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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on Soil Monitoring and Resilience (Soil Monitoring Law) (first reading) - Adoption of the Council's position at first reading and of the statement of the Council's reasons = Statements

Statement by Germany

Germany hereby adds the following statement for the minutes to its objection:

Healthy soils are a prerequisite for many ecosystem services, such as carbon pools and water filtration and storage. They also act as a buffer against contaminants, serve as the basis for an adequate and healthy diet, supply agricultural and forestry biomass and provide natural cooling in urban areas. It is imperative that soil health, including humus content and soil biodiversity, be maintained and, where possible, improved. The local conditions in the individual Member States are a key factor in that regard. In Germany's view, the proposal for the Soil Monitoring Law, as agreed between the European Parliament and the Council Presidency, does not take sufficient account of the principles of subsidiarity and proportionality and would create additional burdens and duplicate structures.

Statement by Sweden

Sweden appreciates that the final compromise text to a large extent safeguards the flexibility and control of Member States. Sweden acknowledges that Article 11 has moved substantially in line with Sweden's position with the deletion of legally binding common sustainable management principles and with the deletion of Annex III.

Nevertheless, Sweden's underlying concern with the proposed Directive remains. Sweden still believes the proposal will incur additional costs in relation to its benefits and fails to see a clear added value that justifies the administrative burden of a legally binding common monitoring framework. The cost-efficiency of the monitoring framework is still uncertain and there is a lack of evidence-based quality assurance that the proposed framework will be feasible and properly applicable to different types of soils. The transboundary nature of soil health is limited and adjoins national competence.

The final compromise text results in a Directive that is closer to Sweden's position compared to the commission proposal and Sweden can therefore, in the spirit of compromise, accept the final compromise text. However, Sweden underlines the concerns stated above, as well as that there is no guarantee that the framework will work in practice.
