



# LE LIERRE

**For a coherent, resilient and prepared Europe:**

## **Strengthening the Green deal for the next European mandate**

*June 2023*



# Foreword



The next European Parliament elections will take place from the 6th to the 9th June 2024. Considering the numerous environmental, energy and health crises faced by European populations today, as well as the desire by some to call into question the Green Deal and the European environmental ambition, this mandate has a particular responsibility. It will have the dual task of rebuilding the confidence of the people of the continent in the ability of the European Union to protect them, but also of rebuilding a common impetus towards a future that Europeans collectively hope for.

To contribute to the public debate ahead of the European elections, “Le Lierre” set out proposals that, in our view, are critical for programmes to match the necessary ambition. These proposals concern different sectors and aim at nourishing ongoing discussions.

Some central sectors – such as health, or the building sector– are not mentioned. This is solely due to the composition of the teams involved in drafting the note and in no way to the lesser importance of these subjects.

These proposals come from the collective work of more than 20 experts working in the European institutions, NGOs, national administrations in France and Belgium, research institutions and think-tanks. In order to ensure confidentiality for the contributors, we have opted not to publish their names. The work was coordinated by Camille Siefriedt, Adeline Favrel and Viviane Trèves.

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## **For a coherent, resilient and prepared Europe: Strengthening the Green Deal for the next European mandate**

The next European Parliament elections will take place from the 6th to the 9th June 2024. Considering the numerous environmental, energy and health crises faced by European populations today, as well as the desire by some to call into question the Green Deal and the European environmental ambition, this mandate has a particular responsibility. It will have the dual task of rebuilding the confidence of the people of the continent in the ability of the European Union to protect them, but also of rebuilding a common impetus towards a future that Europeans collectively hope for.

In order to meet this twofold objective, it would be absolutely irresponsible to slow down, or even take a 'break' in the construction of European environmental standards. Faced with even faster and more devastating impacts of climate change than initially projected, with a rapidly accelerating loss of biodiversity and severe, sometimes protracted, pollution of soil, water and air, the window of action is shrinking to ensure our ability to maintain healthy and functional ecosystems and liveable conditions for all. The science is clear : doing much more is not a choice, but a necessity.

The protection of populations from climatic events such as droughts, floods, heat waves will be rendered impossible without greenhouse gas emission reductions and adaptation to the changes underway. The health of European citizens depends on our collective capacity to ensure a non-toxic environment, clean air and drinking water. Our food security will not be guaranteed by ever more intensive production systems, at the expense of life and public health, but by reflecting on our largely inefficient food models. It is only by increased protection and restoration of complex and diverse landscapes, fertile and uncontaminated soils, and healthy ecosystems, that food security can be maintained.

In the current context, it may be necessary to mention the importance of such a strategy for European companies. They rightly call for visibility on future strategic orientations and production of standards, to enable them to adapt, plan and invest. This can only be done if the next term of office sets an unambiguous environmental direction for the EU, that clearly states that the European ambition on climate and the environment will only be reinforced, and that it is to this constant improvement that companies have to adapt. A reduction in ambition would be tantamount to punishing the most engaged actors, and to curb innovation in favour of the status quo.

The next term of office must therefore establish as a guiding principle respect for planetary boundaries, ensuring the coherence of all European policies, while at the same time responding to the challenges of social justice.

The overarching objective that guided our work was : ensure the involvement of actors at all levels, in all sectors of activity, cities and territories, towards increased ambition – be it for reducing net greenhouse gas emissions, adapting to ongoing climate changes, protecting and restoring biodiversity, or reducing and halting pollution.

The fight against COVID has demonstrated the ability of European States and the Union to act quickly, in a coordinated manner, to respond to a crisis when there is political will. Environmental and social inaction is therefore no longer understandable for European citizens.

## **1. Redefine overarching principles of a more democratic, better understood and fairer European Union**

It is clear the European Union suffers from a lack of legitimacy. Far from being a separate issue from environmental concerns, this topic is central to rebuilding the image of a European Union that acts for the benefit of the people and for building environmental policies that are understood by citizens. For years, the EU's attempts at increasing its legitimacy have only been supported by light communication tools or unreadable consultations of the general public. There is a need for a structural reflection.

- Urgently strengthen the tools of citizens' implications and the democratic functioning of the institutions. To this end, a first lever would be to facilitate the conditions for submitting a European Citizens' Initiative (ECI), and to simplify the processes to make it a legislative proposal. It might be relevant to develop citizens' conventions on environmental issues: the French model of the Citizens' Climate Convention (CCC) could be an inspiring tool. Generalising such conventions would make it possible to pass on to European policymakers the concerns of communities that are often too far from these spheres. Like the CCC, the effective integration of the work of these citizens into the democratic process will be an essential condition for making it a constructive tool for dialogue and openness.
- In the longer term, it will be necessary to rethink the European legislative system and therefore work towards granting the European Parliament the power of legislative initiative.
- Recognise, enforce and establish overarching environmental principles for public policy making as core standards. These principles will be a clear tool to ensure that citizens respect rules that will protect them and guarantee them a future. They will also strengthen the coherence of European policies, namely economic, climate and biodiversity policies. To this end, it is necessary to ensure genuine compliance with the environmental principles already recognised in the Treaties (the precautionary principle, the principle of prevention and the need to correct pollution at source), and to supplement these principles with a rule of non-regression of European environmental and climate policies, as well as of their national implementation. It is also necessary to require proof of the absence of any significant environmental impacts of all new legislative proposals, as well as proof that future climate changes have been accounted for in order to avoid any maladaptation. Existing legislation should also be assessed in this light, and compliance with these principles should be enforceable before the Court of Justice.
- As is the case today in the French administration, training on the environmental issues of all elected European officials will have to be carried out and institutionalised. The EU will also have to continue, expand and systematise its investments to strengthen the capacities of national administrations on environmental and climate issues (capacities and tools for analysing the state of the environment, tools for assessing the impact of the measures envisaged, methods of organising multi-scale democratic dialogues, capacities to support innovation, etc.). Finally, such work will have to be complemented by training courses on the very functioning of the European institutions in order to strengthen the legitimacy of European environmental legislation, as well as better complementarity and coordination between the national and European levels.
- Ensure that the institutions of the European Union are exemplary in their internal operation: this will include strengthening existing strategies to reduce the carbon and environmental footprints of its activities (transport, building, energy, etc.).

## 2. Climate: climate neutrality, adaptation and sobriety

With the European Climate Law, the adoption of the twin objective of climate neutrality and climate resilience by 2050, setting a net emissions reduction pathway of 55 % in 2030 compared to 1990 and an adaptation strategy were salutary first steps. The revision of all climate and sustainable energy policy instruments has multiplied the signals to all sectors that they need to start to play their part in order to meet the challenge of climate change. However, too many sectors of activity remain high emitters of greenhouse gases, too dependent on fossil fuels or too exposed to climate risks.

- Review European targets and related instruments to ensure that the EU makes its fair contribution to the global goal of limiting global warming below 1.5 °C. Eliminate instruments, grants or action plans that are incompatible with this objective. In particular, a revision of the 2040 emission reduction targets will have to be carried out so that a greater part of the effort to reach climate neutrality by 2050 takes place before 2040 and not afterwards.
- Define post-2050 targets to ensure the continuity of climate action and provide the necessary visibility for the investments needed in the long term. In this context, a clear and unambiguous prohibition against geo-engineering will have to be enacted<sup>1</sup>. The solutions to be promoted will be nature-based solutions such as the protection, restoration and sustainable management of ecosystems.
- Provide the EU with legally binding adaptation targets for 2030, 2040 and 2050, to steer climate risk assessment and reduction, to plan and accelerate adaptation solutions, and to encourage investment by creating strategic visibility for this underfunded sector.
- Climate incentives, such as taxes, quotas and certifications, will have to be extended to all sectors of activity on the basis of the polluter pays principle, and will have to take into account climate justice issues. In particular, the carbon border adjustment mechanism should be mainstreamed across all sectors and should not only cover raw materials but also semi-finished and finished products.
- Ensure a better framework for voluntary carbon markets. Measures to prevent international carbon leakage will need to be tightened in order to preserve jobs and maintain production chains in the EU.
- Withdraw definitively from the Energy Charter Treaty, which limits Member States' investment in the energy transition and protects investments in fossil fuels.

## 3. Energy

The energy sector is key for meeting European climate objectives, while at the same time being central to people well-being and the geopolitical relations of the EU. Managing a just transition in this sector must

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<sup>1</sup> Geo-engineering of the environment refers to all techniques and practices implemented or projected to address the effects of anthropogenic pressure on the environment on a large scale. It is important to distinguish between geo-engineering that involves mechanisms that have a global impact on the global terrestrial system and mitigation techniques and practices or merely have a local impact (ANR, 2014). Geo-engineering is highly controversial both for the possible side effects of these techniques but also for the deterrent effect they could have on taking strong mitigation measures by basing on uncertain technological solutionism.

therefore be a top political priority. The main focus will be on investing heavily in reducing energy demand and promoting sobriety, then in the deployment of renewable energy sources – and at much faster pace than today. The guiding principles of this reorientation must be to ensure that all actors have access to appropriate tools to reduce their demand (energy efficiency, soft mobility, low-tech objects, etc.) and to ensure that people have clean and cheap energy for their basic needs.

- Ban exploration and new fossil energy installations in Europe. Use and extend the Taxonomy tool to ban EU funding for this type of activity, as well as for any fossil fuel sector around the world. End fossil fuel subsidies, both for public and private support, as well as for investments and loans from the banking sector.
- Define energy efficiency objectives and implement them through significant EU funding. In particular, energy efficiency must be improved in the construction sector by means of ambitious building standards and renovation programmes prioritising first energy leaking buildings – and especially for the most precarious households – and then the entire building stock, both public and private.
- The ambition of reindustrialisation by the Net zero industry act will be accompanied by significant investments, particularly in the electricity sector. Although it is necessary to relocate the manufacturing of products essential to our energy independence (photovoltaic panels, wind turbines, batteries, etc.), there is also a need to consider the issue of energy efficiency and therefore to have investments in this area in line with long-term climate and social objectives. The development of services that allow to promote sobriety, reparability or reuse also requires a proactive policy to avoid an increase in energy consumption.
- Invest heavily in renewable energies production and strengthen its sustainability by developing European value-chains and introducing regulatory mechanisms (eco-design, recyclability, carbon tax at borders).
- Develop sustainability criteria (climate, biodiversity, pollution) for agricultural energy production by ensuring, on the one hand, that they do not compete with food production and, on the other hand, that they are consistent with other European policies, including environmental, social and industrial policies.
- Reform of the European electricity market with a long-term vision to trigger the investments needed for the transition, to plan for reducing energy consumption and to ensure fair prices.

## **4. Transport**

Like access to energy, access to mobility is an important pillar in building fair societies that ensure decent living conditions for citizens. In addition, the transport sector is a key sector for the proper functioning of our economy. Its sustainable transformation must guide European reindustrialisation policies. A good programme in the transport sector will be a programme that aims at meeting at the same time the environmental, social and industrial challenges of the transformations to be undertaken. To achieve this, the European strategy must be based on three main pillars: reducing the number of kilometres travelled and the amount of vehicles in circulation, ensuring the frugality of vehicles and supporting electrification for incompressible needs. These three main axes should be applied for daily, long-distance and freight



transport. Today, transport policies are too focused on the development of electrification and biofuels, even though it has been widely demonstrated that these approaches alone will not meet the sector's sustainability needs, nor the social demand for reliable and accessible transport. There is a need to promote systemic transformations that reduce the importance of individual cars and promote soft mobility in densely populated areas, as well as public transport.

- Develop investment plans in public transport, including solutions for sparsely populated areas where access to such transport is difficult and where people are extremely vulnerable to rising fuel prices, for example through structural, cohesion and just transition funds (on the model of the Just Transition Fund).
- Require Member States to adopt ambitious strategies for deployment and investment in soft mobility.
- Set binding standards to limit the weight of individual cars. In parallel, support the development of light electric vehicles for non-substitutable use of cars, as well as the deployment of intermediate vehicles (e-bikes, special bicycles, micro-cars, etc.)<sup>2</sup>.
- Steer investment for a European industrialisation that will support the sustainable production of these means of transport, hereby creating local jobs.
- In order to limit the production of materials, and in particular the production of batteries whose production and end-of-life are highly polluting, encourage the massive deployment of vehicle sharing systems (car-sharing, self-service cars, etc.).
- Ensure the development of electrification of vehicles for incompressible needs, in particular for freight transport.
- Work to develop aviation taxation at European level to support a just transition approach. Such taxation must go hand in hand with the logic of supporting the transformation of the sector, in order to ensure that its employees are able to retrain for green jobs. Otherwise, the risk of a major crisis in the aviation sector when it becomes absolutely impossible to sustain its growth will be inevitable.
- Generalise the capacity of all citizens to access trains in order to offer real alternatives to flights. To this end, heavily subsidise this sector, invest in daily and night lines.

## **5. Protection, restoration and sustainable management of ecosystems and biodiversity**

The ongoing collapse of biodiversity is a direct threat to the preservation of life on earth (human and non-human), public health, and food and water security. While EU policies on nature conservation, protected areas and restoration of natural ecosystems are a solid part of the EU environmental achievement, EU action is still far from meeting its ambition to reverse biodiversity loss. We need to change our development approach to focus on the fact that our natural resources are limited and that our activities

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<sup>2</sup><https://theconversation.com/malus-poids-emissions-de-co-interessons-nous-enfin-aux-vehicules-intermediaires-148650>



are closely dependent on them. Ignoring this fundamental principle of the functioning of our economy and life on Earth is nothing more than a denial of physical realities.

- Increase the ambition of EU biodiversity policies with short and long-term legally binding targets, as well as robust and credible governance and compliance mechanisms. This will include strengthening EU actions on all dimensions identified in the EU Biodiversity Strategy, and complementing and extending existing policies to areas that are still insufficiently covered, such as restoring insect populations and improving ecological connectivity.
- Strengthen accompanying measures and control mechanisms to ensure compliance with the principles of *no net biodiversity loss* and *no net land take*. This will include stepping up checks on development projects involving the destruction of natural areas or green infrastructure.
- Strengthen customs controls and enforcement of environmental legislation to stop the most harmful sources of pressure on biodiversity, such as imports of products from protected species, toxic products or products causing deforestation. The EU must take responsibility for its environmental and social impacts beyond its borders, and prohibit any form of export of pollution or destruction of biodiversity caused by European activities (e.g. pesticides, waste management or illegal wildlife trafficking).
- Increase the surface of protected areas on land and sea by up to 30 % by 2030 and strengthen protection's level of natural areas. Set targets for 2050, while accelerating ecosystem restoration and eliminating unsustainable ecosystem management. This must be achieved while respecting human rights, including the rights of the most vulnerable and of indigenous peoples.
- Set up an EU biodiversity fund, backed up by EU and national funds, and private finance sources. This fund will aim to finance activities certified as biodiversity-friendly, particularly the protection, restoration and sustainable management of ecosystems, including through payments for environmental services.
- Establish an ambitious and specific water management policy that takes into account sanitary quality, adaptation to climate change and potential conflicts of use to address emerging challenges in this sector in a coordinated manner. The risks are extremely high and the European anticipation of these issues is far too low.

## 6. Farming and food

While almost 7% of Europeans cannot afford a quality meal every second day, and in a context where around 20 % of food produced in Europe is wasted, more than 50 % of the adult population is overweight. European statistics also show that the European trade balance is positive for EU agri-food trade, with exports reaching EUR 2023 18 billion in January, and EUR 13.8 billion in imports<sup>3</sup>. At the same time, 350 000 tonnes of pesticides are used each year in Europe, leading to a massive collapse of living organisms. These

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<sup>3</sup>[https://agriculture.ec.europa.eu/system/files/2023-05/monitoring-agri-food-trade-jan2023\\_en\\_1.pdf](https://agriculture.ec.europa.eu/system/files/2023-05/monitoring-agri-food-trade-jan2023_en_1.pdf)

figures show that the main challenge for the sustainability of food systems is not to produce more, but to produce less and better while improving access for vulnerable populations. Widespread implementation of agroecology and adoption of healthy diets is possible and would allow to feed 530 million Europeans in 2050, while reducing production by 35 % and greenhouse gas emissions by 40 %<sup>4</sup>.

European policies need to be reshaped to ensure that all EU citizens have the right to healthy, affordable and diversified food from fair and sustainable agriculture that provides fair wages and jobs, fully respects the environment and the climate, while being resilient to natural disturbances and international shocks. The EU should take action at both the domestic and international levels to prevent unfair competition and the exportation of unsustainable practices.

- Set a target for phasing-out the use of synthetic pesticides in order to set a clear course for farmers. Science is clear: by 2050, a zero-pesticide European agriculture, including for imported products, is possible and will therefore need to become a new objective of a revised regulation for the sustainable phase-out of pesticides<sup>5</sup>. Such a course will enable us to move away from the substance-by-substance authorisation/ban approach, which increases confusion both within the agricultural sector and among the general public. It will guide European innovation to develop disruptive innovations in terms of agro-equipment, bio-control, creation of food products and sustainable supply chains. Such an objective will have to be broken down by sector, territory by territory, and be integrated into the broader framework of the development of agroecology.
- Promote and democratise organic farming, massively redirecting agricultural aid and public procurement, and setting legally binding targets for increasing organic farming areas in the coming decades.
- Strengthen the ambitions of the Methane Strategy, the Industrial Emissions Directive and the Integrated Nutrient Management Action Plan to reduce the climate impacts of livestock farming and fertiliser use.
- Initiate the structuring of a genuine transition plan for the livestock sector, bearing in mind the need to reduce overall meat production, while ensuring that Europeans' food needs are respected. This transition plan will have to support livestock farmers and other parts of the sector in their transformation, as well as the promotion of alternative protein sources to animal proteins.
- End animal rearing in cages by supporting farmers towards a more sustainable farming model. The sustainability criteria for agriculture and livestock farming will have to include animal welfare.
- The recent adoption of the European Deforestation-Free regulation has positioned Europe at the forefront of the fight against deforestation by banning products causing deforestation on the European market. In order to ensure that the avoided damage to forests do not simply impacts on other equally important ecosystems, the scope of this Regulation will have to be extended to the protection of critical and vulnerable ecosystems other than forests, such as savannahs, wetlands, marine and coastal ecosystems. It will also have to be extended to other actors involved in these supply chains, including financial entities and carriers. The implementation of this

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<sup>4</sup><https://www.iddri.org/fr/projet/reussir-la-transition-agro-ecologique-en-europe>

<sup>5</sup><https://www.inrae.fr/actualites/agriculture-europeenne-pesticides-2050>

Regulation will need to be supported by the establishment of effective dialogues and partnerships with third countries and local populations.

- The CAP will be revised during the next mandate and will need to be thoroughly reformed in order to be aligned with the EU's sustainability objectives. Given the scale of the necessary transformations of this public policy, it will be necessary to start negotiations as soon as possible. In particular, payments per hectare will have to be limited to a maximum area per farm in order to avoid the accumulation of aid and to stop an artificial rush to expand. In addition, the CAP will have to promote the maintaining and restoration of ecological infrastructures, diversified farming systems, integrated crop protection and organic farming to a large extent. The most destructive practices, such as the grubbing-up of hedges, the reversal of permanent grassland and the most intensive livestock farming practices, should be strictly prohibited, with stronger control obligations for the Member States.

## 7. Forest

Forests are essential for climate change mitigation and adaptation, vital for the provision of sufficient quantity and quality of drinking water, and essential to reverse biodiversity loss. But faced with multiple anthropogenic risks and natural disturbances, exacerbated by climate change, there is an urgent need to ensure good environmental conditions and high levels of climate resilience for European forests to ensure their multifunctionality. This means stopping all anthropogenic sources of deforestation and degradation in Europe, and reducing the impacts of natural disturbances, such as forest fires, pest attacks or storms, and preparing their adaptation to climate change.

- Pursue the objectives of the new EU Forest Strategy for 2030, in particular by implementing as soon as possible open access to detailed and frequent information on the state and management of European forests, as well as on the many ecosystem products and services provided by forests. This information will be crucial to guide the action of the Member States, businesses and citizens.
- Reaffirm that forests are indeed a shared competence with the EU, not a specific competence of Member States. Considering the attempts to use the principle of subsidiarity as a means of delaying environmental and climate ambitions, recall that EU competences on climate, environment, rural development and risk prevention make forests a crucial issue for many European objectives.
- Guide the action of forest stakeholders by complementing the work on developing guidelines<sup>6</sup> on sustainable forest management and the definition of 'sustainable forest management'. This concept is used in the taxonomy or in carbon certifications that receive public and private funding for forests, and it needs to be more clearly defined at the European level in binding and democratically decided legislation. Such a concept should include, in particular, banning the most destructive practices such as clear-cutting over large areas, monoculture, stump removal and the conversion of stands for economic reasons.
- Strengthen EU regulations on the use of wood and forest biomass by setting stricter sustainability criteria for timber products for all their uses, with no threshold for application. These criteria

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<sup>6</sup>The Commission has already developed guidelines on afforestation, reforestation and planting of biodiversity-friendly trees, for the definition, mapping, monitoring and strict protection of the EU's old-growth forests and for close to nature forest management.

should also lead to optimising the use of wood products in order to limit waste. To this end, it is necessary to strengthen the application of the cascading principle for wood products. This means promoting the substitution of energy and short-lived material uses towards long-term uses, in particular for the renovation of buildings, improving the collection of wood waste and its recycling for long-term material uses. In particular, primary forest biomass must no longer be regarded as renewable energy under the European Renewable Energy Directive.

## 8. Oceans and fisheries

Marine environments face major risks of destruction due to the continuity of unsustainable human activities, such as overfishing and marine or terrestrial pollution. These risks are exacerbated by the impacts of climate change and biodiversity loss. This affects the ability of these ecosystems to feed humanity, provide oxygen, regulate the climate, combat erosion and mitigate the impact of extreme natural events. The sustainable protection, restoration and management of marine ecosystems is the subject of several EU regulatory instruments such as the Common Fisheries Policy (CFP) and the Marine Strategy Framework Directive (MSFD), or incentives such as the Action Plan to Protect and Restore Marine Ecosystems for Sustainable and Resilient Fisheries. These instruments still lack ambition.

- Work on the basis of the recommendations of the Action Plan, in consultation with stakeholders, with a view to developing legally binding rules and targets.
- In the context of the revision of the Marine Strategy Framework Directive scheduled for 2023, strengthen the link with climate aspects and, more broadly, ensure that the revision is consistent with the ambition and objectives of the Green Deal.
- Improve fishing practices by putting an end to the most destructive practices, in particular by banning seabed trawling, accompanied by strong economic and social incentives for the development of fishing techniques that have less impact on a socially just transition. In addition to this, ensure the strict implementation of sustainable fishing rules and the obligation to provide monitoring resources on board fishing vessels.
- Provide incentives for the use of sustainable fishing tools and alternatives to the use of plastic and other toxic substances.
- Provide the EU with a regulation prohibiting the placing on the European market of products associated with overfishing or incidental catches, and in general unsustainable fishing techniques (similar to the deforestation-free regulation).
- Put in place an ambitious strategy to stop the race for industrialisation of fishing vessels, and to foster a shift from industrial fisheries to artisanal fisheries, providing more jobs and sustainability.
- Strictly regulate and control fishing labels to prevent greenwashing.
- Improve water quality monitoring and existing indicators to include more chemical pollutants (drug residues, cosmetics, agricultural substances, etc.), in order to obtain a more comprehensive and realistic view. Improve regulations on wastewater treatment infrastructure to filter more pollutants.

- Adopt measures to reduce the main sources of unintentionally released microplastics and avoid losses of pre-production pellets.
- Adopt legally binding measures to achieve a sustainable and measurable reduction in underwater noise pollution.
- Adopt standards for the development of offshore wind farms to take into account and minimise their impact on marine ecosystems and animals, including noise pollution, both during the construction and operational phases.
- Support the moratorium on seabed exploitation aimed at banning the extraction of rare metals, a moratorium already supported by many European countries, and promote it on the international stage, notably in the International Seabed Authority (AIFM).
- Ban new offshore oil and gas exploration and production, and adopt a strategy for phasing out existing activities.

## 9. Chemicals governance

Since 2022, a new global limit has been crossed from an ecological point of view: plastic and chemical pollution has reached the point of no return<sup>7</sup>. At the same time, the Green Deal, which provided for an in-depth reform of European chemical legislation, did not meet the challenges, in particular with a delay as a result of political pressure on the revision of the REACH Regulation. It is necessary to apply existing principles more effectively, in particular for imports, and to propose new, more diligent and efficient mechanisms.

### *Review the governance of chemical assessments*

- Review chemicals regulations to ensure effective application of the precautionary principle. Recent scientific discoveries call into question traditional toxicological models and underline the need to rethink the logic of implementation of this principle. The use of regulatory science needs to be fundamentally rethought. In particular, the level of evidence needed to take protective measures needs to be reassessed to facilitate the taking of protective measures.
- Ensure strict application of the “no-data, no market” principle, which already exists but is applied in a lax manner. Chemicals must be systematically denied access to the European market in the absence of adequate information on their risks.
- Ensure the independence of the hazard assessment of chemicals, which is so far driven by the industries themselves. While maintaining funding at the expense of industry, it might be appropriate to propose a double-blind system where the Commission would be responsible for

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<sup>7</sup>Persson, L., Carney Almroth, B.M., Collins, C.D., Cornell, S., De Wit, C.A., Diamond, M.L., Fantke, P., Hassellöv, M., MacLeod, M., Ryberg, M.W., Søgaard Jørgensen, P., Villarrubia-Gómez, P., Wang, Z., Hauschild, M.Z., 2022. Outside the Safe Operating Space of the Planetary Boundary for Novel Entities. Approximately 280 mm. ICS. Technol. 56, 1510 – 1521. <https://doi.org/10.1021/acs.est.1c04158>

choosing a laboratory for the evaluation of a substance. The name of the laboratory would remain anonymous for the industry and vice versa.

- Create a European mechanism to enable European agencies (ECHA, EFSA, EMA, EEA, OSHA), or the network of national agencies in coordination with European agencies, to carry out independent studies on substances likely to be hazardous, in particular in exceptional cases, for example cases justified by strong scientific controversy. This mechanism should enable them to assess in an impartial manner the assessments provided by the industry, without calling into question the general principle that marketing operators are responsible for producing the data on which the authorisation process is based. This work should be financed by an increase in the funding received by the agencies from the industry under the chemicals regulations.
- Extend the scope of REACH to polymers, first by subjecting them to the information requirements of the REACH Regulation so that they can then regulate their uses according to their hazards.

### ***Rethink the criteria for approval/prohibition of substances***

- Systematise the group approach of substances with similar chemical structures, rather than per individual substance, to speed up the ban of a hazardous chemical. Today, such a ban can take up to 13 years, in particular as a result of administrative delays and industry exploiting regulatory loopholes. This approach must be fully implemented as soon as possible in order to protect the population and the environment and avoid regrettable substitutions (as happened with bisphenols and phthalates). However, it should not be at the expense of industry's obligation to provide data on their registered substances.
- Contrary to the current methodology assessing chemical exposure and risks in isolation, substance by substance and use by use, European citizens are in practice exposed to a daily cocktail of substances from different sources: food, environment, work. The reality of these combined exposures should be systematically and conservatively taken into account in the risk assessment of chemicals.
- In view of the danger posed by certain chemical substances, the methodological and scientific limits on identifying non-hazardous thresholds for exposure to these substances, and the failure to take into account cocktails and transgenerational effects in the establishment of exposure limit thresholds, extend the principle of generic risk assessment and therefore prohibit substances meeting the criteria of substances of very high concern in all sectors exposing the general public or the environment (cosmetics, toys, etc.), in particular where those substances do not fulfil essential societal functions.
- Today, there are inconsistencies in substance data requirements from one sectoral regulation to another. Complete data requirements in a harmonised manner across all European regulations and, where appropriate, make them mandatory in horizontal legislation such as REACH.

### ***Development of a virtuous industry in Europe and internationally***

- Support innovation for the development of safe and environmentally-friendly products ('safe-and-sustainable-by-design') through the creation of a European body to coordinate research and development of alternatives to the use of substances of greatest concern ('European substitution centre'). This body should be financed on a mandatory basis by the industry.

- Since the adoption of REACH more than 15 years ago, online sales have exploded. Controls on products sold online and imports need to be strengthened in order to avoid exposure of citizens to non-compliant products.
- Make the EU an international example by banning the production for export of substances and products whose uses are prohibited in the EU. What is toxic to Europeans is also toxic to the people of the world.
- Defend an ambitious structure of the Science-Policy panel for chemicals, waste and prevention of pollution, currently being set up at UN level. In particular, encourage a structure based on the International Agency for Research on Cancer (IARC) model to improve the identification of hazards of substances. Beyond standardised testing, these experts would base their decisions on the analysis of all independent scientific output, in the same way as for the IARC but extended to other hazards. This would also improve risk management by promoting international cooperation, harmonising international hazard identification and facilitating the communication of scientific knowledge.

## **10. Zero pollution and the right to a non-toxic environment**

In 2021, the European Union adopted a Zero Pollution Action Plan to reduce air, water and soil pollution by 2050 to levels that are no longer considered harmful to health and natural ecosystems. However, the Action Plan lacks concrete measures and targets to achieve this ambition.

- Make binding the commitment to the Zero Pollution target by 2050 set by the European Commission and ensure its operationalisation, as well as the setting of binding interim targets, which can be revised every 5 years in line with the evolution and delay of the EU in achieving zero pollution by 2050.
- The future Soil Framework Directive will have to set a 2050 target for the return of the soil ecosystem to a level deemed to be in good ecological status – including through the remediation of contaminated sites, the protection of soil diversity, and the preservation of its capacity to store carbon. Strict application of the polluter pays principle should be ensured for polluted sites and a fund should be created for the management of orphan sites.
- Bring European air quality standards into line with the recommendations of the World Health Organisation.
- Strengthen water quality standards to combat pollution by micropollutants in order to ensure the protection of the health of the population and the protection of the resource.

## **11. Sustainable production, industry and management of natural resources**

Any work towards a more sustainable industry and resource management must first question our ways of life and focus on the collective and democratic definition of our essential needs. All European public policies in these sectors must be seen in the perspective of a finite world that takes into account social,



climate and environmental challenges. This includes making the need for sobriety a guiding principle – alongside the principles of protecting and restoring the climate and biodiversity, while ensuring that societal and geopolitical challenges are taken into account.

- Require monitoring and reporting obligations for companies and organisations above a certain size to ensure alignment of their policies and strategies with environmental objectives (mitigation, adaptation, biodiversity, pollution). Access to European funding and state aid must be conditional on the establishment of a strategy consistent with EU policies. This is now a necessary condition to justify the use of public money among citizens.
- Strengthen provisions to combat greenwashing and environmental dumping in order to continue efforts to prevent underperforming companies from entering into unfair competition with virtuous companies. This will require the mobilisation of incentive and coercive tools to deter companies from engaging in dishonest practices.
- Strengthen the conditions for access to the European market: everything that enters, is produced or leaves the European market must comply with the same environmental and climate standards.
- In order to ensure that these objectives are balanced and that economic activities are compatible with climate and environmental objectives, standards for alignment should be defined at all stages of the life cycle of products and economic activities, including in the production, consumption, use and end-of-life phases.
- Develop green public procurement policies to require public entities to prioritise environmentally sustainable products and services in their purchasing decisions.
- Invest in education and awareness raising campaigns to promote a culture of sobriety, sustainability and well-being. This would include promoting sustainable lifestyles and raising awareness among European students and citizens on the environmental and social impacts of economic growth.

***In the mining sector:***

- Develop a European action plan on metals needed for central technologies for the transition. If we keep the same level of growth, the energy transition will lead to an explosion in metal demand at unsustainable levels, which will have considerable social and environmental impacts. If the issue of mining resources and their place in sustainability transitions is not taken into account, the transition will create the risk of replacing reliance on fossil fuels with reliance on other non-renewable resources.
- Harmonise and strengthen the binding environmental and social standards in the mining sector, for the operational phase but also for the exploration and end-of-life phases, environmental impact assessment and public consultation. Ensure respect for the rights of local populations.
- Make it compulsory for operators of mining sites to take responsibility for the impact of the mine over the lifetime of a project, including the ‘post-mine’ and waste management phases.
- Ban projects if the exploration phase shows that metal concentrations are too low.

## 12. Fiscal, monetary and financial policy

A truly green European policy cannot avoid reforming fiscal and monetary policies. The green taxonomy must become a binding tool to direct investments towards sustainable and environmentally non-destructive activities. At the same time, funding for the most polluting activities, and as a priority for fossil industries, must be prohibited. The European Monetary System needs to be freed from the constraints created by the European Treaties and be thoroughly reformed to respond to the challenges of climate and environmental crises.

### *Monetary and budgetary matters*

- Call into question the rules of the Stability and Growth Pact, revise the Maastricht rules and redefine the sustainability of public debt in order to provide Member States with more fiscal flexibility to invest in the decarbonisation of their economy in order to respond to the current climate and environmental emergency, while respecting the principles of social justice.
- Reflect on the question of the independence of central and public investment banks and review their mandate for a transition to a truly democratically managed monetary policy in order to put monetary tools at the service of the transition.
- Use existing budgetary levers to steer investments into transition and sustainable activities.
- Propose targeted cancellations of public debts held by the European Central Bank (ECB) in return for green investments.
- End the ECB's market neutrality principle and use the green taxonomy criteria for refinancing operations.
- Reform the doctrine of public investment banks to enable them to get into debt to invest in sustainability transitions.
- Strengthen the guarantee funds of public investment banks.
- In the longer term, the European Treaties should be revised to enable the ECB to support European and national public investment banks (EIB) and national banks by lending them at zero rates over long periods of time, and review the role of national central banks.

### *Financial matters*

- Facilitate the financing of environmental measures, both at the level of European and national funds - including cohesion funds, investment funds and state aids - and at the level of private finance, where all sustainable finance instruments will have to be revised in order to be better aligned with climate and environmental objectives.
- Complement the taxonomies (classifications of economic activities according to their sustainability) to extend them to all sectors and raise their ambitions. This includes listing economic activities detrimental to the achievement of climate and environmental objectives, such as the production of all fossil fuels, which will have to be disinvested.

### **13. Climate and environmental diplomacy, international cooperation and future enlargements**

Current environmental crises are by nature international crises. If the European Union moves forward on its own, it will not achieve the ultimate objectives of protecting the environment and people. The fact that the EU is an example and a pioneer on these topics is an absolute necessity as EU action now sets the rhythm of environmental ambition and the rest of the world will not move as long as it does not transform its own system. Building on this position, for this internal transformation to have real international spill-over effects, the means and ambition of the EU's environmental diplomacy need to be multiplied. To date, environmental diplomacy is still being used too much as a soft power tool to support other diplomatic objectives, rather than as a genuine strategy to support the overall increase in ambition.

- The Commission, in consultation with the Member States, will have to adopt a new, ambitious international strategic approach to climate and environmental diplomacy. Firstly, the Commission will have to develop a structural and high-level strategy to support the international exit of fossil fuels.
- This strategy will also have to focus on all the key issues ahead: increased ambition on climate, biodiversity and pollution; cooperation and management of climate crises; support for the most vulnerable countries; management of supply risks; new geopolitical maps emerging around new critical materials; impacts of chosen or constrained degrowth, etc.
- Make international environmental conferences a real forum for negotiations on environmental objectives and to take account of the positions expressed by civil society. Today, most of these bodies have succeeded in setting collective goals. They now focus on governance frameworks aimed at ensuring that they are implemented and that the actions of the Member States are transparent. To complement this fundamental work, it is urgent for the Member States to mobilise these bodies to negotiate at high level on divisive but truly central issues in order to achieve the objectives set – such as managing the global phase out of fossil fuels – and to adopt control and sanction mechanisms.
- Define clear principles for the deployment of climate and environmental finance with partner countries, especially to operationalise the 'do not significant harm' principle for all new funding granted. In particular, climate finance deployed by the Commission to partner countries, mainly through its official development assistance, should have clearly defined, publicly available and legally binding exclusion criteria. It will be necessary to exclude in particular: fossil fuel infrastructure (including gas), technologies enabling polluting companies to prolong their activities (methane leakage, carbon capture, etc.), activities not aligned with the objectives of the Paris Agreement and partner countries' climate plans (Nationally Determined Contributions or NDCs), and activities harmful to biodiversity. In addition, the Commission will need to establish ambitious environmental and climate criteria to select projects under the Global Gateway – presented as the EU's new contribution to reducing the global investment gap. Finally, it will be necessary to establish exclusion criteria specific to intermediated funding.
- Scaling up international climate and environmental finance. This will have to be done both by increasing the share of public funding from the European Union and the Member States and by broadening the donor base. Following the Summit for a new global financial pact (Paris, 22 and 23 June 2023), the Commission, in coordination with the Member States, should continue to play a leading role and facilitate the development of coalitions of progressive countries aimed at

establishing new innovative sources of financing, in particular with regard to tax levers, such as: levers on fossil fuel extraction, mandatory levers on international shipping based on emissions, carbon tax on large companies.

- Make free trade agreements conditional on compliance with clear, ambitious environmental criteria aligned with European policies to limit unfair competition and strengthen mirror clauses. Where appropriate, sanctions and border price adjustment mechanisms should be put in place to avoid unfair competition that would put at a disadvantage the most sustainable forms of production.
- Ensure a high level of climate and environmental ambition in the forthcoming enlargements of the EU, as well as respect for the rule of law or human rights.

## 14. Justice: Ensuring the effectiveness of environmental regulations

Justice is an essential pillar of our democracies, making it possible to penalise damage to the environment and human health, and to ensure fair competition between economic operators. However, access to justice remains difficult for citizens and associations, and the human and financial resources available are unfairly distributed between civil society and polluters. Worse, we are seeing an increase in its use to silence whistle-blowers and journalists<sup>8</sup>.

- Reverse the burden of proof, so that it is placed on alleged polluters rather than on civil society, which has much more limited resources. This will enable making those responsible for environmental damage liable. It may be based on 1/ the establishment of a presumption of liability in the event of proven environmental damage; 2/the implementation of transparency and documentation requirements for industrial activities (pollution monitoring in all environment media, epidemiological study, etc.) and 3/the enhancement of inspection and surveillance mechanisms to detect environmental infringements and gather evidence.
- Enable collective action for associations and citizens. The establishment of a clear and harmonised legal framework at European level will facilitate these collective actions. Adequate funding mechanisms should also be put in place to support these actions, such as funds dedicated to environmental protection and support for citizens' initiatives. This will strengthen the power of associations and citizens to act, as well as their ability to obtain significant reparations.
- Increase the level of penalties and define them as a percentage of turnover in order to make infraction actually dissuasive, with the aim to prevent certain operators to include the cost of environmental infringements in their profitability calculations. By increasing the level of sanctions in proportion to turnover, we will send a clear signal that environmental damage will have a real cost to polluters. This approach will ensure fair competition between economic actors and encourage companies to adopt environmentally friendly practices.

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<sup>8</sup><https://blogs.mediapart.fr/fpl/blog/250523/non-un-tribunal-de-commerce-ne-peut-pas-violer-le-secret-des-sources>

- Apply effectively the polluter pays principle. Following the observations of the European Court of Auditors<sup>9</sup> on the insufficient level of ambition in the application of this principle, it appears essential to revise and improve the Environmental Liability Directive (ELD). This revision should include the creation of a fund dedicated to pollution management and remediation, financed by the largest European polluters. In addition, manufacturers should be required to set up a financial reserve and take out insurance to guarantee that in case of pollution it will be remedied, even in case of bankruptcy. Finally, it is essential to recognise the existence of an autonomous environmental offence, in order to sanction proven pollution by industrial operators, even if the conditions of the administrative authorisation have been complied with.
- Extend the powers of the European Public Prosecutor's Office so that it can also investigate environmental damage. Such damage often transcends national borders, leading to serious pollution. Failure to comply with European rules on environmental protection also leads to unfair competition between economic operators. It is therefore necessary to provide the European Public Prosecutor's Office with adequate powers and resources in terms of staff, funding, sanctions and autonomy so that it can act effectively in this area.
- Increase the human and financial resources of the judiciary and control authorities, both at national and European level, to ensure compliance with the implementation of environmental rules. It is essential to develop unexpected inspections, strengthen administrative checks, develop a deterrent sanctioning system and apply them both at administrative and criminal level. All chemicals, products and food products entering or leaving the European market must comply with EU requirements. In order to ensure this, a European Environment Authority should be set up and equipped with the necessary resources and tools regarding sanctions and the legal powers to apply them. This authority would be the equivalent on the environmental side of the European Labour Authority (ELA) and would work closely with the European Public Prosecutor's Office (EPPO).
- Ensure adequate protection for whistle-blowers and journalists who play a crucial role in reporting environmental damage. It is imperative to put in place mechanisms of legal protection, anonymity and support to help them to report abuses safely. It is also essential to ensure that investigative journalists are independent in the exercise of their duties, in particular by protecting the confidentiality of their sources of information.

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<sup>9</sup> Overall, we found that the Polluter Pays Principle [...] coverage and application was incomplete. With regard to environmental liability, the Commission's actions to support Member States' implementation of the Environmental Liability Directive had not solved key weaknesses [...]. The EU budget is used to fund clean-up actions, that should be under the Polluter Pays Principle have been borne by pollution.  
[https://www.eca.europa.eu/Lists/ECADocuments/SR21\\_12/SR\\_polluter\\_pays\\_principle\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR21_12/SR_polluter_pays_principle_EN.pdf)

## Perspective: Preparing for post-growth

In order to strengthen the sectoral transformations referred to in this document, a change in the fundamental vision of progress justifying action by the European Union is necessary. The EU has long been committed to making economic growth a key policy objective, but it has now been shown that the traditional model of growth based on the infinite increase in consumption and resource extraction is fundamentally incompatible with the physical realities of our environment. It moves us away from the opportunities for social progress and endangers our ability to meet our most basic needs.

To this end, the European Union must now embark on a post-growth approach, meaning ‘reducing production and consumption in order to reduce our environmental footprint, in a way which is democratically planned in a spirit of social justice and in the interests of well-being<sup>10</sup>. This approach aims to improve the well-being of people and the planet without relying on infinite economic expansion and to redefine the meaning of progress, with a focus on quality of life, community and social solidarity. Post-growth is not synonymous of economic stagnation, but rather calls for a shift to a different growth model. Far from being a utopia, this collective management strategy was recognised as relevant in the latest IPCC report<sup>11</sup>.

The challenges to achieving a post-growth model of society in the EU are numerous: economic, political, social and environmental. A paradigm shift is needed, with the collective questioning of our needs as a prerequisite. Parliament’s next mandate could be an opportunity to put this topic seriously on the table.

To develop these alternative models, the following options could be implemented:

- Promote and use new economic models (such as “the doughnut model”) and indicators to replace GDP, in order to better take into account human well-being, ecological sustainability and respect for planetary boundaries. These indicators would integrate social, environmental and economic factors and provide a more complete and accurate measurement of progress<sup>12</sup>.
- Define and promote the production and consumption of essential goods, promoting European products and short supply chains, through policies to support companies that adopt these practices.
- Introduce a ceiling on resources: a resource cap would limit the amount of natural resources that can be consumed in a given period. This would promote resource efficiency and reduce waste. Policies could include the introduction of a cap-and-trade system, which would allow companies to exchange resource use permits.
- Ensuring access to universal basic services: a programme of universal basic services would ensure citizens’ access to these services such as healthcare, education and housing. This option would reduce inequalities and promote well-being.

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<sup>10</sup>Timothée Parrique, slow down or perish. The economy of decay,

<sup>11</sup>IPCC, Working Group III contribution to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change, 2022.

<sup>12</sup>There are many examples: the Economic Welfare Index (ibre), the Real Progress Index (RPI), the Inclusive Wealth Index (IRI), the Ecological Sustainability Index (ESI), the Multidimensional Poverty Indicator (MPI), the Quality of Life Indicator (IQV), etc.

- Establish an institution for planning, coordinating, promoting, implementing and controlling post-growth policy at EU level. This body would be responsible for setting strategic objectives, monitoring progress and promoting cooperation and dialogue between Member States and stakeholders.
- Reassess the objectives and operating principles of the European Union in the light of post-growth objectives.





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