



TO: President Juncker, First Vice President Timmermans,
CC: VP Sefcovic, Commissioners Vella, Canete, Bulc,
Bienkowska, Navracsics,
Cretu, Hogan

Nijmegen, 13 November 2014

Subject: Withdrawal of environmental law

Dear President Juncker, dear Vice President Timmermans,

When the plans for the new Commission were presented on 10 September, they were criticized by the European Parliament and civil society organizations for downgrading environmental protection. In response to this, Vice President Timmermans, in your hearing before the Parliament you assured MEPs that 'better regulation will fail if it is an attack on the environment' and you were subsequently given responsibility for sustainable development. Your mandate letter, as well as those of Commissioners Vella and Cañete, was modified accordingly.

We are therefore both surprised and dismayed to note that, in a widely reported letter to the new college of Commissioners on the preparation of the 2015 Work Programme of the Commission, you are now seriously considering the withdrawal of no less than four pieces of environmental law, two of which were only published less than a year ago by the previous Commission.

This is disturbing in several respects.

First, it seriously undermines the credibility of the EU as a decision-making body. A considerable amount of work undertaken during the mandate of the previous Commission is at best called into question and at worst simply wasted. This represents an extraordinary inefficiency in a body which claims to promote better regulation. We wonder if you would consider it equally justified if the Commission that will enter office in 2019 were to withdraw key legislative proposals that have been issued during the second half of your mandate but which are still in the co-decision process. Most outside observers would consider it not only inefficient but also an abuse of the Commission's right of initiative. That right should be coupled with the responsibility to be a trustworthy and reliable player which, once a proposal is made, sticks to its proposal and is open to constructive negotiations with the other two regulators.

The supposed rationale for the withdrawal of legislative proposals in the present case is that there is a demand for less regulation from Brussels and the outcome of the European Parliament elections is sometimes cited as an excuse. However, the reality is that in the election process virtually no one publicly asked the EU to do less on environmental protection in general or to withdraw proposals on waste and air in particular. This is hardly surprising, because the environment is one of the areas in which there is considerable public support for action at EU level.

In other words, the singling out of environmental measures as the primary target for deregulation has nothing to do with public demand.

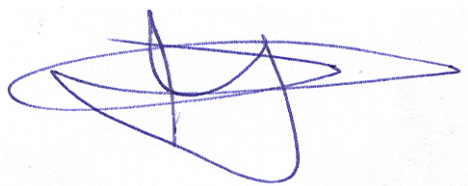
Second, there are compelling substantive reasons for maintaining the aforementioned legislative proposals, in particular the Clean Air Package.

The Clean Air Package is a carefully planned and balanced approach. In its current proposal, the NEC directive alone reduces premature deaths by 34% and gains about 180 million life years in 2030. It will substantially reduce the health related economic costs of air pollution, amounting to between €330 and €940 billion for the EU in the year 2010 alone. The clean air package also reduces the damage to the environment through eutrophication, acidification and ground-level ozone. These improvements come at total emission control costs of only 3.3 billion €/yr or 0.02% of GDP in 2030.¹ Not only is the Clean Air Package a long-overdue and important step for Europe, it is also what Europe's citizens want from Europe. After all a recent Eurobarometer poll shows that a large majority of Europeans (79%) want the EU to do more to address air quality problems.²

Furthermore, the NEC directive, if accepted, will further boost investments in energy efficiency and clean technology as well as related innovation, providing a competitive advantage of European companies on the world market.

We urge you to take these points into consideration in your further deliberations on the preparation of the 2015 Work Programme.

Yours sincerely,

A handwritten signature in blue ink, consisting of several overlapping loops and lines, appearing to read 'Johan G. Vollenbroek'.

Johan G. Vollenbroek M.Sc.

Chairman

¹ further reduced by emission reduction in EU climate policy, as analysed in "Complementary Impact Assessment on interactions between EU air quality policy and climate and energy policy", EPRS, 2014

² Eurobarometer 'Attitudes of Europeans Towards Air Quality': http://ec.europa.eu/public_opinion/flash/fl_360_en.pdf