



To: Heads of Government

CC: President Barroso, President van Rompuy

Brussels, 22 October 2013

**‘REFIT – Fit for Growth’ initiative**

Dear Heads of State or Government,

We are writing to express our deep concern over the Commission’s REFIT – “Fit for Growth initiative” - and the impact it will have on Europe’s ability to effectively address the environmental, economic and social challenges it is facing. While we welcome any periodic review of EU legislation and policy to ensure it is “fit for purpose”, framing the REFIT purely in terms of reducing administrative burdens for business, as the Commission seems to be proposing, without consideration to the benefits of regulation to citizens, the wider economy and the environment, is a grave error.

The REFIT Communication presents the environment, at worst, as an obstacle to growth and, at best, as something to be exploited for short-term economic advantage. Protection of the environment and the inclusion of a sustainable economy was one of the welcome developments in the Europe 2020 Strategy which was endorsed by Heads of State or Government. This was further complemented by Europe’s biodiversity strategy which in turn was endorsed by heads of state and government. It recognized that environmental standards and progressive regulation were not a drag on the economy but in fact a benefit to economic growth and job creation.

Solid evidence exists showing that environmental legislation actually spurs innovation and competition. Examples of this are the way EU emission standards for cars have led to a rapid explosion in technological change and forced US and China to play catch up, and the EU chemical policy favoring substitution of harmful chemicals leading to the development of safer alternatives. Unfortunately, these are two areas of legislation that are under direct threat of environmental rollback.

The Commission has analysed the jobs and growth potential of the Green Economy. Simulations show that through the implementation of EU regulations and policies, namely climate and energy policies, the EU 2020 Biodiversity Strategy, together with energy and resource efficiency policies, could lead to a boost in GDP by up to 3.3% and create between 1.4 and 2.8 million jobs. **This clearly shows the need for more effective environmental policy, for instance on soil, where a long standing proposal for legislation is currently under threat of being withdrawn, and the development of new tools and instruments to ensure existing legislation is enforced.**

The environment is a policy area where citizens have confidence in the EU and would like to see more action. For example, in the UK, the environment is one of the few topics on which citizens trust the EU more than their national government.

Europe needs long term solutions. A clean and healthy environment is an essential precondition for sustainable development for several economic sectors. To take just three examples: - the agriculture sector needs access to clean water and fertile soil; the transport and energy sectors need to become less dependent on energy imports by becoming more efficient and having access to sustainable renewables; and the tourism sector needs protection of natural landscapes and biodiversity and often clean bathing waters and good water quality in general.

The threatened withdrawal of proposals for directives on soils and on access to environmental justice runs counter to a smart, sustainable and inclusive growth championed in the Europe 2020 Strategy. The soil directive would create a stronger focus on decontamination and rehabilitation of brown field sites, providing huge opportunities for technology intensive SMEs in a range of areas (such as bio-remediation, recycling and environmental engineering) where Europe can become a world leader in cutting edge export technologies. In the case of access to justice, the jurisprudence of the Court of Justice of the European Union, as well as extensive studies by the Commission, have clearly shown that there is legal vacuum in this area with consequent disparities in the extent to which Member States provide meaningful opportunities for access to justice. This in turn leads not only to denial of the rights the EU is supposed to guarantee to its citizens under international law (the Aarhus Convention) but also to the lack of a level playing field for business.

If this "Fitness Check" is intended to analyse how legislation is performing, it must cut both ways. In areas where environmental protection is deemed inadequate, following evaluations, legislation must be tightened. Putting the environment back at the heart of the EU project will demonstrate leadership as well as helping regain part of the public trust that has been draining away from the European institutions in recent years.

We thank you for your personal attention on this extremely urgent matter, and look forward to receiving your responses to the matters raised.

Please note that in the interests of transparency we will release this letter to the press.

Yours faithfully,



Tony Long  
Director  
WWF European Policy Centre



Jeremy Wates  
Secretary General  
European Environmental Bureau



Angelo Caserta  
Regional Director  
Birdlife Europe