of essential soil ecosystem services. Soil life has a direct beneficial relationship with agricultural production, farm income and the resilience of both farm and food systems.

The mandatory soil biodiversity descriptor ‘soil basal respiration’ in Annex I is not suited to measure life in soil. It should be replaced by (1) Community-level physiological profiling (CLPP) and (2) Metabarcoding (eDNA), which collect information on soil functional and taxonomic biodiversity. Both approaches are at the forefront of private sector initiatives to enable production-integrated regeneration of soil health and have thus proven their cost-efficiency as well as functional significance. Annex I should also require the use of an appropriate biodiversity index, such as the Shannon-Wiener Index, to assess soil biodiversity.

Member States should set criteria for at least one of these biodiversity descriptors after the first soil measurements are performed and include them in the assessment of soil health. When carrying out the evaluation and review of the Directive as outlined in Article 24, the Commission should evaluate the soil biodiversity criteria set by Member States and ensure EU-wide harmonisation of soil biodiversity assessment. As criteria have been set, the soil biodiversity descriptors should consequently be relocated from part C to part B of Annex I (for more information see our technical briefing on soil biodiversity monitoring).

➢ Establish legally binding targets

The Directive should set a long-term, legally binding target of achieving 100% healthy soils across the EU by 2050, while also setting legally binding intermediate targets that map out a clear trajectory towards achieving the 2050 objective. These intermediate targets should be set at appropriate levels to ensure consistent progress and to avoid meaningful action to address soil health being postponed until later years. Targets are a standard EU legal tool that facilitate implementation and ensure continuous progress towards achieving the objective of the Directive (for more information see our technical briefing on governance).

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1 See EEB/NABU, Technical Briefing on introducing relevant soil biodiversity descriptors for soil monitoring in the SML, October 2023: https://eeb.org/library/technical-briefing-on-introducing-relevant-soil-biodiversity-descriptors-for-soil-monitoring/
2 See EEB/ClientEarth, Technical Briefing on establishing a robust governance Structure in the SML, October 2023: https://eeb.org/library/technical-briefing-on-establishing-a-robust-governance-structure/
➢ Include mandatory soil district plans

The Soil Monitoring Law should require the preparation and implementation of soil district management plans for each identified soil district. By setting out concrete, targeted measures with implementation timetables, such plans would offer a clear path for Member States to meet the Directive's overarching objective of improving soil health in the EU, while also creating greater transparency and advancing accountability, public participation and access to justice. Plans offer the flexibility to tailor solutions in accordance with local conditions. Sitting alongside legally-binding targets, they would considerably enhance the Directive's governance framework and facilitate its proper implementation (for more information see our technical briefing on governance).

➢ Include binding provisions on land take

Land take significantly impacts soil condition across Europe. As per the Commission's Impact Assessment accompanying the Soil Monitoring Law proposal, land take affects 4.2% of EU territory, with an estimated annual net rate of 440 km² per year. It imposes substantial costs, ranging between 1.9 and 6.6 billion euros per year due to the loss of ecosystem services.

The objective of "no net land take" by 2050 has been underscored in various key EU documents, including the 7th Environment Action Programme to 2020, the Roadmap to a Resource Efficient Europe and the EU Soil Strategy for 2030. In its Council Conclusions on Biodiversity it has reiterates the will to make progress towards the objective of 'zero net land take' by 2050. However, as indicated in the Commission's impact assessment, the political objective of no net land take by 2050 will not be met unless annual rates of land take are reduced and land recycling increased.

For this reason, we recommend the Council to seize the opportunity presented by the Soil Law and introduce in Article 11 a legally binding target for achieving "no net land take" by 2050 as well as legally binding milestones.

➢ Ensure implementation of the Polluter Pays Principle

The Soil Law should ensure full liability of the polluter. By holding big players that degrade soil financially accountable, Member States can recover parts of the costs imposed by the Directive. Currently, the proposal lacks concrete mechanisms to ensure the application of the polluter pays principle. In cases of contaminated sites, the entity responsible for the contamination should bear the costs related to the identification and investigation of the sites and to the implementation of risk reduction measures, regardless of whether the contamination occurred within the scope of a legally valid permit. Concerning diffuse pollution, one effective approach could involve the implementation of a levy on pesticide products. This instrument can be designed to offer compensate farmers for any potential price increases and simultaneously generate revenues for Member States that can then be used to monitor pesticide residues and restore the affected soils.

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3 See EEB/ClientEarth, Technical Briefing on establishing a robust governance structure in the SML, October 2023: https://eeb.org/library/technical-briefing-on-establishing-a-robust-governance-structure


➢ **Maintain the provision on access to justice**

It is imperative that the Council not only retains but also strengthens the present access to justice provision under Article 22, as it is essential for ensuring the proper implementation and enforcement of the Directive at Member State level and presents a right step towards environmental democracy. However, the effectiveness of this provision also hinges on the establishment of a robust governance framework under the Directive, which should include legally-binding and time-bound soil health targets as well as clear administrative acts, such as soil district management plans, that could be enforced before national courts (for more information see our [technical briefing on access to justice](https://eeb.org/library/technical-briefing-on-access-to-justice)).

➢ **Uphold the Commission’s positive subsidiarity and proportionality check**

In formulating the legislative proposal for a Soil Monitoring Law, the Commission conducted a comprehensive *subsidiarity and proportionality check*. It has been irrefutably demonstrated that Member State action is insufficient to achieve the proposed action's objective, that EU action on soil health brings added value, and that the proposed EU level measures for achieving the action's objective are both necessary and proportionate. Therefore, the Commission’s positive subsidiarity and proportionality check for the new soil legislation is warranted and fully in compliance with the EU Treaties, and we strongly recommend for EU co-legislators to uphold this position and dismiss any unfounded claims against the Commission’s proposal (for more information see our [technical briefing on the principles of subsidiarity and proportionality](https://eeb.org/library/soil-monitoring-law-proposal-technical-briefing-on-the-principles-of-subsidiarity-and-proportionality)).

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6 See EEB/ClientEarth, Technical Briefing on the importance of access to justice, November 2023: [https://eeb.org/library/technical-briefing-on-the-importance-of-access-to-justice/](https://eeb.org/library/technical-briefing-on-the-importance-of-access-to-justice/)