



TEN GREEN TESTS FOR THE LATVIAN PRESIDENCY January – June 2015

1. Defend and develop EU Environmental Policies

- Insist on full and ambitious implementation of the 7th Environmental Action Programme which was agreed between the three institutions, including by standing up to the Juncker Commission's anti-environment and deregulation agenda;
- Call on the Commission to speed up the process of presenting a new proposal for a Directive on Access to Justice, building on and strengthening the 2003 proposal; and once issued, swiftly convene Council working group meetings to make good progress on this directive;
- Encourage the Commission to make good progress with the preparation of a horizontal EU law for Environmental Inspection.
- Ensure that work in the framework of REFIT aiming at the reduction of administrative burden will not be misused to lower environmental standards or weaken environmental laws.
- Support a reform of the EU standardisation system to make it more transparent and ensure effective participation by stakeholders.

2. Reform trade policies

- If put to a vote, reject the Comprehensive Economic and Trade Agreement (CETA) between the EU and Canada that was finalised in May 2014 as it is understood to include a highly problematic and fundamentally undemocratic Investor State Dispute Settlement (ISDS) mechanism, which the Sustainability Impact Assessment commissioned by the European Commission advised not to include, and which could expose the EU and national governments to expensive lawsuits for passing environmental legislation;
- Oppose the inclusion under the Transatlantic Trade and Investment Partnership (TTIP) of an ISDS mechanism, of any type of regulatory cooperation provisions, or other types of provisions which could restrict the present level of environmental and health protection or the freedom of the EU to legislate to protect public health and the environment.

3. Clean air

- Insist that negotiations will continue on the entire proposed air package with a view to strengthening it in line with the objective of the 7th Environmental Action Programme by 2030, i.e. to attain "levels of air quality that do not give rise to significant negative impacts on and risks to human health and environment";
- Support ambitious binding emission reduction commitments (ERCs) for 2020, 2025 and 2030, including 2020 levels going significantly beyond those set under the revised Gothenburg Protocol and the 2005 TSAP, with ceilings for mercury included and those for methane to start in 2020; and ensure in particular that the Environment Council remains in full control over negotiating the revised NEC on behalf of the Member States;
- Support the introduction of EU-wide source control measures to reduce air pollution, with particular attention to medium scale combustion plants, as well as domestic heating, shipping, non-road mobile machinery, and the agriculture sector;

- In the case of medium scale combustion plants (MCPs), ensure that emission limit values are aligned with what is achievable by the use of best available techniques (BAT), that the deadline for compliance is brought forward and that the proposed permitting, monitoring and reporting regimes are strengthened.

4. Fight climate change

- Ensure that the EU takes global leadership to secure progress in the negotiations towards an international agreement in Paris that will ensure that emission reduction pathways to 2050 are equitable and based upon the latest scientific information on keeping well below a 2°C rise, bearing in mind an emerging consensus that staying below a 1.5°C rise is more likely to be required, as well as upon global equity and justice; and to annul surplus credits from the first commitment period of the Kyoto Protocol;
- Take effective steps to improve the EU Emissions Trading System (ETS), including by taking further the Commission's proposals for long-term solutions to match the EU ETS with the objectives of at least the 2050 decarbonisation roadmap, and ensure that ETS revenues are used to invest in climate action.

5. Reform energy policy

- Ensure that the upcoming Communication on Energy Union as well as the legal proposal to implement the Commission's Investment Package and the Council discussions on this will give a central role to energy savings and sustainable renewable sources and expedite the required phase out of nuclear and coal;
- Support an ambitious legislative proposal to revise the EU Energy Labelling Directive and combine it with a strong Communication on the next Working Plan for 2015-2017 regarding the further implementation of the Ecodesign Directive;
- Ensure that a political agreement on biofuels and ILUC is reached that leads to a significant improvement of the Council's first reading position by including ILUC factors in both the Renewable Energy Directive (RED) and the Fuel Quality Directive (FQD) for compliance purposes, not only reporting, support a cap on unsustainable land-based biofuels close to current consumption levels and set some strong safeguards for ensuring the sustainability of advanced biofuels;
- In the insufficient 2030 framework for climate and energy, support a limit on the share of unsustainable bioenergy within the target for renewable energy and the introduction of comprehensive carbon accounting.

6. Biodiversity

- Support a debate in Council that will underline the importance of the EU to double its efforts towards meeting the 2020 Biodiversity Targets as set out in the Biodiversity Strategy;
- In particular, send a strong signal to the European Commission that the planned fitness check of the Birds and Habitats Directive must be carried out objectively, be evidence based and that its conclusions should not be pre-judged as in the mandate letter of Commissioner Vella.

7. Circular Economy

- Insist that discussion in the Council will continue on the basis of the Commission proposal for a Circular Economy Package to ensure alignment of the EU product and waste policies with the 7th EAP and the Resource Efficiency Roadmap;
- Ensure that a 40% resource efficiency target for 2030, calculated as raw material consumption per GDP, is complemented by a more detailed resource efficiency dashboard at European, national and as possible priority sectors levels, encompassing quantitative indicators such as total material consumption, CO₂, water and land use footprint;
- Grasp the potential of product policy, notably by supporting an ambitious Communication on the next Working Plan for 2015-2017 regarding the further implementation of the Ecodesign Directive. This should put special focus on creating the proper conditions for a circular economy by supporting in particular the development of minimum requirements for durability, reparability and recyclability of products, including the de-toxification of material as a crucial enabler for reusing and recycling of valuable components and materials cost-effectively;
- Make sure that the %Zero Waste Programme for Europe +associated with the %Towards circular economy+Communication is not restricted to eliminating waste to landfill, but also addresses the waste to energy question and integrates provisions to avoid waste incineration that is not compatible with the material reuse and recycling.

8. Waste policies

- Insist that negotiations in Council will continue on the basis of the existing Commission proposal and support renewed ambition for a new waste framework policy aligned with the waste treatment hierarchy, notably the introduction of a binding waste prevention target on food waste, specific objectives for reuse and preparation for reuse activities, and a minimum 70% recycling target for municipal solid waste by 2030, calculated on a unique harmonised methodology at European level;
- Ensure the systematic introduction of economic instruments in all waste management plans to be notified to the Commission to support a proper implementation of the waste policy, such as reinforced extended producer responsibility, pay-as-you-throw schemes and the taxation of landfill and incineration of untreated waste;
- Support an update of the packaging and packaging waste Directive targets, making the best of this integrated product and waste legislation, boosting the overall level of recycling to over 80% by 2030 and revising the old-fashioned essential requirements set in 1994 to enhance prevention of over-packaging and incentivise reusable solutions;
- Support a ban on landfilling and incinerating of all the recyclable and compostable waste by 2020, and set a staged target on the maximum amount of residual waste per capita per year to be landfilled or incinerated.

9. Protect the public from hazardous chemicals

- Encourage the Commission to step up its work towards achieving the 7EAP goals in relation to chemicals by developing new EU tools to achieve the non toxic environment goal, for example to address nano materials, to develop and publish an endocrine-disrupting chemicals (EDCs) package and to extend information requirements for all carcinogens, mutagens and reproductive toxicants regardless of their production volume;

- Ensure that the Council conclusions on the REACH EDCs review are adopted under the Environment Council as opposed to the Competitiveness Council and acknowledge that EDCs cannot be adequately controlled and therefore need to be phased out as soon as practicable;
- Demand the Commission to consult with the European Council and the European Parliament on any attempt to modify the REACH authorisation process as the simplification and streamline proposal is not an implementing act but a major change of the REACH legal text;
- Insist that a European Commission proposal to increase transparency on nanomaterials in the EU to citizens should develop an EU wide register, the only valid tool that would close the knowledge gap of nanomaterials used, manufactured and imported in the EU;
- At EU level, promote further actions to address mercury including:
 - Banning the export of mercury added products which are not allowed in the EU market;
 - Phasing out mercury in dental care since safe mercury-free alternatives are available;
 - Adopting ambitious BAT conclusions with Associated Emission Levels (AELs) in the new Large Combustion Plant Best Available Techniques Reference Document that require a significant reduction in emissions in the sector, since this is the largest source of mercury emissions in the air in Europe and globally;
- At global level, continue the EU leadership role on activities related to preparation for ratification and implementation of the Minamata Treaty on Mercury, and the collaborative work with NGOs.

10. Sustainable Development

- Building on the European Council conclusions of October 2012 on the outcome of the Rio+20 Conference, provide input to the review of the Europe 2020 strategy and seek a review of other relevant EU and national policies, strategies and programmes with a view to strengthening their environmental content, and maintain the pressure on the Commission to develop a new Sustainable Development Strategy, with a long term vision and as guiding framework for the EU2020;
- Strengthen the environmental component of the European Semester, including by adopting progressive conclusions in the Environment Council in advance of the forthcoming Annual Growth Survey;
- Ensure that the EU plays a progressive role in the negotiation of the post-2015 framework, including the drafting of sustainable development goals which put sustainable consumption and production at their core, and ensure that environmental sustainability is central to all external dimension policies funded by the EU budget.