

**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, Luxembourg, 17 June 2024**

Brussels, 6 June 2024

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, an important moment in advancing on European Green Deal promises and wider commitments, in this, the first Environment Council Presidency following the EP elections in June. This will also be the last Environment Council meeting within this Commission and Parliament term, so a key moment for you to decide on what the legacy of the European Green Deal will be.

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 Hungarian Presidency and potentially Polish Council Presidencies. We have structured the letter according to our understanding of the 17 June Council Agenda and added our vision of what is needed for the next legislative cycle at the end. We hope that you find our points helpful for your discussions, deliberation, and decisions.

### **1. Nature Restoration Regulation (provisional A point, adoption of the legislative act)**

You have an opportunity and responsibility in the interest of European citizens to finalise the adoption of the Nature Restoration Law at your upcoming meeting on 17 June. Such a ratification would live up to the commitment the EU has made to be a global leader on nature restoration and to adhere to the ambition set out in the Kunming-Montreal Global Biodiversity Framework (GBF). Failure to do so would mean the EU breaking its international promises to protect our lands and seas. The importance of the Nature Restoration Law is reflected in the unprecedented level of engagement by European citizens, businesses, and the scientific community in the negotiations between the European institutions. The last-minute unjustified withdrawal of support to the NRL resulting in lack of qualified majority for the carefully negotiated provisional agreement on the Nature Restoration Law is unacceptable. Such backtracking on previously agreed compromises, the result of long months of negotiation, jeopardises EU's democracy and calls into question the EU policy-making process and the credibility of the Council. Europe is the fastest warming continent and is facing unprecedented impacts from the intertwined nature and climate crises. Failure to do so would be a carte blanche to destroy nature and would fundamentally undermine public faith in the EU's political leadership at home and internationally.

#### ***We therefore call upon the Environment Council to:***

- Follow the [Ireland-led call to adopt the Nature Restoration Law](#) that had already been supported by 11 of your colleagues to conclude the adoption of the NRL urgently and decisively at your meeting confirming that the Council is a reliable and trustworthy co-legislator.

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## 2. Directive on Soil Monitoring and Resilience (General Approach)

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. While we welcome the European Commission's proposal for the Soil Monitoring Law (SML), it is too weak to restore all soils to health by 2050. For this reason, it is in the hands of the Council to agree on an ambitious position and defend it in further negotiations, so that the first EU soil law can put our soils on a path to recovery by 2030.

***We therefore call upon the Environment Council to support and improve the Commission's proposal for a Soil Monitoring Law and adopt an ambitious General Approach on the Directive. We urge you to:***

- **Insist on legally binding targets in the SML:** The Directive should include long-term and intermediate legally binding targets to achieve healthy soils by 2050, while at the very least and as a bare minimum maintaining them in the form of an overarching and aspirational objective.
- **Put soil biodiversity at the core of the law:** Soil biodiversity is intrinsically connected to key soil ecosystem functions. Therefore, the SML should introduce a definition of soil biodiversity, include a more robust list of mandatory soil biodiversity descriptors, and pave the way for their inclusion in the soil health assessment.
- **Maintain and improve the provision on access to justice:** We urge you to uphold Article 22 and to fill in any gaps that are missing from the EC proposal. This is key for ensuring the proper implementation and harmonious enforcement of the Directive.<sup>1</sup>
- **Strengthen provision on land take:** As in 2020, the Council affirmed its commitment to advance towards the objective of “zero net land take” by 2050, it should seize the opportunity that the Soil Monitoring Law provides and introduce such a target. The Commission's level of ambition regarding Article 11 should at least be maintained and ideally strengthened.
- **Ensure sustainable soil management:** In order to maintain an effective tool towards the improvement of European soils, we urge you to preserve Article 10 and its corresponding Annex III in its entirety with its mandatory character and establish a clear roadmap for implementing sustainable soil management practices.
- **Apply the Polluter Pays Principle:** While the Polluter Pays Principle is enshrined in the EU treaties, the existence alone of this principle is insufficient to ensure its thorough application. For this reason, it should be robustly framed within the Soil Monitoring Law.<sup>2</sup>
- **Address soil pollution:** In Europe, contamination of soil is widespread. It is therefore key that the SML is equipped with the necessary instruments to achieve zero pollution of soils by 2050. We therefore recommend monitoring and assessing a robust list of soil pollutants, including pesticides, and establishing a watch list to detect emerging chemicals.

For more information see the [EEB Letter to Coreper I on the Soil Monitoring Law](#).

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<sup>1</sup>For more information, see [Technical Briefing on the Importance of Access to Justice](#) (EEB/Client Earth).

<sup>2</sup> A [special report](#) by the European Court of Auditors highlighted the incomplete and varying application of the principle across EU environmental policies.

### 3. Directive amending Directive 2008/98/EC on waste

The EEB welcomes the commitment of the European institutions to address the issues of food waste and skyrocketing levels of textile waste, by introducing legally binding food waste reduction targets and a mandate for Member States to set up national Extended Producer Responsibility (EPR) schemes for textiles. However, it needs to be highlighted again that more ambitious food waste reduction targets are essential to tackle the magnitude of the food waste challenge effectively, as well as to respect the commitments made in the 2018 revision of the Waste Framework Directive and under Sustainable Development Goal 12.3 in 2015. Our [latest policy brief](#) once more highlights that more ambitious targets are both feasible and desirable. At the same time, ambitious EPR schemes are vital to bring down overproduction and increase accountability for the impact of textile exports.

#### ***We therefore call upon the Environment Council to:***

- Ensure that introduced **food waste reduction targets collectively achieve a 50% reduction in all EU food loss and waste by 2030**, including food left unharvested or used on farms at primary production.
- **Resist any strategic proposal by Member States to further reduce the ambition level of food waste reduction targets** in view of future trilogue negotiations.
- Support the setting of **Textile Waste Reduction targets** for 2030, using the volumes placed on the market in 2020 as a baseline year.
- Support establishing a mechanism to analyse the impact of used textile exports in order to inform the setting of EPR schemes rooted in global accountability – i.e. we need provisions in EPR schemes to ensure that fees can be sent to countries receiving **used textile exports** to finance textile resource management.
- Base financial contributions to EPR schemes on the weight and **quantity of products placed on the market** – with no exceptions to this rule.
- Ensure that **EPR fees are modulated** - as a minimum – on the basis of the **new Ecodesign requirements for textiles**, with additional criteria that rewards efforts to ensure textile products remain in continuous active for as long as possible, for example by setting a ‘malus’ for high frequency of collection renewal and a ‘bonus’ for supply chain information disclosure.
- **Ringfence at least 10% of revenue raised through EPR fees for reuse and repair** through a specific fund.
- **Protect social enterprises and re-use operators** in the governance of EPR schemes; and ensure that contributions requested from commercial reuse operators do not go against the polluter pays principle and the waste hierarchy.
- **Strengthen provisions on e-commerce** to ensure that a mandatory ‘producer register’ for brands means online platforms do not sell products from unregistered companies and/or take charge of related responsibility with regards compliance with EU requirements and EPR obligations.
- **Ensure Member States put in place EPR for textiles no more than 18 months after the Directive comes into force**, a longer transition period would put an unfair burden on taxpayers, notably as a separate collection obligation is to enter into force in 2025.

#### 4. Green Claims Directive

The EEB welcomes the proposal for a directive on substantiating green claims, setting a framework to ensure traders meet minimum requirements for the substantiation of their claims and ensure their reliability through ex-ante verification. This legislation is highly necessary to crack down on greenwashing and support sustainable consumption and production.

##### ***We call upon the Environment Council to:***

- Aim to **keep a wide scope of application** of the Directive, by shortening the list of exempted legislations and requiring that those exempted guarantee at least an equivalent level of substantiation and verification as the Green Claims Directive.
- **Not to permit climate related compensation claims.** The possibility of communicating compensation efforts would push traders into the vexed question of how much they should prioritise emission reductions, over compensation through offsetting. The climate benefits from 'offsetting' emissions should not be considered equivalent to the damages caused, so any resulting compensation claims are highly misleading. Any proposal to permit "offsetting" claims also undercuts existing jurisprudence, decisively going backwards on the level of consumer and environmental and climate protection. The EU must limit all advertising based on carbon credits to contribution claims.
- Ensure that a potential **simplified verification procedure** does not undermine the objectives of this Directive to create transparency and scrutiny on all green claims and labels. While a simplified approach might be helpful in some cases, it should still involve independent verification to provide better protection for consumers and competitors alike. At a minimum, substantiative evidence should be made publicly available.
- Support the **creation of a Green Claims Forum** to be consulted in the development of secondary legislation resulting from the Green Claims Directive. This forum should involve a wide range of stakeholders, including civil society.
- Preserve the provisions **setting financial penalties** in case of non-compliance with the Directive. Financial sanctions are an important tool to deter potential non-compliance which should be established in all Member States.
- Only recommend the use of PEF CRs to substantiate green claims when known shortcomings of the method and its application to specific product categories (in particular, apparel and footwear) have been overcome through the addition of new and relevant impact categories which are counted in the final PEF score.

#### 5. Mid-term review of the 8th Environmental Action Programme

The evidence underlined that there is so far insufficient progress on the commitments made by the Council, European Parliament and Commission in the 8EAP. The [\*\*\*EEA's progress report on the 8th EAP\*\*\*](#) presents clear concerns that unless there are major changes, many of the commitments for 2030 are very unlikely to be met in many areas. Even in areas of stated progress (e.g. avoided early mortality

from exposure to air pollutants is expected to go down by 55% by 2030), the levels of death (and wider range of other health impacts) are still clearly far beyond what is acceptable.

The **European Commission's Mid-Term Review of the 8EAP**, published on 13 March 2024, recognises a wider range of needs and challenges, including the need to tripling of the pace of emissions reductions to help avoid the high number of human fatalities linked to the climate crisis that can only be expected to increase, and to reduce the very real risks of impacts on agricultural productivity through drought and floods. Furthermore, there is a need to respond to the tragic reality of one in ten premature deaths being linked to pollution, that over a quarter of a million cancer deaths are linked to environmental causes, and that reprotoxic and developmental health problems arise from the exposure to chemicals. This list of concerns is long and goes on.

The EGD has, of course, launched a range of measures to address a number of the above recognised and unacceptable impacts and insufficiencies of progress, but there are many important gaps. There are also a wider range of barriers to progress. The commitments in the 8EAP made by the Commission, Council and Parliament, will unfortunately not be met without real commitment for significant additional measures, including laws, and political attention in the next legislative cycle.

***We therefore call upon the Environment Council to:***

- **Demand a legislative proposal for action for the post-2025 period that is a plan of action for the 8EAP to meet the joint Commission, Council and Parliament commitments made for 2030.** Given the lack of progress on 8EAP commitments, Ministers should recommend, through the action plan and/or more widely, that the European Commission:
  - Develop a **new Climate Resilience Law** that builds in the adaptation benefits from ecosystem restoration and land management, including ambitious actions on nature-based water resilience.
  - Table the **REACH Revision to promote toxic-free products and give a regulatory push for safe and green chemicals.**
  - Table the **Sustainable Food Systems Law** to promote the needed system change and enable sustainable food and sustainable farming that work within ecosystem limits.
  - Overhaul the **Common Agricultural Policy (CAP)** to make it an instrument of the transition and ensure farmers committed to agroecological practices are duly supported, and that their engagement in climate adaptation and prioritisation of natural pest control mechanisms through **Integrated Pest Management (IPM)** are rewarded.
  - Put the **Regulation on Sustainable use of Pesticides** back on the table – this is essential for water quality and farm worker health. Deliver on the promised **Nutrient Management Action Plan** that should lay out how the EU should reach its objective of cutting nutrient losses.

- The European Commission should look into **mandatory sustainable public procurement** to enable agroecological farmers and strengthen wider market development through financial support for sustainable goods and help implement the green oath to do no harm.
  - Prepare an **Ocean policy package** to help safeguard these rich and fragile ecosystems from the multiple pressures undermining their condition.
  - Initiate the revision process of the **Environmental Noise Directive** to tackle the failure of existing instruments to address noise pollution and its impact on human health and ecosystems.
  - Ensure sufficient **enabling measures**, including asking that the next **EU budget** includes **dedicated nature funding, including a specific focus on oceans (an EU Ocean Fund)**.
  - **Introduce EU targets for the reduction of resource use (material footprint reduction)** to trigger more concrete measures and policy actions to address the EU's unsustainable material footprint and endeavor to bring our EU economy within planet boundaries.
- **Commit to an annual high level political dialogue at ministerial level** to take stock of the progress towards the 8th EAP objectives and commit to exploring needs and ways forward with the European Parliament and European Commission.
  - **Commit to an integrated approach for green diplomacy**, trade and cooperation with partner countries and on the multilateral stage to raise environment standards worldwide and work towards a global and green, just and inclusive transition. Aim to develop green deal partnerships with third countries and global partners.

## 6. EU climate target for 2040

The EEB welcomes the Commission communication on the 2040 climate targets but remarks that the proposed 90% net reduction of greenhouse gas emissions by 2040 is insufficient – in light of latest scientific data and global temperature rises, a 100% reduction, proven as technically possible, is essential to avoid fundamentally unacceptable impacts to people, society and the economy. Furthermore, the Industrial Carbon Management plan introduces a necessary framework for dealing with carbon emissions, an important part of reaching climate neutrality by 2050.

However, the proposals raise concerns due to the overreliance on expensive and unproven technologies, and the inclination towards technical fixes where system change is required instead. The European Commission plan relies heavily on carbon capture and carbon removals to be ready at scale, without any strategic sectoral prioritisation and without questioning their realistic potential. Additionally, it fails to prioritise emission reductions through other safer and more cost-effective means, such as energy and sufficiency, efficiency (both for energy and material) and renewables. In a similar fashion, the communication's section on agriculture lacks the ambition and vision to create a meaningful shift to a sustainable food production system with lower emissions.

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In following this approach, the EU risks failing to meet its own climate targets while squandering time and taxpayer money. Reliable, affordable solutions such as renewable energy, electrified industrial processes, improved circular economy practices, smart grids and heat pumps are already available and being deployed. Carbon capture must be the last-resort tool to seize emissions when no other decarbonisation options are available. Spending Europe's limited time and public money on proven and holistic solutions across all sectors is the only way to achieve decarbonisation and meet the climate objectives on time.

***We therefore call upon the Environment Council to:***

- **Call for a triple target framework**, building on 2030 targets experience, and thus set targets that would single out efforts on energy efficiency and on renewables as necessary enablers of the climate target.
- **Refrain from supporting any target on unproven technologies** or technologies whose cost far exceeds the benefit that they might bring to the achievement of climate neutrality by 2040, such as new nuclear power plant and Carbon Capture and Storage (CCS).
- **Separate emissions reductions, permanent emissions removals, and land sequestration efforts and targets** in order to prevent mitigation deterrence by over relying on unproven or temporary removals.
- **Call for timely and targeted use of CCS for hard-to-abate emissions that cannot be prevented through circularity, efficiency or electrification strategies, as well as a targeted use of renewable Hydrogen for those industrial applications with the highest emission reduction potential**, prioritising the on-site production of hydrogen.
- **Urge the Commission to include ambitious emission reduction targets as part of a holistic transformation of the agriculture sector**, where emissions have been stagnating for the past decades, endangering Europe's climate objectives and setting the sector on track to become the largest emitter by 2050.

## **7. Climate Risk Management (adaption and resilience)**

The science is clear, and Europeans see and feel the impacts of climate change already. Europe is heating at twice the global rate and will have to learn to live with climate that is 3 degrees warmer, even in the best-case scenario where the global warming is limited to the Paris Agreement threshold of 1.5 degrees. The [European Climate Risk Assessment \(EUCRA\)](#) published by the European Environment Agency provides the latest analysis of how changing temperatures in Europe will affect different parts of our economy and society. It identified 36 key risks and focussed on complex climate risks such as cascading and compound risks. Even though the EU and Member States have made some progress in understanding the climate risks, societal preparedness is still low, as policy implementation is lagging substantially behind quickly increasing risk levels. Most of the climate risks are co-owned by the EU and Member States; therefore, coordinated and urgent additional action is required at all governance levels.

In addition, increasing resilience should be based on ecosystem-based adaptation; healthy ecosystems which support societal functions. To maintain and restore the resilience of ecosystems

and the services they provide, approximately 30-50% of Earth's land, freshwater and oceans will need to be preserved.

Furthermore, as underlined by the Belgian Presidency at their Just Transition conference in March, and at the Informal Meeting of Ministers in January, **integrating the social dimension in the climate agenda (mitigation and adaptation) is essential**. All of society must be able to be part of the just transition and solutions cannot only be feasible for the rich, as this would lead to a growing divide, opposition to the EGD and missed opportunities for improving the wellbeing of millions of Europeans.

***We therefore call upon the Environment Council to:***

- **Request that the European Commission proposes the Climate Resilience Law**, based on the ecosystem-based adaptation principles and includes ambitious action on freshwater ecosystems, to ensure more effective and proactive action on climate risk management.
- **Communicate the multiple benefits of climate mitigation to households and the public**. There are important benefits in terms of energy saving and hence reduction in fuel bills that help to address the cost-of-living crisis, improve indoor air quality and hence health. This information can reinforce engagement towards the most appropriate solutions and commitment to be part of the transition out of fossil-fuels. A whole of society engagement in decarbonisation is essential to tackle the climate crisis and achieve fossil-fuel independence.
- **Make housing renewable heating & cooling and energy insulation available and affordable** through an appropriate implementation of the Social Climate Fund and ensuring that the entirety of the ETS2 revenues flow to low-income households. It is also about launching additional measures to enable the middle classes to be fully engaged, as they will be important multipliers of engagement and buy-in to the transition;
- Ensure the **categories of citizens that, for different reasons, are disproportionately hit by energy and transport poverty** such as minorities, elderly, and women get the extra support they need to engage in the energy transition.
- Keep fossil fuels out of the scope of the **Social Climate Fund** and all **other investments** stemming from ETS2.
- Similarly, invest in public transport and active transport, and explore ways of adjusting public transport prices so that **public transport becomes the easy, default choice**. People need to see that governments and the EU are investing in their mobility. People living in rural homes should be able to access alternative vehicles than fossil-fuelled cars.
- **Encourage the European Commission to put the Heat Pump Action Plan back on the table** and ensure accessibility issues are tackled.
- **Support renovation in rented accommodation, with conditions on government support to avoid landlord-tenant issues**, to ensure that those renting have affordable energy bills linked to energy efficient lodgings, and that rents do not go up in the process or tenants are constrained to move from their homes.



## 8. Regulation on preventing plastic pellet losses to reduce microplastic pollution

The EEB welcomes the proposal to tackle plastic pellet pollution at source, through a comprehensive legal framework focusing on the supply chain. However, to ensure the effectiveness of the Regulation and protect communities from bearing the cost of pollution, additional measures should be considered.

As recognised in the proposed regulation, currently, up to 184 thousand tonnes of plastic pellets (typically 1 to 5 mm in size) manufactured by petrochemical industries to serve as plastic feedstock are estimated to be accidentally released into the environment each year, as a result of mishandling throughout the plastic supply chain. These chronic losses add to the global problem of plastic pollution in our rivers, seas and oceans (for examples in Europe including Belgium, France, Netherlands, across the North Sea and Spain, see the [Surfrider report](#)).

The plastic pellets, either directly or after breaking up into micro- and nanoplastics, can be ingested and taken up by marine biota throughout the food chain. Plastic polymers may contain chemical additives and contaminants, including known endocrine disruptors that may be harmful even at extremely low concentrations for marine biota. They pose potential risks to marine ecosystems, biodiversity, and food availability.

The proposed regulation requires that all operators handling pellets in the EU take minimum precautionary measures, with a view of reducing total pellet release in the EU by three quarters by 2030. Common EU-wide measures targeting all forms of pellets will also help level the playing field.

### ***We call upon the Environment Council to:***

- **Support the Proposal on Preventing Pellet Losses to reduce Microplastic Pollution**, which should use a comprehensive supply chain approach and ensure **all economic operators handling pellets take binding steps** to prevent avoidable losses of plastic feedstock through binding actions at EU level.
- **Ensure audits and certification requirements apply to the entire pellet supply chain**, without exception based on size of company or volume of pellets handled.
- **Extend the scope of the regulation to include maritime transport.**
- **Strengthen minimum requirements applying to operators and transporters** and establish labelling requirements for pellets storage packaging and transportation containers.
- **Strengthen the implementation and enforcement mechanisms** to ensure compliance, including due measures in response to non-compliance to uphold respect for the rule of law, better implementation and make all handling companies embrace their responsibilities. This is part of their license to operate.
- **Push for a mid-term assessment of the regulation to test effectiveness**, and, in the event of poor implementation or additional insights on impacts, review and strengthen the legislation.
- **Continue the effort to fight marine pollution** from plastics, chemicals and nutrients, notably through addressing the multiple sources of microplastic pollution with binding measures in the relevant proposals of the EU Green Deal and, in due course, implementation (Soil Monitoring Law, Euro 7, ESPR, Textile strategy and complementary REACH restriction on microplastics intentionally added to products).

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- **Monitor plastic and microplastic pollution across EU countries**, implement measures to prevent and minimise risks of releases and ensure accountability by those responsible.

## 9. Vehicles Design and End of Life management Regulation

The EEB welcomes the proposal for a Regulation on Vehicle Design and on Management of End-of-Life Vehicles (VDEoL), merging the outdated End-of-Life Vehicles Directive and the 3 R Type-Approval Directive. The extended scope to cover most of the vehicles placed on the market and specific measures such as a Circularity Vehicle Passport (CVP), an EU-wide Extended Producer Responsibility (EPR) system, as well as the introduction of requirements regarding the reuse of parts, components' recycled content, better collection and improved treatment at the end of vehicles' life, are clearly relevant for anchoring the whole sector into a decarbonized and circular economy. Nevertheless, the European Environmental Bureau urges the Council to consider several missed opportunities and adopt an ambitious general approach to the proposal.

### ***We call upon the Environment Council to:***

- **Ensure the proposal includes specific measures to address the number and size of vehicles on the market, as well as the overall material use and footprint of the sector.** While circularity measures improve the lifetime of resources used, the best environmental protection is to reduce the demand for materials in the first place. Mandatory disclosure of Product Environmental or (at least) Carbon Footprint information of the vehicle should be considered with potential performance requirements for type approval. This would not only incentivize cleaner production of vehicles but also further bolster circularity (e.g., use of recycled content). It would also align the proposed CVP with its equivalent under the Batteries Regulation, as currently, the planned CVP does not include footprint or due diligence information.
- **Harmonize the Circularity Passport for vehicles with other Digital Product Passports** proposed under the Ecodesign for Sustainable Product Regulation and Batteries Regulation and extend the scope of information to, among others, include information relevant to repair and durability of components as well as Substances of Concern, going beyond heavy metals restrictions.
- **Strengthen measures on repair and reuse** by, e.g., introducing minimum availability periods for spare parts and software updates, ensuring that all relevant parts and components are replaceable throughout the vehicle's operational life, as well as ensuring that key components such as electric vehicle batteries are repairable.
- **Facilitating reuse and ensuring high-quality recycling and recovery of critical materials at End-of-Life** by establishing mandatory disassembly and dismantling of materials and components as the preferred treatment option over shredding and post-shredding technology.
- **Ensure full Extended Producer Responsibility beyond the End-of-Life and EU borders.** The EPR obligations need to be linked to eco-design aspects also targeting use stage, like repair, and reuse, and systems need to be put in place to enable the exchange of information and traceability of EPR obligations with non-EU trading partners. This includes that EPR fees paid by producers within the EU must follow exported used vehicles to countries outside the EU and need to be made available to waste management systems in the receiving country.

## 10. Updated pollutants under the Water Framework Directive

We understand that after significant delays, there have been intensive deliberations recently on the Council's position regarding the **EC proposal to update priority pollutants for surface and groundwater** under the Water Framework Directive (WFD) and its Daughter Directives and it is possible that the file will be added to the agenda of your meeting. While we welcome the progress made in the Council on this file, we **urge you to reject the proposals to weaken the EC proposal and to use the ongoing limited update of the chemical aspects of the WFD to make substantial changes to the EU's flagship water law**, undermining the fitness check evaluation of the WFD and resulting in delayed action on tackling water pollution.

Healthy freshwater and coastal ecosystems are fundamental for life on our planet. They provide home to a wide range of species and are vital for our wellbeing, our society and economic activities, but despite progress made water pollution remains a significant challenge across the EU. The lists of priority substances and groundwater pollutants need to be updated urgently since they are incomplete, out of date and do not offer adequate protection of ecosystems and human health from risks posed by water pollution. Additionally, the current approach is largely focused on individual substances without considering the effect of chemical mixtures, and thus misses the actual loads of pollutants impacting aquatic life.

The ongoing update of the lists of pollutants against which chemical status under the WFD is assessed is a legal requirement that must be done at least every six years in order to reflect scientific progress. However, this update was meant to be limited to the chemical aspects of the WFD only and must not be misused as a means to change fundamental obligations of the WFD, which was recently evaluated and concluded to be fit for purpose.

### ***We call upon the Environment Council to:***

- Reject the proposed modifications on non-deterioration obligations (WFD art 4) as these fall outside of the scope of the mandate of the ongoing update and would weaken one of the core obligations under the WFD.
- Reject proposals to delay the compliance date for the new substances to 2039, with possibility to derogate for another two River Basin Management Cycles, i.e. until 2051. Such a delay fails to respond to the environmental, societal and economic costs resulting from water pollution.
- Ensure that interim Programme of Measures for the new pollutants are in place by 2030 at the latest.
- Adopt proposed new standards of priority pollutants so that Member States could start planning measures for the upcoming River Basin Management Plans in 2025.
- Support the establishment of the Extended Producer Responsibility scheme for producers and importers to contribute to the costs resulting from the pollution they are causing.

We believe it is in the interest of Member States to conclude the limited revision of the chemical aspects of the WFD to ensure proper planning in the upcoming river basin management cycle.

For more information see the [EEB Letter to the Coreper I Deputy Representatives on the European Commission's proposal to update priority substances for surface and groundwater](#)

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## 11. The European Pact for the Future – a green and social deal for a one-planet economy

In light of progress made in the EGD, the gaps that remain, and in light of the ongoing challenges and opportunities (good quality jobs, energy savings, resource savings, income, health benefits, resilience, autonomy, trust...) it is clear that there is a need for a green and social deal in the next legislative cycle. It is also clear that the EU needs to have a strong industry that is competitive on sustainability and part of the race to the top. For the way forward, Europe needs a Pact for the Future that fosters hope and courage, opens opportunities, creates well-being for all, catalyses competitiveness through sustainability and drives the needed transformative system change for a sustainable future.

Our choices today shape the course of history. With a new political mandate in the EU on the horizon, the EEB calls for an ambitious agenda towards a future where people thrive within the boundaries of our one healthy planet. The European Green Deal was a starting point, catalysing part of the system change we need, strengthening the EU's international credibility, and proving to be a global tool for EU competitiveness – we should not undermine it, but implement it and build on it.

The EEB developed [\*The European Pact for the Future – a green and social deal for a one-planet economy\*](#) as a contribution to the reflections on what is needed for the next legislative cycle, building on the science of the triple climate-biodiversity-pollution crisis, the analysis of opportunity of the green transition and wide stakeholder consultation to ensure the recommendations are practical and robust. The Pact proposed twelve asks (see Annex 1 for details) covering areas:

- Embrace the vision of **Living Well within Planetary Boundaries**
- Chart an **Ecological Transformation**
- Fast-track towards a **one-planet Economy**
- Promote a **Just Transition**
- Show **Solidarity & Embrace Responsibilities**
- **Implement our Commitments**

The Pact was launched on the 13<sup>th</sup> of May and at the time of writing this letter (6 June) had 766 signatures of support and rising quickly.

### ***We therefore call upon the Environment Council to:***

- Do what you can to ensure that having ***a green and social deal for a one-planet economy is a priority for the next legislative cycle*** – notably by engaging with your Heads of State and their teams in the context of the Strategic Agenda, in the context of the priorities for the next Commission President and work programme, and showing your support for this agenda of hope by [signing up](#) personally and communicating your support.
- We also call on the **next Council Presidency Trio of Poland, Denmark and Cyprus** to reflect on the priorities presented in the [European Pact for the Future](#), and integrate the need for a green and social deal for a one-planet economy in the Trio programme of priorities.

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.

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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. We wish you all the best with your Environment Council Meeting.

We also hope that you can demonstrate and communicate your support for the *European Pact for the Future* as this aims to promote a green and social deal for a one-planet economy, a practical agenda of hope that should be part of the top priorities for the next legislative cycle. With your help, it can be.

Yours sincerely,



Patrick ten Brink  
Secretary General, European Environmental Bureau (EEB)

## **Annex 1: Specific Asks of The European Pact for the Future: A Green and Social Deal for a One-Planet Economy**

These are times of both multiple crises, opportunities, and, certainly, challenges. Our choices today will define the course of history. Looking ahead at a new political mandate in the EU, we need a trailblazing agenda—a beacon of hope unleashing the potential for all citizens, communities and sustainable business to drive a just transition towards a future where people prosper within the limits of our one healthy planet.

### **From Fear...**

The interconnected climate, biodiversity and pollution crises are changing our world and deepening the rifts between and within countries globally. Poverty and profound inequalities, augmented by inflation, have spurred a cost-of-living crisis, eroding our societies and sparking unrest. The current economic system has led to wealth for some but at a harsh cost to many, and is, every year, exacerbating the planet's degradation, the triple crisis and the risks for our future. Disinformation campaigns and abuse of position and economic power undermine elections and put democracy at risk. The stark choices facing humanity now underline the need for system change, including reforming our economic system. Yet it is not all gloom, and resignation to the difficulty of corralling support for transformation efforts is not an option.

### **...to Hope**

The shift to renewable energies, clean tech and circular product development will create millions of good-quality skilled jobs. Farmers' and fishers' livelihoods can be improved through fair prices, agro- and pesca-ecological practices, and nature protection and restoration efforts.

Disposable household incomes can increase through fair and redistributive taxation, decent working conditions, just wages and salaries, energy-saving building renovation and socially fair housing policies, access to healthy and affordable food, and more affordable public transport. Committing to better access to infrastructures and services, and repairable and toxic-free products will make the safe and sustainable choice the easy choice.

These measures will also strengthen trust in leadership and decision-making.

We can and must reorient our economies from a focus on generating short term profits to filling human needs and long-term viability and sustainability – through regulation and enhanced market signals, secured investments, and targeted financial support, the stimulation of innovation paving the way for a prosperous future economy in harmony with planetary realities.

**Europe's strength lies in progressive policy rooted in robust social and environmental norms – we should not undermine this; we should build on it.** The European Green Deal was a starting point, catalysing part of the system change we need, strengthening EU's international credibility, and was proving to be a tool for EU competitiveness globally – we should move further. Were the EU to back off now would only increase the risk of being outpaced by others, and diminish EU's global influence, leaving the path clear for industry in other countries to capture the growing markets for green technologies.

***We therefore call on Member states to Commit to a European Pact for the Future – a green and social deal for a one-planet economy, and:***

### **Embrace the vision of Living Well within Planetary Boundaries**

- 1. Have the European Pact for the Future – a green and social deal for a one-planet economy - guide the next 5-year legislative cycle.** *Flagship Action:* Continue to prioritise a green and just

transition towards climate neutrality, zero pollution and thriving nature in the next political cycle from the Strategic Agenda onwards.

### Chart an Ecological Transformation

2. **Fully address the linked triple planetary climate, biodiversity and pollution crises.** *Flagship action:* Table an Action Plan for 2030 with commitments for the ecological transformation needed by 2040 and 2050 and address areas of insufficient progress (in accordance with Art. 5 (2) of the 8<sup>th</sup> EAP). Address the legislative gaps, ramp up ambition, and address barriers to tackling the existential threats to households and humankind.
3. **Reduce resource use, seize Circular Economy opportunities and shift to a Wellbeing Economy.** *Flagship actions:* Fast track the Circular Economy by means of resource use & material footprint reduction targets and resource efficiency measures. Refocus the economy on wellbeing & healthy people: replace the Stability & Growth Pact with a Wellbeing & Sustainability Pact and adjust the European Semester to put environmental and social justice goals at the heart of EU economic governance. Create the fiscal space for countries to make investments in the transition.

### Fast-track towards a one-planet Economy

4. **Support sectors in becoming resilient & competitive on sustainability.** *Flagship actions:* Ramp up support for skills development, training, job creation and research in key sectors of the green and climate neutral economy. Invest in smart electricity grids and wider infrastructure to help vanguard sustainable companies prosper. Design and launch a policy package for sustainable food systems. Strengthen chemicals legislation and implementation to support human health, catalyse innovation, and avoid toxic supply chains.
5. **Drive system change through investments, fair taxation and distribution.** *Flagship action:* Commit to a Social and Green Investment Plan for the Green Deal transition, so all are on board – people and businesses. Reform taxation and pricing to ensure fairness and distribution, putting in practice the polluter pays principle.
6. **Make the safe and sustainable choice the easy choice for people and business.** *Flagship action:* Use both supply and demand policies and increase policy coherence and cooperation across all levels of government to create the right “service and product environment” – the physical, economic, political and socio-cultural context within which citizens operate to make their choices. Citizens should be able to choose the sustainable options by default, whether for mobility, housing, energy, food or other necessary consumables. Revise sustainable public and corporate procurement policy to champion the market transformation.

### Promote a Just Transition

7. **Develop a new social contract to leave no-one behind.** *Flagship action:* Commit to an EU-wide strategy and results-orientated social protection plan with monitoring via the European Semester to address inequalities and end poverty, ensure minimum income for all, systematically social proof policies to take account of gender, economic and other inequalities.
8. **Strengthen environmental democracy & give a voice to youth and others too often forgotten.** *Flagship actions:* Support and promote the adoption of an additional Protocol to the European Convention on Human Rights recognising the human right to a clean, healthy and sustainable environment; Implement a European Civil Society Strategy and civic dialogue, with a focus on younger generations and marginalised groups, and innovations in participatory democracy.

### Show Solidarity & Embrace Responsibilities

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9. **Support and manifest solidarity across an enlarging EU.** *Flagship action:* Roll out the green and just transition in candidate countries to support fossil-fuel independence, decent work, health and security with due legal, administrative and financial support. Reform EU governance to ensure decision-making is not undermined by EU enlargement.
10. **Commit to global justice and drive partnerships to face common challenges.** *Flagship action:* Take responsibility for and scale back Europe's negative externalities and resource exploitation, lead on global diplomacy for multilateral solutions and green-deal type partnerships and systematically push for the respect for the international rule of law.

### Implement our commitments

11. **Implement & enforce EU legislation to protect the rule of law and our health.** *Flagship action:* Set up an Implementation and Enforcement Action plan, with strong focus on an unerring commitment to upholding the rule of law across the EU.
12. **Strengthen EU governance and trust in the European Project.** *Flagship actions:* EU strategy to combat disinformation, weed out inappropriate influence by vested interests, and strengthen public accountability. Appoint a Commission Vice president for the European Green Deal & Social Investments, a VP for Just Transition & a Commissioner for Youth and Future Generations.