EEB
European
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Bureau

THE EEB'S

MEMORANDUM

TO THE FINNISH PRESIDENCY OF THE EUROPEAN UNION

Including the Ten Green Tests

JULY - DECEMBER 2019

Prepared in cooperation with Seas At Risk



EUROPE'S LARGEST NETWORK OF ENVIRONMENTAL CITIZENS' ORGANISATIONS

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INTRODUCTION

Finland has taken over the Presidency of the European Union at a time when the challenge of strengthening and implementing EU environmental policies is as great as ever.

The Finnish Presidency will be the first presidency to work with the new European Commission and European Parliament and help lead a response to the dual existential crises of **climate change** and **biodiversity loss**, tackle widespread **pollution** and seize the opportunities inherent in the needed transition from a linear to a **circular economy**. We welcome the recent announcement by the Finnish government to go net carbon neutral by 2035 and launch a "whole of government" approach to realise this ambition. We hope that this example, combined with Finnish leadership, will lead to other countries following suit and a higher overall climate ambition.

The Finnish Presidency is also the second of the current Presidency Trio that runs from 1 January 2019 to 30 June 2020, following Romania and followed by Croatia. It inherits the water dossiers - where the evaluation of the **Water Framework Directive** is of high importance – and is likely to face a revision of the **Industrial Emissions Directive (IED)**, as well as need to be engaged in the final negotiations on the **Common Agricultural Policy (CAP)** and the completion of the negotiations on the EU Budget, the **Multi-Annual Financial Framework (MFF)**.

As the presidency team that kicks off the new cycle of European Commission and European Parliament, it has an especially important role in helping promote the implementation of the **sustainable development goals** and encouraging the development of a transformative **Eighth Environment Action Programme** that can form a **Green New Deal for Europe** and catalyse a just transition to a one planet economy. It can propose a way forward for the **future of Europe** to take into account the children's street marches for climate change and the wider green wave seen in the European Elections.

On 26 June 2019, the Finnish Presidency launched its official six-month programme under the promising heading **'Sustainable Europe – Sustainable Future'**.

We therefore look forward to the Finnish Presidency of the EU driving a positive agenda to address the above environmental challenges facing Europe in a quickly changing geopolitical reality at home and globally.

This Memorandum, prepared in cooperation with Seas at Risk, reflects on the issues that the EEB would like to see advanced during the Finnish Presidency. The most important issues are highlighted in the Ten Green Tests. These were adopted by the EEB Board which has representatives from more than 30 countries and several European networks. At the end of December 2019, the Ten Green Tests will be used to evaluate the Presidency's performance over the coming months. While the Memorandum is directly addressed to the Presidency, we recognise that progress depends upon the cooperation of the European Commission, the European Parliament and other Member States, as well as the Council President. However, EU Presidencies can often make a difference if they invest their political and technical capacities in the right issues and if there is sufficient political will.

We look forward to engaging in a constructive dialogue with the Finnish Government throughout the Presidency and beyond.

Jeremy Wates

Secretary General



TEN GREEN TESTS FOR THE FINNISH PRESIDENCY

We call upon the Finnish Presidency of the European Union to promote a greener, more sustainable Europe, where our destructive impact on the climate, biodiversity and public health in Europe and beyond is rapidly decreased in line with citizens' expectations and scientific imperatives, through the following measures:



1. Recognise that there is a climate emergency and drive ambitious climate commitments to 1.5 degrees

- Secure endorsement of **an EU commitment to net-zero greenhouse gas by 2050 at latest and preferably by 2040, with a reduction of 65% by 2030**, and **ensure consensus on the EU Long-Term Climate Strategy building on the Commission's work in line with the latest available science** responding to the Climate Emergency and public demonstrations for urgent action;
- Prioritise efforts to **close the gap between the EU's 2030 energy targets and the draft national contributions** and to improve the draft national energy and climate plans (NECPs) having regard to the Commission's recommendations;
- Encourage an **industrialisation strategy that integrates circular economy measures to support the transition to a net-zero greenhouse gas economy**;
- Negotiate for **a truly Paris-compatible MFF** and ensure that robust measurement methods for carbon saving allocations from EU spending are integrated into the MFF and remaining legislative acts being negotiated (CAP).



2. Halt biodiversity loss: Protect our land and oceans

- Show leadership in driving **a far-reaching global agreement on a New Deal for Nature and People** to be adopted under the UN Convention on Biological Diversity in 2020 as well shape **an ambitious EU biodiversity policy framework** post 2020;
- **Protect vital ecosystems through improved implementation of the EU's nature, water and marine legislation**;
- Mobilise political support to get **a commitment from all EU Member States to take the necessary measures to achieve the goals of the Marine Directive in 2020** or as soon as possible after 2020, in particular by phasing out plastic, chemical, agricultural and underwater noise pollution and by protecting vulnerable marine ecosystems in networks of well-managed Marine Protected Areas;
- **Full implementation of the Common Fisheries Policy**, in particular by ensuring that **total allowable catches and quotas for 2020** are set at or below scientifically defined sustainable limits (Fmsy) for all fish stocks at the Fisheries Councils in Autumn-Winter 2019.



3. Transform food & farming systems through the Common Agricultural Policy

- Ensure that there is a **comprehensive discussion of the CAP in both the Environment and Agriculture Council formations** that takes account of the need to **strengthen the provisions for environment and climate** measures in the resulting CAP;
- Drive CAP negotiations to **strengthen Member States' accountability and hence confidence that the CAP will deliver on the environment and the climate**;
- Mobilise political support for ensuring that **no subsidies harmful to environment and climate are part of the CAP post 2020**.

4. Make the EU Budget work for people and planet

- **Drive MFF negotiations to promote an EU budget for sustainability that brings EU added-value, implements our Paris, SDGs and biodiversity commitments, and catalyses change towards a one-planet economy**: aim for minimum 1% budget for LIFE, ring-fence €15bn for nature protection and restoration, 40% for climate mainstreaming;
- Ensure that **all spending on the CAP is conditional on respect for environmental legislation**;
- **Encourage green finance and environmental fiscal reform, including carbon pricing**, ensure **transparency on subsidies** in the EU and **ensure the rapid phase-out of harmful subsidies**, including in the MFF;
- **Ensure that the EU budget avoids fossil fuel lock-ins** in key instruments like the Connecting Europe Facility and give **policy guidance to the European Investment Bank to ensure Paris-compatible** spending.

5. Reduce air pollution to protect human health and the environment

- **Ensure an ambitious outcome of the Ambient Air Quality Directive fitness check**;
- **Ensure that the Commission undertakes a comprehensive review of the Industrial Emissions Directive**, delivering improved pollution prevention at source and a re-defined scope to promote the ecological transition of industrial activities;
- Ensure a comprehensive review of the **Gothenburg Protocol** that leads to it also including **methane and black carbon**;
- Encourage an **ambitious position on agricultural air pollutants in the CAP trialogue** which effectively contributes to achieve WHO air quality standards.

6. Ensure clean and sufficient water for Europeans

- Work with the European Commission to **complete a fitness check evaluation of the Water Framework Directive** and related legislation that leads to its improved implementation;
- Finalise inter-institutional negotiations so that **the revised Drinking Water Directive safeguards high standards** of drinking water and ensures access to water for all;
- Lead negotiations on the adoption of the **Water Reuse Regulation** so that it contributes to the achievement of the environmental objectives of the Water Framework Directive.

7. Protect the public from hazardous chemicals

- Press the Commission to make a legislative proposal on an **overarching chemicals regulatory framework** and to put in place a **non-toxic environment strategy** by 2020;
- Support measures to promote a **clean circular economy** and a **public information system** about substances present in materials, articles, products and wastes;
- Ensure that **democratic and environmental principles are fully applied in EU chemicals policy** (e.g. transparency in decision making, 'no data, no market', precautionary principle, substitution principle);
- Maintain leadership on the **Minamata Convention on Mercury** and ensure its full implementation in the EU.

8. Transition to an innovative, resource efficient, circular economy

- Make sure that a **Textile Strategy** is initiated, pursuing and complementing the **Plastic Strategy** that should continue to be implemented;
- Push for the development of policies for the **design and waste management of batteries**;
- Unleash further the circular and decarbonization potential of buildings, notably by promoting the LEVELs framework as a more binding and systematic framework;
- Actively support the **EU level work on product policy**: notably working towards a future swift implementation of an EU information system to track substances of concern and material contents of products and of the repair scoring system, and targeting new sectors beyond energy-related products to apply similar push and pull mechanisms as Ecodesign and Energy Labelling schemes;
- Push the EU to design **a new GPP and Ecolabel strategy**: set GPP as the default approach for public authorities and corporate social responsibility, and ensure a more effective roll-out of Ecolabel across products and services, with an effective communication plan.



9. Strengthen democratic governance, the rule of law, and environmental justice

- Ensure that the incoming Commission makes it a top and early priority to come forward with a **legislative proposal to amend the Aarhus Regulation** that fully addresses the **EU's non-compliance with the Aarhus Convention**;
- **Support better implementation**: debate the Environmental Implementation Review (EIR) and ways to ensure that Member States take urgent action on the priority areas identified by the Commission;
- Engage with the Commission and the European Parliament on the reflection process for **strengthening the Rule of Law in the European Union** and on the focus of the **better regulation agenda** so that it is re-oriented towards ensuring that **EU law protects citizens' health, rights and the environment**;
- **Promote corporate accountability**, complementing a push for binding regulation of corporate responsibility at the UN and OECD levels, with a push for the EU to do the same, and pushing for the EU to re-engage with the UN Treaty on transnational corporations and human rights.

10. Implement the Sustainable Development Goals and commit to a transformative 8EAP

- Request the new Commission to immediately start working on a **Sustainable Europe 2030 Strategy**, to serve as the overarching strategy guiding all EU policies and programmes, with clearly defined EU-wide targets, responsibilities and timelines for the ambitious implementation of the SDGs in and by the EU;

- Support the Commission in developing a robust, transparent and participatory **monitoring and reporting framework for the SDGs** including a full SDG monitoring report similar to a Voluntary National Review (VNR) in collaboration with all Member States, that is, a report covering all policies, internal and external, as well as spill over effects of European domestic policies;

- Request the incoming Commission to prepare without delay **a transformative 8th Environment Action Programme** that can form a **Green New Deal** that catalyses a just transition to a one-planet economy;

- **Transform the EU's trade policy agenda** to one with sustainable development and an emergency level response commensurate with the biodiversity and climate crises at its heart, and in the short term insist on significant changes to the proposed EU-Mercosur Trade agreement to reflect these priorities prior to any finalisation or ratification of the deal;

- Encourage policy and governance reform so that **wellbeing and sustainability take a more prominent role relative to GDP growth**, e.g. in 'better regulation' processes and tools, through a new Sustainability and Wellbeing Pact which obliges Member States to present wellbeing budgets and through having a Commissioner for Wellbeing and Future Generations.

1. EUROPEAN COUNCIL

1.1 Implementing the EU Strategic Agenda for 2019–2024

The European Council adopted in June a new strategic agenda that sets out the overarching priorities guiding the work of the EU for 2019–2024. "Building a climate-neutral, green, fair and social Europe" is one of the four priorities. "Protecting citizens and freedoms", "developing a strong and vibrant economic base" and "promoting European interests and values on the global stage" are the other three. Having climate and environment as one of the four priorities is a high level recognition of the importance of tackling the climate emergency declared by both scientists and youth street marches, the biodiversity crisis as recently documented by the IPBES report (International Panel for Biodiversity and Ecosystem Services), as well as recognition of the urgency to tackle air pollution, ensure clean water and protect our oceans. The priority also recognises the importance of the transition from a linear to a circular economy, that impacts from agriculture need to be tackled, as well as ensuring that the social dimension is integrated.

These commitments are welcome, however, these elements still do not sufficiently reflect the urgency that science demands, or that the young people marching in our streets ask for. What is highly problematic is that the strong social and environmental elements are not mainstreamed across the other three priority areas. The Strategic Agenda reads like four separate agendas, and this is linked to what is perhaps the most striking failure of the document: lack of any reference to the 2030 Agenda or the SDGs. The EU worked hard to get international agreement for Agenda 2030 and the Sustainable Development Goals, but neither are explicitly mentioned. This should be an overarching framework for all priorities.

At a specific level, missing is a commitment for a toxic free environment and encouraging a rapid substitution strategy that enables a transition towards green chemicals that protects EU citizens' health and rights. This could fit both under the environmental priority and under the "protecting citizens and freedoms" priority, which underlines the second weakness - the lack of integration and coherence across the four priorities. Addressing climate and environment is central to "protecting citizens and freedoms", to "developing a strong and vibrant economic base" and also to "promoting European interests and values on the global stage".

There had been a hope and expectations that the EU unanimously commit to becoming carbon neutral by 2050 (or even earlier) in the European Council declarations and in the Strategic Agenda, but four Member States blocked this, and there is only a footnote that a majority of Member States supported this commitment. This is clearly a major missed opportunity. However, the positive aspect is that all Member States recognised the need to tackle climate change and nearly all Member States agreed that the EU needs to go carbon neutral by 2050, with some, such as Finland, committing to even earlier dates. The Finnish Presidency should not let this issue languish.

We therefore call upon the Finnish Presidency to:

- **Ensure that the climate and environment priorities become real priorities, commitments and actions** are reflected in the Council Conclusions and encourage that **they feature highly in Commission work programmes**;
- Launch discussion on **policy coherence for sustainable development** and interactions across the four priorities with a view of ensuring policy coherence and integration;
- **Engage in the MFF negotiations to ensure that the climate and environment priority is reflected in the final agreement overall**, and **particularly in the remaining Common Agricultural Policy (CAP) negotiations**;
- Revive the negotiations on the **'net-zero by 2050'** issue with a view to persuading the blocking Member States to accept the view of the majority;
- **Encourage the 24 Member States who were willing to sign up to net carbon neutrality in the EU by 2050 to make unilateral commitments** where they have not already done so and encourage the more ambitious to embrace an earlier target date, such as the Finnish 2035 commitment;
- **Encourage the new Commission President to clearly state that sustainable development is an overarching objective** of all EU policies and programmes (see next section).

1.2 Make the Sustainable Development Goals drive the Future of Europe

The adoption in September 2015 of the Global 2030 Agenda for Sustainable Development (2030 Agenda) with its 17 Sustainable Development Goals (SDGs) was a major milestone on the path to international recognition of the need for a more sustainable economic system and lifestyles. However, despite the EU having played an important role in the development of the 2030 Agenda, and despite significant pressure from Member States in the form of Council Conclusions, the outgoing Commission has not given SDG implementation high priority.

Under the Maltese Presidency, the Council in June 2017 urged the Commission to elaborate, by mid-2018, an implementation strategy for the 2030 Agenda outlining timeline, objectives and concrete measures for all relevant internal and external policies. Moreover, the Council asked the Commission to implement the Agenda 2030 in a full, coherent, comprehensive, integrated and effective manner, and to report about at the UN High Level Political Forum in 2019. The issue was taken up by the Heads of Government in October 2018 through European Council conclusions asking to pave the way for a comprehensive implementation strategy in 2019. Civil society cautiously welcomed the EC's 'Reflection paper' published in January this year on how to make the SDGs a reality while making it clear that the EC needs to stop reflecting and start acting. The Reflection Paper lacks specific commitments and postponed the decision on a concrete implementation plan to the new Commission The out-going Commission simply ignored the Council's demands.

The new Strategic Agenda 2019-2024 declares building a climate-neutral, green, fair and social Europe based on inclusiveness and sustainability as one of its four strategic priorities. This includes an in-depth transformation of its economy as outlined by the Agenda. There is growing understanding among scientists and citizens that the current GDP-growth focused paradigm of policy making cannot deliver solutions neither for people nor for the planet. Discussions at the "Growth in Transition" conference under the Austrian presidency and the EP's "Beyond Growth" conference in 2018, and a petition by 238 scientists, signed by some 90,000 citizens, argue that well-being should replace GDP growth as the high-level policy target.

We therefore call upon the Finnish Presidency to:

- **Encourage the new Commission President and the new Commission to make sustainable development the overarching objective** of all EU policies and programmes;
- Promote the **establishment of innovative governance structures** for the implementation of the 2030 Sustainable Development Agenda including **"jumbo" meetings at Council level**, both for coordinating the EU position at UN meetings, but also to coordinate and promote coherence of the internal implementation of the 2030 Sustainable Development Agenda, intersectoral working groups between the DGs and civil society engagement policies and structures;
- **Request the new Commission to quickly develop a new Sustainable Development Strategy and set out an implementation plan** with clear European targets for all SDGs, timelines, objectives and concrete measures to implement the 2030 Agenda in all EU policies as demanded by the Council in June 2017 and October 2018;
- **Encourage the new Commission to develop a robust, transparent and participatory monitoring and review system** in close consultation with civil society including a full SDG monitoring report similar to a Voluntary National Review (VNR) covering all policies, internal and external, as well as spill over effects of European domestic policies; this should include a review of the EU's SDG indicators and weaknesses of the existing data set;
- **Ensure that the Multi-Stakeholder Platform on sustainable development will be strengthened with a clearer, more political mandate** under that the new Commission to allow for meaningful multi-sectoral civil society participation in the follow up and implementation of the new SDS. Beyond the MSP, **ensure an active process for civil society participation at EU level** with all relevant stakeholders to prepare in consultation with the Commission those concrete implementation and review mechanisms, with capacity building actions and funding possibilities, and support and seek exchange with the Multi Stakeholder Platform on the Implementation of the SDGs;
- **Support the effective and inclusive modalities for civil society participation in the global sustainable development processes**, in all cases with full respect for the principle of self-organisation, in particular during the July HLPF and the September SDG Summit;

- **Push for the integration of the SDGs into ongoing reflections on the 8th Environmental Action Programme** that should help catalyse the just transition to a one-planet economy;

- **Seek to guarantee coherence between all European policies and strategies and sustainable development objectives,** inter alia, by strengthening governance for sustainable development and by the role for sustainability considerations in the Commission's internal impact assessment process, the better regulation process and the European Semester;

- **Encourage discussion on the role of wellbeing in the European Semester** and explore replacing a GDP growth focus with a wellbeing focus, taking inspiration from developments in New Zealand;

- Encourage the replacement of the Growth and Stability Pact with a **Wellbeing and Stability Pact** and creation of a post of Commissioner for Wellbeing and Future Generations.

1.3 Managing Brexit

While the concern that the UK referendum result in 2016 that triggered the Brexit process might have a domino effect has for the time being been largely assuaged, not least by the continuing spectacle of the UK political establishment infighting as regards Brexit strategies, the EU needs to remain vigilant against the risk that the Brexit process and eventually a post-Brexit UK could exert a downward pull on environmental laws, policies and standards. The various forecasts that predict that the economic position of the UK could become significantly more difficult post-Brexit, especially under a harder form of Brexit, mean that in such a scenario the UK could end up moving towards becoming a low-regulation zone in order to attract investment, albeit of the wrong kind.

To their credit, the EU-27 represented by the Commission and with the support of the European Parliament have from an early stage been fairly consistent in asserting that there should be no cherry-picking on the UK's part or stealing of a short-term competitive advantage through weaker environmental and health protection and regulation and that, in broad terms, the UK should expect to comply with the EU's laws if it wants access to the EU's markets. This approach has been enshrined both in the Withdrawal Agreement, notably in the 'Irish backstop', and in the Political Declaration, both of which were adopted on 25 November 2018, with important references to the principle of non-regression on environmental standards and the need to maintain a level playing field (implying a strong link being maintained between level of market access and level of regulatory alignment). The European Council Declaration that accompanied the adoption of the Withdrawal Agreement and Political Declaration gave further emphasis to 'the necessity to maintain ambitious level playing field conditions', making specific reference in this context to the question of alignment with EU environmental standards.

If the Withdrawal Agreement were to be accepted by the UK parliament, all of this would provide a significant measure of reassurance. However, this now seems unlikely, and given the extreme volatility in the UK political situation, the possibility that some of these issues may be revisited, e.g. in the event of a new government being put in place in the UK, cannot be ruled out. Furthermore, if/when negotiations begin in earnest on the future relationship, the risk of the EU-27's remarkable show of unity being fractured is likely to increase. Thus, the importance of the EU maintaining a strong line on this cannot be over-stated.

It is therefore important that the Finnish Presidency:

- **Ensures that Brexit does not jeopardize existing or future EU environmental standards:** Future UK access to the EU market should be linked with the UK's adherence to the principles and standards of the EU's environmental acquis ('dynamic alignment'). This requires a non-regression commitment, not only for products traded into the EU market, but also more widely – with commitments to maintain laws on nature protection, industrial emissions, chemical safety and air and water pollution laws to avoid cross-border impacts.

2. GENERAL AFFAIRS COUNCIL

2.1 Multiannual Financial Framework

On 2 May 2018, the European Commission released its communication on the Multiannual Financial Framework 2021-2027 (MFF). European Commission President Jean-Claude Juncker described the framework as an 'opportunity to shape the future as a new, ambitious Union of 27'.

While there are positive elements in the MFF proposal – notably the promise of being a more climate friendly budget - the current proposal will unfortunately not drive down GHG emissions, do enough to halt biodiversity loss or water quality degradation. Indeed, there is a very real risk of continued ongoing pressure on both biodiversity and water quality through the CAP proposals. Furthermore, the MFF does not integrate the globally agreed SDGs in any meaningful way. The EU budget, as proposed, will therefore be a missed opportunity for EU added-value. Most of the negotiations are complete with "partial general agreements" signed off, with the exception of the CAP negotiations which remain controversial and, from an environmental perspective, concerning, and the overall negotiations of the budget envelope, complicated, by Brexit (see further below).

A true greening of the EU budget (and its implementation) still needs to take place in order to ensure that EU spending overall does not result in an ongoing destruction of our natural capital and planet and prove to be a sub-optimal use of taxpayers' money and hence erode confidence in EU institutions. There remain opportunities to improve Natura 2000 Funding, severely underfunded to date, to drive transformative change by focusing on carbon reduction investments rather than subsidising new lock-ins to emissions, and aim to refocus CAP funding so that it targets biodiversity, other public goods and sustainable food and farming.

We therefore call upon the Finnish Presidency to make the EU Budget work for people and planet, and specifically to:

- **Drive MFF negotiations to promote an EU budget for sustainability, EU added-value and catalysing change:** ensure that the MFF is coherent with the Treaty Objectives and wider EU commitments - on the Paris Agreement, on the SDGs, on halting biodiversity loss and protecting the oceans. At least 1% of the budget should be allocated to LIFE+ and EUR 15bn per year should be ring-fenced for the implementation of Natura 2000. The climate mainstreaming goal should be increased from 25% to at least 40% of the whole EU Budget and there should be no spending on projects that run counter the Paris Climate Agreement.
- **Advance negotiations on the *Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States*** to ensure there is a strong legal tool to help ensure the added value and leverage of the EU Budget.
- **Ensure that the CAP budget can be justified to the eye of the civil society and make all spending conditional to the respect for environmental legislations.** The CAP budget must be convincingly compatible with climate, biodiversity and other environmental objectives.
- **Transform the European Maritime and Fisheries Fund into a true ocean conservation fund** by excluding any subsidies that aggravate overfishing. Instead, ring-fence funds for the ecological restoration of our seas.
- **Encourage green finance and environmental fiscal reform, including carbon pricing,** and ensure **transparency on subsidies** in the EU and **encourage the removal of harmful subsidies** (e.g. in the fisheries sector, agriculture and cohesion funding on transport; support for fossil fuel related infrastructures). Pricing that reflects the user pays and polluter pays principles should be encouraged. There should be systematic use of green public procurement (GPP) where EU funding is concerned and wider uptake of GPP more generally. Progress on green finance to support and integrate sustainability concerns and help meet sustainability objectives should be encouraged. And new discussions should be launched on how to encourage EU-wide use of carbon taxation.

2.2 European Semester

In 2010, the European Commission launched the European Semester process to help coordinate economic policies across the EU, providing country-specific recommendations (CSRs) each year. 'Greening the European Semester' is part of this process, aiming to ensure that macro-economic policies are environmentally sustainable. Past CSRs have focused on, for example, improving economic signals through environmental tax reform and reforming environmentally harmful subsidies, as well as recommendations to encourage resource efficiency and a transition to a circular economy. The process has received less political attention in recent years, and this should be rectified.

The EEB therefore calls upon the Finnish Presidency to:

- **Reiterate and increase the political commitment to the Greening of the European Semester process** and **encourage measures to improve economic signals to enable the transition to a resource efficient, inclusive, circular economy that supports the sustainable development goals.** Positive practice in transparently documenting and reforming environmentally harmful subsidies should be encouraged. Similarly, continued efforts should be made to encourage wider environmental fiscal reform, supporting a move away from labour taxation towards taxation on natural resources, pollution and polluting products. Good practice in green public procurement should be rolled out across the EU. CSRs, peer-to-peer collaboration and capacity building to help support the institutional and stakeholder engagement necessary to achieve change are each needed.

- **Acknowledge the importance of the interactions of the environment with national economic and sectoral policies and priorities.** This supports good governance and facilitates implementation. Targeted country specific recommendations should be made – for example to underline the importance of nature-based solutions for national socio-economic priorities, such as rural viability through agri-ecology, local products and sustainable tourism, employment and ecosystem-based approaches to fisheries management, health benefits from access to Natura 2000 sites and green infrastructure.

- **Encourage that the Semester process builds in public interests and engages with civil society organisations to ensure that citizens' voices are heard.** This is important both for the legitimacy of the process, for identifying priority areas of focus, and developing the buy-in for implementation.

- **Recognise the importance of wellbeing as an indicator of societal prosperity** and encourage increasing use of wellbeing indicators as complements and alternatives to GDP growth as a policy objective.

2.3 Accession and Neighbourhood policies, including Balkans

The countries in Eastern and South-Eastern Europe that aspire to one day join the European Union need to bring their environmental policies close to those of the EU. North Macedonia, Montenegro, Albania, Serbia and Turkey, the official candidate countries, Bosnia and Herzegovina and Kosovo as potential candidates as well as the countries covered by the European Neighbourhood and Partnership Instrument (ENPI) still need to overcome a wide range of environmental challenges such as air and water pollution, land degradation, waste management and the loss of biodiversity before joining the EU.

We therefore call upon the Finnish Presidency to:

- Ensure that **EU environmental rules and standards are fully integrated in discussions and funding** linked to the Balkans, the accession process and cooperation between the EU and the European Neighbourhood and Partnership Instrument (ENPI) countries.

2.4 2030 Agenda and SDGs

Through the Working Party on the 2030 Agenda, the Finnish Presidency should take up the recommendation made under 1.2.

3. FOREIGN AFFAIRS COUNCIL

3.1 Trade

The Finnish Presidency comes at a critical decision point for the EU's trade policy: will Finland respond and lead the EU to react to the incontrovertible scientific evidence about the climate and biodiversity crises, and listen to the voices of its citizens and their call for a greener and more sustainable approach in the context of the EU's trade agenda? During this presidency, the European Council will continue to discuss international trade policy including new trade agreements, and the Presidency has a responsibility to push for an emergency response in the EU's approach to trade.

It would be unacceptable for the EU to blindly promote free trade at all costs in reaction to the trade protectionist agenda of US President Trump. The EU must assert the need for strong measures protecting the environment as well as consumer, health, worker and other social rights. Indeed, giving excessive priority to free trade at the expense of the right to regulate, and a clear priority in favour of free trade at the expense of environmental and social protections has led to much of the disenchantment with 'the establishment' not just in the US but also in many European countries, and risks feeding into an anti-EU agenda even from those who have in the past looked to the EU rightly as a champion of environmental protection and citizens' rights.

The sustainability agenda and environmental and social requirements in recent agreements and negotiations have been a secondary foot note, or "window-dressing", to the main agenda of intensifying trade flows. Chapters on sustainability which have no teeth or mechanisms to ensure their effectiveness, are in stark contrast to the rights and privileges and enforcement mechanisms prescribed in detail for corporations. Nowhere is the inadequate treatment on sustainability more evident than in the EU-Mercosur Free Trade Agreement ("FTA"). From the Finnish Presidency, we expect a real reversal with the sustainability of trade to the fore.

People's perception of the EU is linked to how it reflects the concerns of its citizens who have marched and voiced concerns in their millions about the negative effects of investment arbitration and unsustainable trade deals, which also place citizens' interests at the bottom. These concerns are real, and the European Court of Justice's ruling in A-1/17 on CETA does little to allay this: the EU must be mindful of the need to bring European public opinion along with it. In particular, all potential agreements, including those in an advanced state of negotiation, must not include an investor-state dispute settlement (ISDS) mechanism, either in the form of an Investment Court System (ICS) as it has been agreed under CETA, or variations thereon which fail to address the fundamental public concerns with these systems. In the past, provisions that allow companies to challenge sovereign governments over public interest policies have enabled powerful interests, from tobacco companies to corporate polluters, to use such mechanisms to undermine consumer, public health and environmental protections. Investor-state tribunals have ordered taxpayers to compensate foreign corporations with billions of dollars. The effects of these mechanisms, coupled with powerful corporate lobbies, and also the structures in FTAs to promote regulatory convergence, all serve to create an environment which is not conducive to policy and law making, and to create in reality a real "chilling" effect. The evidence is clear: the EU must take a very cautious approach, and avoid the risks presented by these systems given the imperative to be able to act decisively and swiftly to deal with the crises we collectively face, without any fear or potential impediment.

We therefore call upon the Finnish Presidency to:

- **Ensure that a truly sustainable approach to trade** informs all current and future EU trade negotiations, and that this is seen as the priority deliverable from all future trade agreements;
- **Ensure that trade agreements negotiated or adopted during the Presidency do not include investment arbitration procedures that create risks of deregulation or "regulatory chill"**, notwithstanding the Court of Justice's opinion in case A-1/17;
- Ensure that trade agreements **include enforceable clauses on commitment to the Paris Agreement, non-regression on environmental and environmental democracy matters, and 'do not harm' principles in Trade and Sustainable Development** chapters, with an enforcement mechanism which is accessible to parties, civil society and citizens, and which has real teeth;
- Initiate an **alternative trade mandate based on extensive civil society consultations**, the EU's commitment to sustainable development and the increased awareness of the unsustainable nature of consumption and the planet's finite

resources and limited ability to cope with the impacts of human activities and consumption;

- Ensure that the EU plays a **proactive and supportive role in the negotiations for a new UN Human Rights Convention on Corporate Accountability and Citizens rights** in October 2019, reflecting the principles and substantive obligations for the EU as set out in Article 3(7) of the Aarhus Convention for all parties. This instrument is essential to provide a meaningful and effective counterbalance to the extraordinary privileges and rights afforded to corporations in Investment Arbitration Systems, and in light of the extensive damage caused to the environment by such corporations in pursuit of profit. The basis on which the EU intends to withdraw from these negotiations has been unacceptably opaque.

More specifically in relation to the EU–Mercosur FTA, the Finnish Presidency should:

- **Insist on significant changes to the agreement** prior to any signing of this deal, in order to:

- **Ensure credible transparent** guarantees that **no Brazilian products sold in the EU are leading to deforestation, land grabbing of native lands or human rights violations**, and demand confirmation, with material evidence, that the **Brazilian government will fulfill its commitments as part of the Paris Agreement on Climate Change;**

- **That no further de-forestation in the Mercosur region will occur consequent on trade flows facilitated by the FTA;**

- **Require the commitment of all the Mercosur countries to ratify the Escazú Agreement** within 3 years of the signing of any Mercosur FTA with the EU, to ensure some equivalence with environmental rights protected under the Aarhus Convention.



4. ECONOMIC AND SOCIAL AFFAIRS COUNCIL

4.1 Taxation and environmental fiscal reform

There are increasing calls for a system of fair and efficient taxation in the EU – at the EU presidency level, at the national level as seen by the calls for carbon taxation in some countries and progressive social taxation by the Gilets Jaunes demonstrators in France, and by the research community that underline the need for ecological tax reform to put more burdens on resources and pollution and less on labour.

A fair and efficient taxation system is one where, inter alia, there are no harmful subsidies and where pricing reflects, inter alia, environmental externalities (such as climate change, air pollution, marine litter polluting the oceans) as well as resource costs (such as water, materials) and service provision (e.g. waste management costs), while also taking into account affordability and distributional issues.

This requires the implementation of carbon taxation and ambitious emissions trading scheme to tackle climate emissions. Pollution taxation and liability rules are needed to ensure pricing reflects commitments to the polluter pays principle. Water pricing under the WFD and waste fees are important incentives for behaviour and address the user pays principle. Furthermore, product taxes are needed to minimise the use of polluting products and encourage a transition to a circular economy. Finally, there is a need for subsidy reform to avoid perverse incentives and poor use of public funds – as are the case in transport and coal, for example - and hence support a transition to a low-carbon economy. There is also a need to shift the taxation burden away from labour towards resources and pollution to help address unemployment and other social concerns, while at the same time improving the environment and health.

In addition, a strong euro area requires that the European Semester process, launched in 2010 to help coordinate economic policies across the EU and providing country-specific recommendations (CSRs) each year, is effective not only a tool for stabilizing economies in the short term but also for effecting the steady transformation of economies to achieve long-term stability and sustainability.

We therefore call upon the Finnish Presidency to:

- **Promote environmental fiscal reform as a central plank of economic policy** – fully reflecting economic and social concerns in policy design. Encourage a shift towards qualified majority voting (QMV) on carbon taxation and other environmental pricing instruments.
- **Encourage green finance and environmental fiscal reform: ensure transparency on subsidies** in the EU subsidy reform and **encourage the removal of harmful subsidies** (e.g. in the fisheries sector, agriculture and cohesion funding on transport). Pricing that reflects the user pays and polluter pays principles should be encouraged. There should be systematic use of green public procurement (GPP) in the use of EU funding and wider uptake of GPP more generally. Progress on green finance to support and integrate sustainability concerns and help meet sustainability objectives should be encouraged.
- **Encourage MFF negotiations to ensure that there are no harmful subsidies at the heart of the MFF** and that fiscal incentives are targeted at transformative change towards sustainability. See also sections 2.1 and 2.2 above.
- **Support strategic reflections on just and sustainable economic transitions:** encourage EU-wide debate on what type of economy is coherent with planetary boundaries and social needs and where growth and degrowth strategies could be constructively targeted and promote progressive metrics for decision-making.

5. COMPETITIVENESS COUNCIL

5.1 Better Regulation

The principle of "better regulation" has become one of the cornerstones of EU governance, but while the notion of finding better and more efficient ways to regulate can hardly be objected to, the concept has too often been hijacked by those with a deregulatory agenda. The sensible objective of removing unnecessary administrative burdens has been conflated with the more partisan goal of alleviating regulatory burdens borne by business, even if those regulatory burdens are a necessary part of protecting essential rights: e.g. rights to health, to a clean environment, to decent working conditions.

Setting a target to reduce the burden of regulation does not help the EU to meet its commitments and responsibilities. Addressing global challenges such as climate change, ecosystem collapse, antimicrobial resistance, inequality, or resource depletion will require the EU to adopt new, effective and legally binding policies. A blanket requirement to offset any new regulatory cost arising from such new policies by slashing regulatory costs elsewhere, irrespective of the benefits arising, would seriously hamper these efforts.

Governmental bodies, including the EU institutions, need to act with the widest possible public interest in mind, not only the short term interest of business. The risk of failing to do so is that we jeopardize what is perhaps the EU's greatest achievement: an impressive framework of laws and policies that reflect and protect our fundamental values. Increasingly there is a need to regulate at the supra-national level, to ensure effective corporate accountability and prevent irresponsible companies simply moving to jurisdictions where the laws are weakest and thereby externalizing their costs (e.g. to the environment, to future generations, to other countries).

We therefore call upon the Finnish Presidency to prevent the better regulation agenda being used as an excuse for deregulation, and specifically to:

- **Avert deregulatory threats to EU environmental legislation and policy:** Ensure that the health and environmental benefits of regulation are included in discussions on better regulation at the General Affairs, Competitiveness and Environmental Councils, so as to **accelerate and implement regulation to protect citizens.**
- **Encourage reflection of the reform of the tools and process of Better Regulation:** to ensure that the process and tools integrate fully environmental and social considerations, including longer term implications of choices, that non-linearities and tipping points are integrated to reflect non-linear risks of climate change and biodiversity loss, and put a greater emphasis on wellbeing rather than GDP growth.
- **Call for corporate accountability:** call on the Commission to support binding regulation on harmful cross-border business practices, including sanctions. Due diligence rules for negative environmental and human rights impacts should come through a legally binding treaty on transnational corporations and other business enterprises with respect to human rights.
- **Recognise the need to maintain and further develop strong laws that protect people and their environment** and to prevent these being undermined through deregulatory pressures.

6. TRANSPORT, TELECOMMUNICATIONS AND ENERGY COUNCIL

6.1 Towards energy policies that drive climate action

The role of energy in climate action is essential and the Finnish Presidency needs to enable an endorsement of the net-zero greenhouse gas economy objective by the European Council before the UN Secretary General Summit in September. The Energy Working party needs to discuss what the energy sector will provide as building blocks for a net-zero economy by 2040 and how the principle of energy efficiency first will be ensured in the implementation of the existing legislative package and future legislative proposals.

Achieving the EU's climate commitments requires an all-hands-on-deck-approach fully combining the efforts on energy efficiency and renewable energy with the circular economy agenda and fully recognizing the CO2 savings potential linked to saving on material resources and the embedded CO2. The implementation of the energy efficiency first principle and the need to combine energy with circular economy efforts needs to be put forward also for the work of the High Level Working Group on Competitiveness and Growth.

The issue of energy infrastructures and the financial and regulatory framework is essential. The Connecting Europe Facility, as part of the Multiannual-Financial Framework, is one key instrument. The partial provisional agreement still allows public money to be spent on fossil fuel projects which, being the main reasons for the risk of catastrophic climate change. Respecting the climate commitments requires avoiding any continued lock-in into fossil fuel infrastructure and to ensure that no more EU public money is wasted in unsustainable projects.

The Ecodesign and Energy Labelling framework are essential elements of the EU's climate and energy policy, already delivering considerable savings in energy consumption (roughly 500 EUR annually by 2020 per household). However, energy performance requirements should be made more stringent and the governance of the measures must be improved so they can deliver their full potential. The package approach adopted by the Commission has not proven effective, and attention from misguided Eurosceptic press have failed to be avoided. Many product specific measures have experienced long delays (several years in some cases) without clear justification, this has led to unnecessary public expenditure to collect new data and resulted in missed savings for citizens. Clearer deadlines should be set, and delays should be justified. EU citizens and progressive industry have suffered from the package approach, as well as climate and the environment, without it creating any added value. This contradicts the declared objectives of better regulation. Crucially, efforts should be made at EU and national level to better promote the benefits of the policy and help citizens to gain ownership, for example by organizing national information and consultation meetings on the policy.

The Methodology for Ecodesign of Energy-related products (MEErP), which underpins these policies, so far fails to comprehensively consider the benefits from circular economy provisions, such as on repairability and recyclability, even so these can deliver significant emissions savings due to the embedded energy in products. Data collection, for both the development of measures and market surveillance, need to be modernised and based on near real time information, e.g. applying web crawling through e-commerce to identify non-compliant products on the EU market.

We therefore call upon the Finnish Presidency to ensure that energy policy drives climate action, and specifically to:

- **Ensure that the EU Long-Term Climate Strategy commits to a net-zero greenhouse gas objective taking the findings of the IPCC special report on 1.5 degrees and the requirements of the Paris Agreement into full account:** the Long-Term Strategy constitutes an essential piece of the Paris Agreement and is key to ensure stability and continue constructive international climate negotiations.
- **Ensure that the negotiations on the Multiannual Financial Framework take full account of the requirements of the Paris Agreement:** the financial framework constitutes an essential enabler of the Clean Energy for all Europeans package and any final outcomes must be designed to avoid fossil fuel lock-ins and ensure full alignment with the international climate requirements.
- **Investigate the decision making process with regards Ecodesign and Energy Labelling measures so as to reinforce its effectiveness and help make the policy deliver in a timely manner on its full potential:** Support the recommendations of the European Parliament in their own initiative report on Ecodesign implementation (May 2018).

7. AGRICULTURE AND FISHERIES COUNCIL

7.1 Agriculture

Facing a failure of the greening and criticism from civil society that the CAP is broken, the Commission's proposal for the Future CAP propose a "new delivery model" in June 2018. Since, little progresses were achieved; hence the Finnish Presidency might have the opportunity to finalise the Council position.

Unfortunately, the proposed new CAP delivery model, which provides flexibility to Member States to design their own CAP strategic plans, would not require from Member States to report their actual environmental nor socio-economic performances and so far Council's discussions focused on simplification rather than improving the means to deliver higher environmental ambitions. This means EU governments would have no incentive to make their farm payments linked to environmental protection as doing so could put farmers in their country at a competitive disadvantage.

In order for the next policy to be worth a high share of the EU budget through its EU added value and truly deliver on sustainable farming, it needs to have the right budget ring fencing of funds supporting the environmental and climate objectives, the right environmental safeguards, the right consultation and partnership mechanism and above all the right accountability and monitoring tools. This would require a strong involvement of environmental authorities and environmental society in the debate of the future CAP.

It is disappointing that until now environmental NGOs have not been invited to informal meeting of Agricultural Ministers to express their views on the future of the Policy and sustainable farming. Equally the environment ministers have not been asked to contribute sufficiently to the discussions on the CAP and the environment, contrary to the decision process at the European Parliament.

We therefore call upon the Finnish Presidency to:

- **Ensure that there is a comprehensive discussion of the CAP in both the Environment and Agriculture Council** formations that takes account of the need to **strengthen the provisions for environment and climate** measures in the CAP negotiations: At least 50% of the total CAP budget should be ring-fenced for dedicated financing of actions related to climate, environment and nature conservation.
- **Drive CAP negotiations to strengthen Member States' accountability and hence confidence that the CAP will deliver on the environment and the climate:** The aim should be to complement the progressive results-based philosophy with improved monitoring, accountability and sanction mechanisms to ensure a level-playing field among Member States and encourage higher environmental and climate ambition across the EU, taking into account the various recommendations made by the European Court of Auditors.
- **Mobilise political support for ensuring that no harmful subsidies to the environment and climate are part of the CAP post 2020:** Improved coherence among all the objectives of the CAP and real safeguards against environmentally and/or climate harmful spending are needed
- **Provide platforms** (both formal and informal) **for an inclusive debate on the future of the CAP** (food policy), in particular by involving environmental authorities and environmental NGOs to reflect better the outcome of the public consultation showing the increasing societal interest in the CAP.
- **Initiate extensive discussion on how to address soil degradation** issues in a legally binding framework at the EU level and urge the Commission to propose such a framework as soon as possible.

7.2 Fisheries

The main aim of the Common Fisheries Policy (CFP) is to ensure that fishing and aquaculture are sustainable. With the CFP, the EU made a long-needed commitment to end overfishing by 2015, at the latest in 2020. This strengthened the objective of the Marine Strategy Framework Directive, adopted in 2008, to achieve 'Good Environmental Status' of EU seas by 2020, which includes having healthy populations of commercial fish and shellfish.

Yet, Member States are failing to reach either of these objectives and fishing allowances on the EU fish stocks approved in October-December 2018 will be insufficient to reach the CFP goals by 2020 unless dramatic progress is made in 2019. The decisions made under the Finnish presidency on TACs and quotas in October-December 2019 will be decisive for the EU to deserve the role of leader of ocean protection it claims to be on the international stage.

The Presidency will be instrumental in giving an impetus to Member States to start preparing Joint Recommendations under the newly adopted Technical Measures Conservation regulation to control the use of harmful fishing gears in vulnerable ecosystems, as well as to raise ambition of the future Joint Recommendations to ban destructive fisheries in offshore Marine Protected Areas (Article 11 CFP).

In addition, the revision of the Control Regulation is still going through the legislative process and the Finnish presidency will have a key role to play in ensuring that the final text warrants the appropriate level of control of the fishing activities and sets the obligations that competent authorities have to respect to ensure that rules are complied, which is central to a successful CFP.

In April and June 2019, the European Parliament and the AgriFish Council respectively took the backwards step of allowing for the reintroduction of subsidies for the construction of new vessels in their adopted positions, despite this previously proving to fuel fishing overcapacity and lead to overfishing. The Finnish presidency will have the responsibility of holding the interinstitutional trilogue negotiation, which will be the last opportunity to correct the wrong turn taken under the previous presidency and show the world that the EU is serious about stopping harmful subsidies damaging the natural world.

We therefore call upon the Finnish Presidency to:

- **Make a last push to implement the CFP on time** by encouraging Member States to sustainably manage all harvested species and minimise the impacts of fisheries on the marine environment. This includes ensuring that:
  - TACs and quotas for 2020 are set **at or below scientifically-defined limits** for all fish stocks at the Fisheries Councils.
  - Secure an effective implementation of the landing obligation by ensuring that **measures to avoid and reduce unwanted catches are implemented,** including increased monitoring and control of fisheries activities.
  - **Increase transparency** surrounding minister's decision on fishing limits.
  - **Accidental catches** of protected seabirds, marine mammals and reptiles are minimised through Multi-Annual Plans and Joint Recommendations under the Technical Measures Regulation.
- Ensure that **Marine Protected Areas are effectively protected**, and EU's nature legislation fully implemented at sea, by encouraging Member States to put in place Article 11 Joint Recommendations to regulate fisheries and ban harmful fishing practices in MPAs.
- Ensure the adoption of an **efficient and comprehensive revised EU Fisheries Control System** that guarantees full compliance with the CFP, making sure that enough resources are allocated to the implementation of the Control and IUU Regulations.
- Stop the reintroduction of **harmful subsidies in the next European Maritime and Fisheries Fund.**



8. ENVIRONMENT COUNCIL

8.1 Future 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) and discussions are underway as to the ambitions for an 8EAP, its role and focus. At the Informal Council in Graz in October 2018 there was a unanimous statement of support by Ministers of the Environment for an 8EAP. In May 2019, the Commission organised a discussion on future priorities for an 8EAP in the Green Week, and the Austrian government hosted a meeting in June to explore needs and options for an 8EAP.

The discussion for an 8EAP comes at a time where the European electorate has voted more strongly for environment and climate issue, where there is an ever clearer understanding of the environmental challenges facing Europe and humankind - from the climate emergency, "insectaggedon" 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. While the priorities of the 7EAP are still valid, a more transformative agenda is needed if the challenges are to be met.

There is a need for a deep systemic change of EU policies to be able to address the system lock-ins that hinder the needed transition, a need for a deeper focus on the nexus of interconnections between policy goals to aim at true coherence; and a need for political and resource commitments to ensure their implementation. All of this is needed so that citizens can have faith that the governments are addressing their concerns, so that there is a rule of law and so that the foundations of the European project are strengthened.

To address the challenges Europe and the planet face and realise the available opportunities, an 8EAP is needed that can deliver a Green New Deal for Europe.

The EEB therefore calls upon the Finnish Presidency to:

- Recognise in its Council Conclusions the need for an **ambitious and transformative 8EAP** that can be a **Green New Deal for Europe** to address the climate and environmental crises facing Europe and the planet, that is **coherent with and supports the implementation of the Agenda 2030 and the SDGs**, and 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 completed by 2025** to encourage the European Commission's and European Parliament's acceptance and commitments for action and guide future priorities.
- **Engage with other Member States, the current and new European Commission and European Parliament to ensure commitment for an ambitious 8EAP** and to input into its strategic focus, its priorities and content.
- **Encourage that citizen's voices are canvassed in the development and delivery of the 8EAP and engage with the civil society vision for an 8th EAP** that includes the following priorities: **(1) Actions and targets for environmental crises & challenges**, covering both known and emerging issues, **(2) Strategies and Action plans for System Change** to address lock-ins and enable a swifter and just transition to a one-planet economy, **(3) Better, Accelerated Implementation and Enforcement to address the implementation deficit**, and the following **horizontal elements**: (a) **Open and cooperative governance**; (b) **Greening of finance and economics**; and (c) **Digitalisation and artificial intelligence for people and planet.**

8.2 Towards a strong long-term climate policy

The preparation for the COP 25 and ensuring a strong signal to the international community by the endorsement of a significantly increased NDC and the net-zero greenhouse gas economy are at the heart of Finnish Presidency.

The Finnish Presidency has a special responsibility as it needs to ensure political consistency and stability and maintain leadership towards our international partners for ambitious climate action during the interregnum of the elections of the European Parliament and the new EU Commission.

In this context the Environment Working party has the leading role to construct the building blocks for the political agenda for the work on the EU's Long-term Strategy, while giving all relevant Council formations including energy, transport, agriculture, competition the opportunity to contribute to the discussion. As shown in the Commission's work achieving the EU's climate commitments requires an all-hands-on-deck-approach fully combining the efforts on energy efficiency and renewable energy with the circular economy agenda and fully recognizing the CO2 savings potential linked to saving on material resources and the embedded CO2.

The preparation for the COP25 means the Finnish Presidency has the responsibility to give its full support to the European Commission in the submission of the revised NDC and the LTS. As the main provisions of the Paris Agreement Work Programme have been achieved in Katowice, and the open issues have been significantly narrowed down e.g. voluntary market mechanisms, the key element is now ambition.

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 Finnish Presidency to be ambitious as regards the closing of the Clean Energy for all Europeans Package and to secure support from all Heads of Government for net zero GHG emissions in the EU before 2050 and preferably by 2040, and help limit warming to 1.5°C, and specifically to:

- **Ensure a positive outcome and a high level of consensus on the Long-Term Climate Strategy that builds on the Commission's work and takes the findings of the IPCC special report on 1.5 degrees and the requirements of the Paris Agreement into full account:** the Long-Term Strategy constitutes an essential piece of the Paris Agreement and is key to ensure stability and continue constructive international climate negotiations.
- **Ensure an substantial increase of the NDC and an endorsement of a net-zero greenhouse gas economy as contribution to the UNSG Summit and the COP25 climate negotiations:** the EU's leadership in the High Ambition Coalition means the Finnish Presidency has the responsibility to give its full support to the European Commission in the submission of the revised NDC and the LTS.



8.3 Halt biodiversity loss: Protect our land and oceans

The Finnish Presidency needs to make biodiversity and ecosystem protection and restoration a top priority during the 6 months of its Presidency. The startling findings of the IPBES global assessment on biodiversity and ecosystem services have highlighted the scale of transformation of our economy and society that are needed urgently in order to maintain and our life support systems and halt biodiversity loss.

Much of the failure to halt biodiversity loss to-date stems from inadequate implementation of the existing EU nature, water and marine legislation as well as failure to mainstream biodiversity into EU sectoral policies such as on agriculture or fisheries. Another important reason is lack of resources allocated to preserving and restoring biodiversity and ecosystems and continuation of the perverse subsidies. The EU needs to redouble efforts to deliver against previously agreed targets and commitments by 2020 and give the policy the political priority and funding it deserves. Failure to do so undermines our own survival.

There is a growing momentum to develop a new post 2020 biodiversity framework in the EU and globally and adopt a New Deal for Nature and People in 2020 that can put society and economy on a pathway of the needed transformational change. The post 2020 biodiversity framework should include ambitious targets that drive action and allow progress to be tracked effectively. Such framework needs to be ambitious and comprehensive yet credible and achievable. It should focus on ways to avoid further degradation and loss of biodiversity and restore ecosystems, building on improved integration of biodiversity in policies primarily responsible for biodiversity loss and improved implementation and stringent enforcement of existing EU nature, water and marine legislation.

We therefore call upon the Finnish Presidency to protect and restore ecosystems, and specifically to:

- Adopt Council Conclusions that **demonstrate EU's leadership on** driving the **New Deal for Nature and People** under the UN Convention on Biological Diversity so that alarming negative trends of biodiversity loss are stopped and reversed.
- Work with the European Commission on balanced **evaluation of the current EU Biodiversity Strategy** and shape an **ambitious EU biodiversity policy framework post 2020** that addresses the drivers and root causes of biodiversity loss.
- Mobilise political support to get a commitment from all EU Member States to take the necessary measures **to achieve the environmental objectives of the Nature Directives and the Water Framework Directive as well as Marine Strategy Framework Directive by 2020** including sufficient funding as a matter of priority and urgency.
- In light of growing evidence of light pollution on land-based biodiversity and noise pollution on oceanic biodiversity we encourage the Finnish presidency launch a debate on the impacts of light and noise pollution on biodiversity and explore potential options for policy response.



8.4 Circular economy and resources conservation

The Circular Economy is an acknowledged strategic agenda for Europe. It drives new job creation with environmental savings and reduced dependency on material and fuel imports. Furthermore, it contributes to meeting climate change commitments, by complementing the CO2 savings expected by a decarbonised energy system through more efficient use of materials. It also helps frame sustainable bio-economy strategies at European and national levels by incorporating the key vision of resources productivity in the development of bio-based materials and products. The Finnish Presidency comes at a time where it will be crucial to ensure that the new EU institutions build on the work performed under the CE action plan of December 2015 and secure an ambitious EU work programme to progress further CE.

Textiles impacts on human health and environment and wasted potentials for circularity has now been clearly identified, it's time to take actions and consider an ambitious policy strategy for this sector, notably towards durability, detoxification, reduced micro-fibres and increased recyclability. Batteries is a growing strategic market, and EU may be at risk of increased dependency if not adopting ambitious circular design and waste management policy for this product group, also essential for the decarbonization of EU. Building sector absorbs half of the material by weight used in EU every year, turning the building sector to circularity is of highest priority to save on resources and is also a key leverage to reduce embodied emissions in our materials and reach carbon neutrality by 2050.

Products placed on the EU market are at a decisive point in the materials chain. Allowing to put on the market poorly designed products with no information on their chemical and critical material contents, or repair or recycle potentials is just hampering circularity. We need more systematic eco-design of products, reward systems for producers making the efforts to offer more resource-efficient and sustainable products and more informed consumers as well as value chain economic actors about the possible life extension, repair, reuse and recycling potentials of products they handle.

Plastic pollution and overuse of plastic materials, associated with toxic substances or other additives, are the clear symbols and legacy of a linear, unsustainable economy. We need to intensify the implementation of the Plastic Strategy to re-orient plastic consumption around absolute usage reduction of virgin materials.

We therefore call upon the Finnish Presidency to:

- **Make sure a Textile Strategy is initiated, pursuing and complementing the Plastic Strategy that shall continue to be implemented.**
- **Push for the development of policies for the design and waste management of batteries.**
- **Unleash further the circular and decarbonization potentials of buildings, notably by promoting the LEVELs framework as a more binding and systematic framework.**
- **Actively support the EU level work on product policy:** notably working towards a future swift implementation of an EU information system to track substances of concern and material contents of products, of the repair scoring system and targeting new sectors beyond energy related products to apply similar push and pull mechanisms as Ecodesign and Energy Labelling schemes.
- **Push the EU to design a new GPP and Ecolabel strategy: set GPP as the default approach for public authorities and Corporate Social Responsibility** and ensure a more effective roll out of Ecolabel across products and services with effective communication plan.



8.5 Ensure clean and sufficient water for all Europeans and protect our rivers, lakes and aquifers

Finland will be at the helm of the EU Council during crucial 6 months for the EU water policy as the results of the fitness check evaluation of the EU's Water Framework Directive (WFD) and related directives are expected to be published by the European Commission and the Environmental Council will no-doubt want to adopt its own position on the future of these crucial laws. In addition, the Finnish Presidency will continue to negotiate with the European Parliament on the recast of the Drinking Water Directive and adoption of the Regulation on Water Reuse.

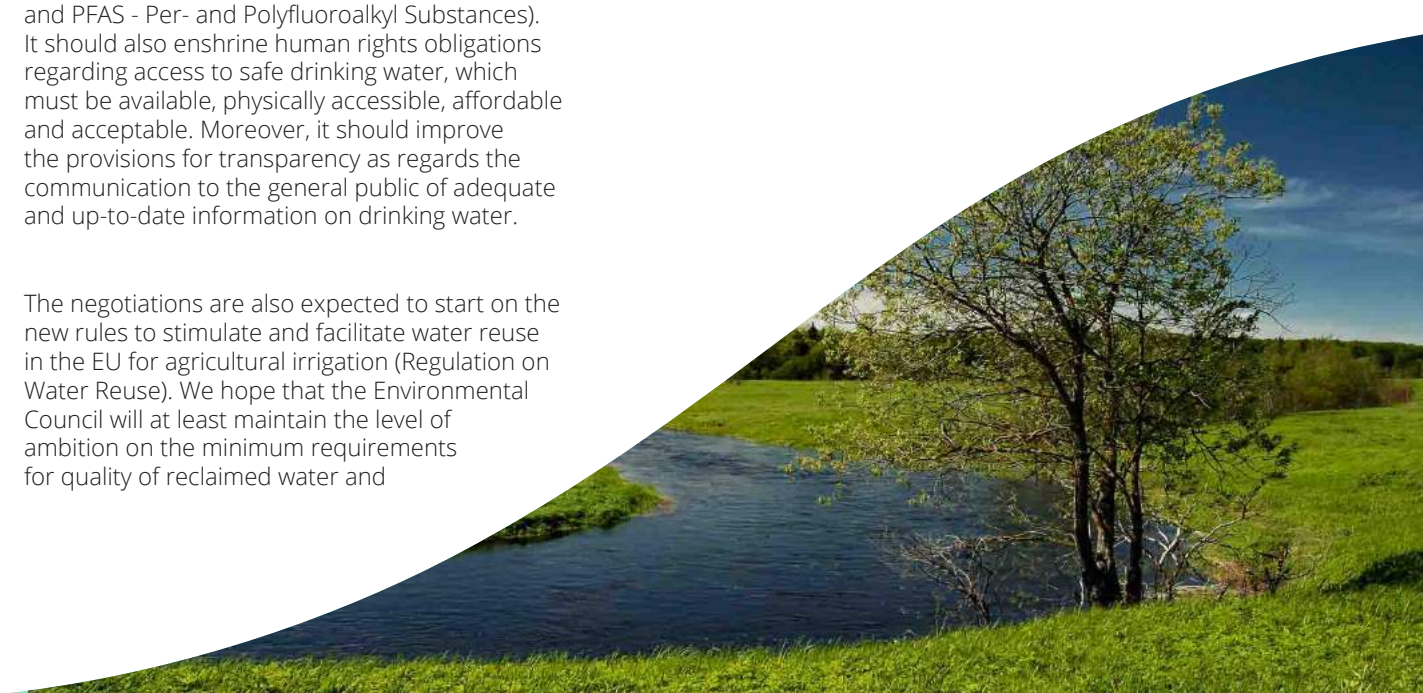
The EEB considers that the Water Framework Directive is fit for purpose, its ambitious objectives are relevant and justified, and the focus should be on improving its implementation and achieving coherence and integration with other EU sectoral policies such as industrial emissions, agriculture, energy and transport. Any current shortcomings in its implementation would be better addressed through increased focus on enforcement and proper application of its provisions rather than on amending this ground-breaking piece of legislation, Considering growing pressure from vested economic interests to weaken the high standards of the WFD, the revision of the WFD would create a significant level of uncertainty and could undermine nature conservation, the health of sensitive ecosystems and sustainable water management efforts for years to come.

The Finnish Presidency will also continue to negotiate with the European Parliament on the recast of the Drinking Water Directive. It is crucial that the Council maintains the minimum requirements (including for endocrine disruptors and PFAS - Per- and Polyfluoroalkyl Substances). It should also enshrine human rights obligations regarding access to safe drinking water, which must be available, physically accessible, affordable and acceptable. Moreover, it should improve the provisions for transparency as regards the communication to the general public of adequate and up-to-date information on drinking water.

The negotiations are also expected to start on the new rules to stimulate and facilitate water reuse in the EU for agricultural irrigation (Regulation on Water Reuse). We hope that the Environmental Council will at least maintain the level of ambition on the minimum requirements for quality of reclaimed water and monitoring set in the Commission proposal as well as add an additional layer of protection on top of the minimum requirements, i.e. obligation for relevant authorities to identify any additional hazard that needs to be addressed for water reuse to be safe as well as making sure that using wastewater for irrigation does not harm depleted rivers.

We therefore call upon the Finnish Presidency to:

- Adopt Council conclusions on the **fitness check evaluation of the Water Framework Directive** that recognise that the WFD is fit for purpose and ensure implementation efforts are sufficient to finally bring our rivers, lakes and groundwater aquifers to health by 2027.
- Finalise inter-institutional negotiations so that **the revised Drinking Water Directive safeguards high standards** of drinking water and ensures access to water for all Europeans.
- Lead negotiations on the **adoption of the Water Reuse Regulation** so that it contributes to the achievement of the environmental objectives of the Water Framework Directive.



8.6 Fighting air pollution

Air pollution causes around 400,000 premature deaths each year in the EU and contributes to cardio-vascular disease, impaired prenatal and early childhood development, mental health problems, obesity and childhood leukaemia. Air pollution also impacts Europe's nature and biodiversity through eutrophication. Agricultural yields and natural vegetation are also damaged through ozone formation. The EEA estimates that more than half of Europeans were exposed to concentrations exceeding the WHO air quality guidelines in 2013-2016. 74-85 % of the population was exposed to concentrations exceeding the WHO guidelines for PM2.5, particles which are most harmful to health.

The EU and its Member States have the obligation to ensure that EU laws are fully and rapidly implemented at national level, including the Ambient Air Quality Directives, the National Emission Ceilings Directive and all the relevant source policies. The Common Agricultural Policy post 2020 also has an important role to play in reducing air pollution from the sector; especially ammonia, a PM precursor and which levels have raised by 3% in the last three years, and methane, a precursor of ground-level ozone and a powerful GHG. Shipping emissions should also be tackled, and the establishment of Emission Control Areas should be supported.

Specific source control legislation, such as the IED, aim to regulate large scale industrial activities and requires the operators to meet environmental performance benchmarks based on Best Available Techniques (BAT) reference documents – so called BREFs. Air pollution emission trends from point sources are reducing thanks to stricter pollution limits. However, the EU's largest industrial facilities still led to damage cost of up to 1053 billion € (for the 2008-2012 period). A review of the IED policy framework is foreseen as from 2019. This provides a chance to improve the multi-stakeholder review process in defining BAT and to correct flaws within the framework which reward the laggards in the sector.

We therefore call upon the Finnish Presidency to:

- **Support the rapid implementation of existing EU air pollution laws,** while improving transparency and information provision on the level of actions taken by Member States.
- Ensure an ambitious contribution to the **Ambient Air Quality Directives fitness check.**
- **Raise the political profile on the need to address harmful sources of air pollution** from, inter alia, domestic heating, intensive farming and transport, including shipping.
- Encourage Member States to **finalise their National Air Pollution Control Programmes and to implement ambitious policy measures to reduce national emissions, which go beyond the minimum requirements established by the NEC Directive** (such as the establishment of a reduction target for methane emissions together with the identifications of the supportive measures).
- **Promote the adoption of the amended version of the Gothenburg Protocol** (so it can enter into force), in the framework of the UNECE Convention on Long-range Transboundary Air Pollution and its review/revision so black carbon, methane and mercury can be included.
- **Ensure an ambitious CAP post 2020 which includes coherent, clear and measurable air quality objectives that effectively contributes to achieve WHO standards**, so to reduce the sector's impact on air quality (ammonia and methane emissions in particular, but also primary PM through agricultural burning).
- **Ensure for a balanced IED Evaluation and set criteria on the determination of BAT benchmarks, with improved links to promotion of compliance with Environmental Quality Standards and with an outcome-oriented focus** (BAT Conclusions set to achieve best environmental and human health protection goals, based on integrated approach).
- **Address shortcomings in IED implementation** e.g. BAT derogation procedure, extension and update of EU safety net, policy coherence (implementation of EU-ETS/BAT standards), improved databases on industrial activities allowing transparent benchmarking and effective involvement of the public in decision-making.



8.7 Protect the public from hazardous chemicals

The EU has already acknowledged that it will not meet the World Summit Sustainability Development 2020 goal of achieving the sound management of chemicals and waste. While significant progress has been made, major implementation gaps remain:

- The Union strategy for a non-toxic environment has not been delivered in 2018, as requested in the 7th Environment Action Programme by the EU institutions.
- The risks posed by the not-any-longer emerging issues such as nanomaterials and endocrine disruptors are still not adequately tackled.
- The EU has departed from bedrock democratic and environmental principles by not implementing transparency in decision making the polluters pay, precautionary and substitution principles as well as the 'no data, no market' principle and the shift of the burden of proof.
- The report on the assessment of chemical mixtures by June 2015; the update as appropriate the 1999 EU endocrine disruptors strategy or the fitness check evaluation of all chemical legislation except REACH (by 2017) have not being published.
- The Commission still didn't present legislative proposals of selecting polymers for registration under REACH regulation.
- The very high levels of non-compliance of the information submitted by companies under REACH is hampering the authorities' capacity to sufficiently protect health and the environment. Given the decline in the number of SVHC dossiers, achieving the EU objective to list all relevant SVHC in the REACH candidate list by 2020 is at risk. Moreover, the almost blanket authorisations being granted by the EU of continued use of substances of very high concern is disincentivising the use of safer alternatives and undermining the credibility of the process as reflected in the recent general court judgement annulling the decision to grant authorisation to a SVHC .
- Despite the Commission's interface between chemical, product and waste legislation (ICPW) acknowledged that the legislative framework of chemicals, products and waste is currently dissociated and needs a substantial reform, the future of this initiative is uncertain given the end of the current Commission's mandate and the progress on detoxifying our products, materials and environment has been so far too slow. Legacy chemicals circulated from virgin, to reused, to recycled and to recovered materials are present in waste streams without traceability on their presence, location or concentration.

We therefore call on the Finnish Presidency to:

- **Make a regulatory proposal on an overarching chemicals regulatory framework** that is:
  - Protective towards human health and the environment, comprehensive, coherent and consistent with all other relevant policies;
  - Aligned with the hierarchy of Actions in Risk Management that prioritises prevention, elimination and substitution over control measures;
  - Enabling transparent, simple, streamlined and cost-efficient actions to ensure protection and compliance;
  - Updated to the latest scientific knowledge and addressing real life exposures;
  - Provides that safety testing of chemicals are carried out by independent laboratories. The process is paid for by an industry-supplied fund that is managed by an independent public body such as ECHA;
- Call on the European Commission to put in place a **non-toxic environment strategy** by 2020 under 7EAP and ensure non-toxic environment goal is broaden under 8EAP.
- Ensuring a **public information system** about substances present in materials, articles, products and wastes is in place.
- Propose **financial instruments that stimulate substitution, innovation and clean production.**
- **Cleaning the circular economy** by avoiding and eliminating toxic chemicals in the material cycles.
- Make specific proposal to ensure **EU's democratic and environmental principles are implemented** (e.g. transparency in decision making, 'no data, no market', precautionary principle, substitution principle).

8.8 Global Mercury Treaty and EU strategy

Mercury and its compounds are highly toxic, can damage the central nervous system and are particularly harmful to foetal development. Mercury 'travels' globally, bioaccumulates up through the food chain, especially in certain predatory fish, and presents a human exposure risk.

The Minamata Convention entered into force on 16 August 2017. It has 128 signatories and 101 ratifications including the EU and 22 Member states (June 2019). The EU has been a frontrunner in terms of mercury legislation, yet in some areas it was falling short. The revised EU mercury regulation, adopted in May 2017, put in place, and in some areas went beyond, requirements of the Treaty that were not already covered by existing EU law.

Following the entering into force of the Convention, two Conferences of the Parties (COP) took place in Geneva, in September 2017 and November 2018. These meetings took decisions on structural issues, which are important in determining the future impact of the Convention, resulting in measurable and substantial reductions in global mercury use, trade and emissions.

A key priority is to ensure that countries ratify and implement the Convention as fast as possible. At the same time, enabling mercury reduction activities are needed, e.g. targeting mercury trade and supply, phasing out mercury use from products and processes, emissions' reduction, and the development and implementation of Artisanal and Small Scale Gold-Mining (ASGM) Action Plans.

We therefore call upon the Finnish Presidency to:

- Ensure **rapid ratification of the Minamata Convention** from remaining Member States.
- **Implement the EU Mercury Regulation and other relevant legislation.**
- **Maintain EU leadership in relation to the Minamata Convention on Mercury** by working towards strengthening of relevant Treaty provisions (e.g. review of Annex A), and in preparation for COP 3.
- Ensure that the **EU supports both financially and technically** the existing international work on areas such as ASGM and phasing mercury added products.



8.9 Improve implementation, enforcement and integration

Despite the high number of laws in the EU, as well as those stemming from international commitments, the environmental benefits from these often remain unseen given disparate and poor levels of implementation in the Member States. Poor implementation links both to lack of political prioritisation and in turn to the weak enforcement of laws, which in part reflects the lack of resources allocated to environmental monitoring and enforcement by national authorities.

To help Member States implement EU laws, the European Commission put in place the Environmental Implementation Review (EIR) in 2016 and the latest Communication and country reports were published in April 2019. The EIR is intended to foster better implementation through discussion aimed at solving systemic problems across the EU Member States, as well as offering a Peer-to-Peer tool to support capacity building and good practice dissemination. While the EIR can help Member States ensure that EU laws are well-functioning, these dialogues should not replace the Commission's prerogative to take enforcement action against Member States when there is a clear case of non-compliance and breach with the Treaties.

The scandal of 'Dieselgate' and the high level of public and press concern around non-compliance with chemicals regulation, has badly damaged the confidence of citizens in the ability of governments to effectively regulate the corporate sector. This underlines the need to increase inspection and enforcement capacities at EU and Member State levels, strengthen the oversight role of the public through enhancing transparency and access to justice, and ensure that the regulated community does not exercise undue influence on the regulatory authorities. Laxity in the handling of breaches of EU law, which includes the EU's international commitments, sends the wrong signals. The EEB considers that in the long run only a solid harmonised environmental acquis and its full application can provide the conditions for a healthy sustainable economy.

We therefore call upon the Finnish Presidency to support better implementation and build confidence in the rule of law, and specifically to:

- Remind the Finnish Presidency of the Council, Commission and Parliament joint commitment to **give top priority to improving implementation of the EU environment *acquis*** at Member State level.
- **Fully engage with the Environmental Implementation Review (EIR) process** and contribute actively to solve systemic problems as well as Member State level implementation problems in cooperation with the Commission and stakeholders.
- **Emphasize the need for engaging appropriate bodies and structures at EU level** to improve the application of EU environmental law, through networks such as IMPEL, EJTN, ENPE, and identify needs and explore ways forward to address gaps in implementation and enforcement.
- **Encourage a review of the Environmental Crimes Directive** to ensure that all environmental harm is sanctioned in a proportionate, dissuasive and effective manner and to improve enforcement.
- To ensure that the EU takes a **critical position towards nuclear issues**, in particular life-time extensions of nuclear plants, and a consistent approach to dealing with non-compliance issues, especially in recurring cases, at the upcoming intermediary sessions of the Meetings of the Parties to **Espoo Convention and SEA Protocol.**



8.10 Application of the Aarhus Convention to the EU institutions

The Aarhus Convention establishes international legal obligations that aim to ensure transparency and accountability of public authorities in relation to environmental matters. As the EU itself, as well as all EU Member States, are Parties to the Convention, the EU adopted Regulation 1367/2006 on the application of the provisions of the Aarhus Convention to the EU institutions (known as the Aarhus Regulation).

In June 2012, two rulings of the General Court found that the restriction of the type of measures which could be challenged to 'measure[s] of individual scope' was too limited and not compatible with the Convention. However, in 2015, the Court of Justice of the EU (CJEU) considered that Article 9(3) of the Aarhus Convention was not sufficiently precise or unconditional to preclude the limitation to 'measures of individual scope' and overturned the two rulings. By severely restricting access by NGOs and the public to the EU courts, the ruling reinforced the already widespread impression that EU institutions are insufficiently accountable to the public. It prolongs the manifestly unfair situation whereby companies whose activities have a destructive impact on the environment have access to the EU courts to defend commercial interests whereas NGOs have very limited access to argue on behalf of the environment and wider public interests.

The conditions under which NGOs have access to justice at the level of EU institutions was already the subject of a complaint to the Aarhus Convention Compliance Committee by ClientEarth in 2008. The 2015 CJEU ruling enabled the ACCC to bring its deliberations on the 2008 case to a conclusion: in March 2017, the Committee concluded that the EU is not in compliance with the Convention. This finding was not accepted by the EU, which succeeded in blocking its endorsement by the Meeting of the Parties (MoP) in September 2017 – the first time that a finding of non-compliance was not endorsed by the MoP.

Subsequently, the Estonian Presidency convened an 'informal Aarhus workshop' of the Council Working Party on International Environmental Issues in November. Discussions continued under the Bulgarian Presidency and culminated in the adoption of a Council Decision invoking Article 241 TFEU to request the Commission to submit a study by September 2019 on options for addressing the non-compliance and, if appropriate, a legislative proposal for revising the Aarhus Regulation by September 2020.

For the Council to resort to Article 241 in an environmental matter was unprecedented and underlined the depth of frustration at the Commission's resistance to addressing non-compliance. The Commission subsequently engaged consultants from Milieu to conduct a study on the options for addressing the problem. The long time-frame of the study and its broad scope, including to look into options that the Compliance Committee rejected as viable solutions, has raised concerns these are unnecessary to address what had been identified as the solution to the non-compliance: amending the Aarhus Regulation. The study, together with a Commission Staff Working Document, will have to be published by September 2019. The EU will be expected to report to the 23rd meeting of the Working Group of the Parties to the Aarhus Convention (26-28 June 2019) on the progress made towards restoring compliance with the Convention. It will therefore fall to the Finnish Presidency to coordinate a Council reaction to the results of the study so that swift action can be taken for the revision of the Regulation.

We therefore call upon the Finnish Presidency to:

- Maintain pressure on the Commission to initiate the **preparation of a legislative proposal for the revision of the Aarhus Regulation as soon as the new College takes office**, so as to guarantee access to justice and bring the EU into compliance with the Convention in advance of Aarhus MoP-7;
- Specifically, **coordinate the Member States' reaction to the Commission's analysis of options for restoring compliance** due to be published by September 2019, and in that context, host a meeting of the EU and its Member States with the EEB and other interested NGOs to discuss the Milieu study and Staff Working Document.

8.11 Re-launch discussions on an access to justice directive

Whereas the EU has implemented the information and participation pillars of the Aarhus Convention at Member State level through the adoption of Directives, no such Directive exists in relation to the access to justice pillar of the Convention, despite an initial proposal by the Commission. The draft Directive on Access to Justice that was published by the Commission in 2003 aimed to set certain minimum standards for access to justice in environmental matters. For many years, the Council declined to discuss the proposal, due to the resistance of a number of Member States that do not view this issue as an EU responsibility. In 2014 the proposal was eventually withdrawn, and in 2017 the Commission published interpretative guidelines in a Communication instead.

Hence, over the years, the necessity for a Directive on access to justice has been repeatedly stressed not only by civil society organisations in the EU Member States but also by judges and other experts in the legal professions as well as various academic studies. A number of cases have been brought by civil society organisations before the Aarhus Convention Compliance Committee as well as the Court of Justice of the European Union.

The EEB welcomes the interpretative guidance as an interim measure pending the issuing of a legislative proposal on access to justice and considers that it may make a useful contribution to Member States' efforts to implement the third pillar of the Aarhus Convention. However, we remain convinced of the ultimate need to re-launch negotiations on an EU Directive on Access to Justice. The results of the broad study that the consultants Milieu were instructed to carry out as a result of the Council invoking Article 241 TFEU to explore options to address the EU's own compliance with the Aarhus Convention should re-open the possibility for the Commission to introduce a Directive on Access to Justice. Only through a legally binding instrument can the EU ensure that its Member States respect their obligations under this pillar of the Convention.

We therefore call on the Finnish Presidency to:

- Push for measures to **apply and monitor the application of the Commission's interpretative guidance on access to justice in environmental matters** so as to help Member States to more fully implement their commitments under the Aarhus Convention;
- Call on the Commission to publish as soon as possible **a new proposal for a Directive on Access to Justice**, based on the guidelines in the Commission Communication, as well as any relevant findings in the Milieu study, ensuring that it reflects and incorporates the case law of the Court of Justice of the European Union.

8.12 UN Environment Assembly

The UN Environment Assembly (UNEA) is world's highest-ranking decision-making body in the field of environmental protection and the biannual gathering of environment ministers. UNEA-5 will convene in Nairobi in March 2021 under the Presidency of the Norwegian Environment Minister who has already kicked off preparations. The theme of UNEA-5 will be decided during the Finnish Presidency through the Committee of Permanent Representatives (CPR) where EU Member States have a strong voice.

In May 2019, the Working Group on the Global Pact for the Environment when meeting for the 3rd and last time in Nairobi, recommended that UNEA-5 should work on a political declaration for a UN high level meeting in the context of the commemoration of the creation of UN Environment Programme by during the UN Conference on the Human Environment held in Stockholm in 1972 with a view to strengthening the implementation of international environmental law, and international environmental governance.

We therefore call on the Finnish Presidency to:

- Ensure that the Working Party on International Environment Issues **reviews steps to be taken after UNEA-4** in March this year to step up the EU's efforts in living up to the decisions taken;
- Call on the Finnish Presidency to push the EU Member States to strongly **advocate for UNEA-5 to focus on how to strengthen international environmental governance**, including the better implementation of existing MEAs, better coordination between MEAs and policy coherence across environmental issues, mobilisation of means of implementation, the need to strengthen and codify principles of international environmental law, the need to mainstream environment into all sectoral policies and programmes at all levels of governance, and the better engagement of civil society.



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