

MALTA

Written Comments following the WPE Meeting held on 30 September 2021 on the Presidency compromise suggestions on a Decision on a General Union Environment Action Programme to 2030 (8th EAP)

Malta has reviewed the circulated Non-Paper as presented by the Presidency. In this respect, Malta considers that it is important to retain the key scope, concepts and mandate emanating from the text adopted on this dossier.

With respect to **Section 1.3. *Phasing out environmentally harmful subsidies***, Malta welcomes and acknowledges that reference to dates for the elimination of environmentally harmful subsidies have been removed. Nevertheless, we emphasize the need to stick close to the agreed text in ECOFIN Council conclusion.

In this, respect, Malta is suggesting the following textual amendment:

Article 3 - paragraph 1 - point e [AM 59]

(e) strengthening environmentally positive incentives **as well as identifying** and phasing out ~~all direct and indirect~~ environmentally harmful subsidies, ~~in particular fossil fuel subsidies,~~ at Union, national, **regional and local** level ~~without delay, inter alia by:~~
~~– assessing which non-fossil fuel subsidies are harmful to the environment,~~
~~– developing a common monitoring and reporting framework on the phase-out of non-fossil fuel environmentally harmful subsidies;~~

With respect to **Section 1.8. *Taxonomy Regulation and »do no significant harm« principle:***

- Malta believes that on the Taxonomy -related amendments, the compromise text for Article 3 - paragraph 1 - point b - indent 1 [AM 51] and Article 3 - paragraph 1 - point b - indent 3a (new) [AM 53] should not refer to a widening scope of use of the Taxonomy Regulation (TR) which have not been studied and assessed. Moving into this direction requires the necessary studies in view of proportionality and subsidiarity principles.
 - On the other hand, compromise text for Article 3 - paragraph 1 - point d [AM 58] can be welcome, in view that the term “where applicable” provides the right balance as it would only be applicable to investments from private sources, which scope of Taxonomy Regulation is limited to.
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CONTRIBUTION

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Following the call for comments on the above set out with WK 11566/2021, delegations will find attached comments from CZ, DK, DE, ES, MT and NL.

GERMANY

Presidency non-paper – DE Position 1/10/2021

Presidency compromise suggestions on a Decision on a General Union Environment Action Programme to 2030 (8th EAP)

During the informal videoconference of WPE members on 30 September 2021, the delegations will be invited to provide their views on the Presidency compromise suggestions for the items listed below. New proposed language compared to the Coreper mandate of 17 March 2021 is indicated in **bold**. *Recitals are to be aligned following the final agreement in the operative part of the text.*

The EP amendments are set out in full in doc. WK 9715/2021, in which the Presidency has previously indicated preliminary suggestions for the Council position as regards the amendments from the Parliament. In the WPE the Presidency will provide further explanations and clarifications as obtained from the Parliament in the four technical meetings held thus far (i.e. 10, 17, 22 and 27 September 2021).

Following the examination at the WPE, the Presidency will prepare a proposal for a revised draft mandate (four-column table document), which will be submitted to Coreper on 8 October 2021 for the preparation of the next trilogue.

1. Political points:

(as delegated to the technical level by the first trilogue on 6 September)

1.1. Mid-term review/ Mid-term evaluation

Article 4a (new) [AM 118], Article 4a – paragraph 2 (new) [AM 119], Recital 17a (new) [AM 32]

1.2. Assessment of the progress towards reaching the thematic priority objectives

Article 4 – title [AM 99], Article 4 – paragraph 1 [AM 100], Article 4 – paragraph 1a (new) [AM 101], Article 4 – paragraph 1b (new) [AM 102], Article 4 – paragraph 2 [AM 103], Article 4 – paragraph 2a (new) [AM 104], Recital 14 [AM 28]

1.3. Phasing out environmentally harmful subsidies

Article 3 – paragraph 1 – point e [AM 59], Article 3 – paragraph 1 – point ea (new) [AM 60], Article 3 – paragraph 1 b (new) [AM 96], Recital 9b (new) [AM 16], Recital 9c (new) [AM 17]

1.4. Biodiversity and climate spending targets and budget-related provision

Article 3 – paragraph 1 – point eb (new) [AM 61], Article 3 – paragraph 1 – point ec (new) [AM 62], Article 3 – paragraph 1 – point ed (new) [AM 63]

1.5.Binding targets for consumption footprint

Article 3 – paragraph 1 – point jb (new) [AM 89]

1.6.New concrete actions

Article 3 – title [AM 47], Article 3 – paragraph 1a (new) [AM 95]

1.7.Sustainable Wellbeing Economy

Article 2 – paragraph 1 [AM 38], Article 2 – paragraph 2 – point c [AM 42], Article 3 – paragraph 1 – point ca (new) [AM 57], Recital 8 [AM 11], Recital 9 [AM 14], Recital 9a (new) [AM 15]

1.8.Taxonomy Regulation and »do no significant harm« principle

Article 3 – paragraph 1 – point b – indent 1 [AM 51], Article 3 – paragraph 1 – point b – indent 3a (new) [AM 53], Article 3 – paragraph 1 – point d [AM 58], Recital 6 [AM 9]

2. Other points:

(as delegated to the technical level by the first trilogue on 6 September, to be discussed at technical meetings)

2.1.Article 1: Subject matter

Article 1 – paragraph 1 [AM 35], Article 1 – paragraph 2 [AM 36], Article 1 – paragraph 3 [AM 37]

2.2.Article 2: Priority objectives

Article 2 – paragraph 2 [AM 39], Article 2 – paragraph 2 – point a [AM 40], Article 2 – paragraph 2 – point b [AM 41], Article 2 – paragraph 2 – point d [AM 43], Article 2 – paragraph 2 – point e [AM 44], Article 2 – paragraph 2 – point f [AM 45], Article 2 – paragraph 2a (new) [AM 46], Article 2 – paragraph 3 (new)

2.3.Article 3 : Enabling conditions to achieve this programme's priority objectives

Amendments between [AM 48] and [AM 94] that are not part of clusters under Point 1.

PRESIDENCY COMPROMISE SUGGESTIONS

1. Political points

(as delegated to the technical level by the first trilogue held on 6 September)

1.1. Mid-term review/ Mid-term evaluation

Article 4a – paragraph 1 (new) / Article 5 paragraph -1 (new) [AM 118]

1. Before the end of its current term **and in due time before the start of its next term**, the Commission shall carry out a mid-term review of the progress achieved in reaching the thematic priority objectives defined in Article 2(2), taking into consideration **the status** of the enabling conditions laid down in Article 3, **and progress made in monitoring and assessing systemic change. The mid-term review shall be** based on the assessments carried under Article 4(1) and any other relevant findings. **The Commission** shall submit a report **on the mid-term review** to the European Parliament and to the Council.

Acceptable in principle

Article 4a – paragraph 1 (new) / Article 5 - paragraph -1a (new) [AM 119]

2. In the light of the review referred to in paragraph 1, of other relevant policy developments, and of the European Environment Agency's report "The European environment – state and outlook", the Commission, shall present at latest by 31 March 2025, a legislative proposal for adding an annex to the present 8th Environment Action Programme, for the period after 2025, containing a list of actions necessary for reaching the thematic priority objectives defined in Article 2(2), as well as the respective timeline of these actions.

Full support

1.2. Assessment of the progress towards reaching the thematic priority objectives

Article 4 – Title [AM 99]

Monitoring framework **and governance**

Article 4 - paragraph 1 [AM 100]

1. The Commission, supported by the European Environment Agency and the European Chemicals Agency, **without prejudice to their independence**, shall **monitor**, assess and report on a regular basis on the progress of the Union and the Member States with regard to achieving the priority objectives laid down in Article 2, taking into consideration the enabling conditions **[and actions]** laid down in Article 3, **and the overall goal of achieving systemic change**. The Commission also shall take stock annually of the progress towards the 8th EAP priority objectives laid down in Article 2 and list the actions it has taken and plans to take for each one of those objectives.

Explanation by the Presidency: The reference to actions will be adapted to the agreement found on Article 3.1a (new).

Acceptable in principle

Article 4 - paragraph 1a (new) [AM 101]

Explanation by the Presidency: The Presidency sees this amendment as being sufficiently reflected in Article 4(2) [AM 103].

Acceptable in principle

Article 4 - paragraph 1b (new) [AM 102]

Explanation by the Presidency: In view of the ongoing exercise on the 8th EAP monitoring framework, the process of selecting headline set of indicators and the ongoing work on developing indicators, both sides agree that this paragraph should not be too prescriptive; the Parliament has shown openness to consider the level of details, exact wording is still pending.

Article 4 - paragraph 2 [AM 103]

2. The assessment referred to in paragraph 1 shall take into account a systemic approach and aim at facilitating strategic political communication. It shall be based on a limited number of headline indicators, which include, where available, systemic indicators that address environmental-social and environmental-economic nexus, to be identified by the end of 2021 as a result-of a consultation process involving Member States, and targeted stakeholders, which brings together environment policy experts and indicator experts, and which shall be supported by the European Environment Agency. It shall reflect the latest developments as regards the availability and relevance of data and indicators and build on data available in the Member States, **including at regional and local level**, and at the Union level, in particular those operated by the European Environment Agency and the European Statistical System, with a view to minimising administrative burden. The assessment shall be coherent with and without prejudice to other monitoring, reporting and governance frameworks and exercises covering social, economic, environment and climate policy, **and shall be based on a robust methodology that enables measurement of progress**.

Acceptable in principle

Article 4 - paragraph 2a (new) [104]

Explanation by the Presidency: Decision on a possible exchange of views to be clarified within the framework of political discussions, due to the fact that such an exchange of views already takes place as part of the Commission's annual programming, as provided by with the inter-institutional agreement on Better Law-Making.

1.3. Phasing out environmentally harmful subsidies

As proposed by NL in the WPE on 30/9/2021 and in agreement with what many other Member states said, we suggest to only signal at this moment in the negotiations that the Council is open to compromise as part of a package deal without adopting detailed new wording and only adding the following in the text agreed by COREPER on 17/3/2021:

(e) strengthening environmentally positive incentives as well as taking the necessary steps for phasing out environmentally harmful subsidies at Union and national level, making the best use of market-based instruments and green budgeting tools, including those required to ensure a socially fair transition, and supporting businesses and other stakeholders in developing standardised natural capital accounting practices;

Article 3 - paragraph 1 - point e [AM 59]

(e) strengthening environmentally positive incentives **as well as identifying** and phasing out **all direct and indirect** environmentally harmful subsidies, **in particular fossil fuel subsidies**, at Union, national, **regional and local** level **without delay, inter alia by:**

- **assessing which non-fossil fuel subsidies are harmful to the environment,**
- **developing a common monitoring and reporting framework on the phase out of non-fossil fuel environmentally harmful subsidies;**

Not acceptable

Article 3 - paragraph 1 - point ea (new) [AM 60]

Explanation by the Presidency: The Presidency proposed merging the suggested content of this point together with the previous point (see above).

Article 3 - paragraph 1b (new) [AM 96]

The Presidency proposes to delete this particular amendment and split the content as follows:

- *Presidency compromise suggestion in Art. 3(1)(e)[AM 59] refers to identifying environmentally harmful subsidies, which covers the 1st part of the [AM 96]¹. This could*

¹ 1b. In order to achieve the enabling conditions set out in point (ea) of paragraph 1, the Commission shall, by December 2022, and on the basis of ongoing work, assess which subsidies are harmful to the environment and

be further elaborated on in a Recital 9b [AM 16], where the descriptive text as proposed by the EP in [AM 16] would be shortened.

- *The 2nd part of [AM 96]² on the reporting on environmentally harmful subsidies would be moved to Article 4 on the Monitoring Framework (possible placement in Art. 4(1)b(new) [102]).*

1.4. Binding targets for consumption footprint

Article 3 - paragraph 1 - point jb (new) [AM 89]

(jb) significantly decreasing the Union's material and consumption footprints to bring them into planetary boundaries as soon as possible;

Acceptable in principle

1.5. Biodiversity and climate spending targets and budget-related provision

Article 3 - paragraph 1 - point eb (new) [AM 61]

(eb) making the best use of environmental taxation, market-based instruments and green budgeting and financing tools, including those required to ensure a socially fair transition, and supporting businesses and other stakeholders in developing and applying standardised natural capital accounting practices;

Negative scrutiny

Article 3 - paragraph 1 - point ec (new) [AM 62]

(ec) investing into biodiversity protection and restoration with a view to working towards the funding objectives of the 2030 EU Biodiversity strategy;

Explanation by the Presidency: The Presidency proposes to add in a recital a reference to text from the current MFF (2021-2027): “the ambition of providing 7,5 % in 2024, and 10 % in 2026 and 2027 of the annual spending under the current MFF (2021-2027) to biodiversity objectives”

Not acceptable

produce guidance materials for identifying such subsidies at Union, national, regional and local level, as well as possible pathways for their phasing out.

² Member States shall compile information annually on the existence of subsidies at national, regional and local level, as well as measures they are taking to phase them out. Member States shall transmit that information annually to the Commission. The Commission shall compile the information into a report, broken down by Member State, to be published no later than 6 months after the end of the reference year, with the first reference year being 2023. The Commission shall present the report on an annual basis to the European Parliament.

Article 3 - paragraph 1 - point ed (new) [AM 63]

Explanation by the Presidency: The issue of mainstreaming will be addressed together with issues concerning the Better Regulation, for which the Commission is preparing a compromise text (see point 2.3. below, further information will be provided at the WPE).

1.6. New concrete actions

Article 3 – title [AM 47]

Explanation by the Presidency: Text to be aligned following the political decision on the inclusion of actions.

Article 3 – paragraph 1a (new) [AM 95]

Explanation by the Presidency: The agreement on this amendment will be sought at the political level, before reverting to finding exact compromise wording, which in any case would need to reflect the issue of scope and the fact that the legal basis of the 8th EAP does not provide for too specific actions. Any actions agreed to would be generally framed and take into account the Inter-institutional agreement on Better Law-Making.

1.7. Sustainable Wellbeing Economy

Article 2 - paragraph 1 [AM 38]

The 8th EAP shall have the long-term priority objective **that by 2050 at the latest, people live well, within the planetary boundaries in a wellbeing economy where nothing is wasted, growth is regenerative, climate neutrality has been achieved and inequalities have been minimised.** A healthy environment underpins the well-being of **all people**, biodiversity and **ecosystems** thrive and **nature** is protected and restored [...], **leading to increased** resilience to climate change, **weather and climate-related disasters**, and other environmental risks. The Union sets the pace for ensuring the prosperity of present and future generations globally, **in line with intergenerational responsibility.**

Negative scrutiny

Article 2 - paragraph 2 - point c [AM 42]

c) advancing towards a wellbeing economy that gives back to the planet more than it takes, and accelerating the transition to a non-toxic circular economy, **where resources are used efficiently and the waste hierarchy is applied;**

Negative scrutiny

Article 3 - paragraph 1 - point ca (new) [AM 57]

Explanation of the suggestion by the Presidency:

- *The part on measuring progress towards a wellbeing economy³, once the approach is agreed at the political level, would be brought under Article 4 (monitoring framework)*
- *Reference to “better regulation”⁴ would be removed.*

Not acceptable: Wellbeing economy should be measured within the EU SDG framework.

1.8. Taxonomy Regulation and »do no significant harm« principle

Article 3 - paragraph 1 - point b - indent 1 [AM 51]

- mainstreaming the priority objectives set out in Article 2 **as well as the SDGs** in all relevant strategies, legislative and non-legislative initiatives, programmes, investments and projects at Union, national, regional and local levels **as well as in relevant international agreements to be concluded by the Union, in order to ensure that these strategies, legislative and non-legislative initiatives, programmes, investments, projects and international agreements and their implementation contribute to, where appropriate, and** do no harm to any of the priority objectives set out in Article 2(1) and (2);

Not acceptable

Article 3 - paragraph 1 - point b - indent 3a (new) [AM 53]

- **adopting a ‘think sustainability first’ and streamlining the “do no harm” approach in the Better Regulation guidelines and toolbox,**

Not acceptable

Article 3 - paragraph 1 - point d [AM 58]

(d) mobilising resources and **ensuring sufficient** sustainable investments from public and private sources, including of funds and instruments available under the Union budget, via the European Investment Bank and at national level, consistent with the Union’s sustainable finance **strategy, and, where applicable, in accordance with the Taxonomy Regulation;**

Not acceptable

³ “(ca) establishing an overarching Union framework to measure and establish progress towards a sustainable wellbeing economy that is in line with the SDGs, the Paris Agreement and the UN Convention on Biological Diversity, without prejudice to the European Semester, and that helps guide the development and coordination of new and existing policies and initiatives”

⁴ “whilst integrating the transition to a sustainable wellbeing economy where growth is regenerative into the Union’s political priorities and annual programming as well as in the Better Regulation guidelines and toolbox;”

Recital 6 [AM 9]

(6) The European Green Deal underpins the Next Generation EU Recovery Plan, which promotes the investments in key sectors **for the green and digital transition** to build resilience, and create growth and jobs in a fair and inclusive society. The Recovery and Resilience Facility, which will power the Union's economic recovery from the coronavirus crisis together with the Union budget for 2021-2027, is also based on the priority objectives set out in the European Green Deal. Furthermore, all initiatives under *the* Next Generation EU Recovery Plan should respect the European Green Deal's "do no harm" oath **and the "do no significant harm" principle as set out in Regulation (EU) 2020/852 of the European Parliament and of the Council (the 'Taxonomy Regulation')**. **The Recovery Plan offers an important opportunity to accelerate the pace of the transition towards climate neutrality and the protection of the environment.**

Not acceptable

2. Other points

2.1. Article 1 : Subject matter

Article 1 - paragraph 1 [AM 35]

This Decision sets out a general action programme in the field of the environment for the period up to 31 December 2030 (the '8th Environment Action Programme' or '8th EAP'). It lays down its priority objectives, identifies enabling conditions **[as well as general actions] necessary for the achievement of the enabling conditions. It sets** a monitoring framework to measure progress of the Union and its Member States **towards the achievement of the priority objectives. It also establishes a governance mechanism to ensure full achievement of the priority objectives.**

Explanation by the Presidency: The reference to actions will be adapted to the agreement found on Article 3.1a (new).

Acceptable in principle.

Article 1 - paragraph 2 [AM 36]

The 8th EAP aims at accelerating the green transition to a **climate-neutral, sustainable, non-toxic, resource-efficient, renewable energy-based, resilient and competitive circular economy in a just, equitable and inclusive way, and at protecting, restoring and improving the state of the environment including by, inter alia, halting and reversing biodiversity loss.** It supports and strengthens an integrated policy and implementation approach, building on the objectives of the European Green Deal **and its environment and climate related initiatives.**

Not acceptable: stick to Council wording: "building upon the European Green Deal." (general reference in the sense of an integrated policy approach mentioned before)

Article 1 - paragraph 3 [AM 37]

3. The 8th EAP **forms the basis** for achieving the environmental and climate objectives defined under the United Nations 2030 Agenda and its Sustainable Development Goals, as well as to those pursued by multilateral environmental and climate agreements [...]. Its monitoring framework shall contribute to the Union's efforts to measure progress towards sustainability, wellbeing and resilience.

Acceptable in principle.

Article 1 - paragraph 4 (new)

4. The 8th EAP shall be based on the precautionary principle, the principles of preventive action and of rectification of pollution at source and the polluter-pays principle.

Explanation by the Presidency: Proposal for changing the placement of this paragraph in Art. 1 (moving it from Art. 2(3) (new)).

Acceptable in principle.

2.2. Article 2: Priority objectives

Article 2 - paragraph 2 - introductory part [AM 39]

The 8th EAP **shall have** the following six **interlinked** thematic priority objectives, **to be achieved by 2030**:

Acceptable in principle

Article 2 - paragraph 2 - point a [AM 40]

(a) **swift and predictable** reduction of greenhouse gas emissions and, **at the same time**, enhancement of removals by natural sinks in the Union, to attain the 2030 greenhouse gas emission reduction target as laid down in Regulation (EU) 2021/...¹⁶, **in line with its climate and environment objectives whilst ensuring a just transition that leaves no one behind**;

Negative scrutiny: last part not clear ("its")

Article 2 – paragraph 2 - point b [AM 41]

(b) continuous progress in enhancing **and mainstreaming** adaptive capacity, strengthening resilience and reducing vulnerability **of the environment and of society as well as all sectors of the economy to climate change, while improving prevention of, and preparedness for, weather- and climate-related disasters**;

Acceptable in principle

Article 2 - paragraph 2 - point c [AM 42]

(Presidency compromise suggestion in Cluster 1.6. Sustainable Wellbeing Economy (above))

Article 2 - paragraph 2 - point d [AM 43]

(d) pursuing zero-pollution, including in relation to **hazardous chemicals, in order to achieve** a toxic-free environment, including for air, water, soil **as well as in relation to light and noise pollution**, and protecting the health and well-being of **people, animals and ecosystems** from environment-related risks and negative impacts;

Not acceptable: stick to Council wording "...from *harmful chemicals and other* environment-related risks..." (direct effect on human health). The term "hazardous chemicals" is too narrow and specific since it could be understood as a restriction to chemicals classified as 'hazardous' under the CLP-Regulation.

Article 2 - paragraph 2 - point e [AM 44]

(e) protecting, preserving [...] and restoring **both marine and terrestrial biodiversity [...]** **inside and outside protected areas by, inter alia, halting and reversing its loss and improving the state of ecosystem functions and services and the environment, in particular** air, water and soil, notably **by implementing the targets outlined in the EU Biodiversity Strategy for 2030**;

Not acceptable

Article 2 - paragraph 2 - point f [AM 45]

(f) promoting environmental [...] sustainability and **significantly** reducing key environmental and climate pressures related to **the Union's** production and consumption **footprint**, in particular in the areas of energy, industry, buildings and infrastructure, mobility, tourism, **international trade** and the food system.

Not acceptable: stick to Council wording "environmental *aspects of* sustainability" (sustainability includes by definition always environmental, social and economic)

Article 2 - paragraph 2a (new) [AM 46]

Explanation by the Presidency: The parties are considering adding wording to specify the distinction and relations between the terms "priority objectives", "enabling conditions", and "actions" in this 8th EAP. The wording of a possible compromise proposal is pending discussions at the political level.

In this sense, the Presidency proposes that:

- *the 1st part of this amendment⁵ is reflected in a Recital text on the difference between priority objectives, enablers (and actions);*

⁵ "2a. The thematic priority objectives laid down in paragraph 2 shall be understood as covering the objectives, targets and actions set out in the European Green Deal strategies and initiatives as well as the targets in Union legislation that contribute to the achievement of these objectives."

- the 2nd part of this amendment⁶ is reflected under the monitoring framework as part of a Recital.

More information needed: reference to European Green Deal should remain as in Art. 1 para 2

Article 2 - paragraph 3 (new)

Explanation by the Presidency: Propose to move this paragraph to Article 1(4) (new) (see above).

Acceptable in principle

2.3. Article 3 : Enabling conditions to achieve this programme's priority objectives

(Amendments between [AM 48] and [AM 94] that are not part of clusters under Point 1)

Explanation by the Presidency: Work on scrutinising individual amendments proposed by the EP, which are elaborating on, or adding additional enabling conditions is still ongoing. At the WPE, the Presidency will come back to the delegations on further explanations from the Parliament, where requested, with a view to assessing whether or not these proposed amendments/issues would merit added value.

Furthermore, as the Commission is still working on a compromise text streamlining elements in several amendments that touch upon Better Regulation issues, the Commission will elaborate on the proposed framing for these specific enablers.

⁶ “Those objectives, targets and actions shall be taken into account when developing the monitoring framework for assessing progress towards the priority objectives of the 8th EAP.”

Suggested changes to the proposed compromise – 8th EAP

DENMARK

I) Article 3 - paragraph 1 - point ec (new) [AM 62]

As the funding objectives for biodiversity are more specific in the MFF than the Biodiversity Strategy, we suggest for following change:

“(ec) investing into biodiversity protection and restoration with a view to working towards the agreed funding objectives of the 2030 EU Biodiversity strategy for biodiversity in the MFF (2021-2027) and other relevant legislation;”

II) Article 2 - paragraph 1 [AM 38]

Denmark suggests changing »minimised« to »reduced«, as »reduced« is agreed language from the 7EAP:

“The 8th EAP shall have the long-term priority objective **that by 2050 at the latest, people live well, within the planetary boundaries in a wellbeing economy where nothing is wasted, growth is regenerative, climate neutrality has been achieved and inequalities have been minimised reduced**. [.....]”

III) Article 2 - paragraph 2 - point d [AM 43]

The use of the term “hazardous chemicals”/ “harmful chemicals” must be aligned with the relevant legislation or with agreed language on chemicals. We kindly ask the Presidency to check the wording with the relevant experts.

We welcome mentioning light pollution in this paragraph, but concur with the Commission that it should not be mentioned alongside noise pollution as if the two are equivalent.

Suggested changes to the proposed compromise – 8th EAP

IV) Article 2 - paragraph 2 - point e [AM 44]

We find it more correct if the paragraph only refers to politically agreed targets. Many of the targets from the EU Biodiversity Strategy for 2030 have not yet been formally agreed upon. Additionally, relevant targets on biodiversity, nature, and the environment in other legislation or agreements should also be included. Lastly, we would prefer not to write “2030”, as not all targets have that deadline:

“(e) protecting, preserving [...] and restoring **both marine and terrestrial biodiversity [...]** **inside and outside protected areas by, inter alia, halting and reversing its loss and improving the state of ecosystem functions and services and the environment, in particular air, water and soil, notably by implementing the targets outlined in the EU Biodiversity Strategy for 2030** **the Union’s [2030] biodiversity and environmental targets;**”

V) The inclusion of deforestation

We can accept a mentioning of reduction of deforestation related to EU’s import or consumption as long as no target (apart from “reduction”) or timeline is mentioned.

SPAIN

8th EAP Presidency non-paper

Article 2 - paragraph 2 - point e [AM 44]

(e) protecting, preserving, **sustainably using** outside and restoring **both marine and terrestrial biodiversity [...]** inside and protected areas by, inter alia, halting and reversing its loss and improving the state of ecosystem functions and services and the environment, in particular air, water and soil, **and forest, freshwater, wetland and marine ecosystems, as well as combating desertification and soil degradation**, notably by implementing the targets outlined in the EU Biodiversity Strategy for 2030;

We could also support the comments of BE on this paragraph.

We would also like to add in art 2 paragraph 2 (if possible):

Article 2 – paragraph 2 - point b [AM 41]

(b) continuous progress in enhancing **and mainstreaming** adaptive capacity, **including on the basis of ecosystem approaches (or even better: on the basis on nature based solutions)**, strengthening resilience and reducing vulnerability **of the environment and of society as well as all sectors of the economy to climate change, while improving prevention of, and preparedness for, weather- and climate-related disasters.**

CZECH REPUBLIC

8th EAP: Follow-up to the informal videoconference of the members of the WPE on 30 September 2021 - Presidency non-paper

Written Comments on document WK 11405/2021

CZ welcomes the opportunity to comment on compromise suggestions in Presidency non-paper. Majority of proposals is acceptable; however, there are several specific amendments that go beyond our flexibility. We would like to highlight following points:

1.2. Assessment of the progress towards reaching the thematic priority objectives

- We would welcome more information and ensure coherence with EU green dashboard.
- CZ has reservations about adding regional and local level in Art. 4, para 2 - some indicators are not available on this level, we need to avoid administrative burden.

1.3. Phasing out environmentally harmful subsidies

- CZ appreciates proposed compromise without concrete deadlines for phase out of harmful subsidies.
- In Art. 1, para 1 point e, it is necessary to clarify implications of establishing new assessment, monitoring and reporting mechanisms (two indents) and specify in the text who will do what. CZ would like to avoid administrative burden.
- Furthermore, it is necessary to clarify the meaning of “without delay” in the same paragraph, or change the wording to “as soon as possible”.
- Also, CZ has reservations about the term “*direct and indirect environmentally harmful subsidies*” as it is not clear what would be covered by indirect subsidies.

1.8 Taxonomy Regulation and “do no significant harm” principle

- CZ believes that proposed compromise on the taxonomy cluster goes in a good direction.
- At the same time, CZ continues to analyse implications of including a direct reference to Taxonomy Regulation and therefore keeps a scrutiny reserve.

2. Other points

- Article 1, para 2 – CZ would prefer to keep the Council text, without mentioning EGD objectives.

In general, CZ would like to avoid adding unnecessary text and making the text too complicated.

THE NETHERLANDS

Text suggestion by the Netherlands

1.10.2021

1.3 Phasing out environmentally harmful subsidies

- AM 59: **Not acceptable**, text suggestion (yellow):

(e) strengthening environmentally positive incentives **as well as identifying** and **taking the necessary steps towards** phasing out **all direct and indirect** environmentally harmful subsidies, **in particular fossil fuel subsidies**, at Union, national, **regional and local level without delay, inter alia by:**

- **assessing which non-fossil fuel subsidies are harmful to the environment,**
 - **developing a common monitoring and reporting framework on the phase out of non-fossil fuel environmentally harmful subsidies;**
-