



Environment Council

Brussels, 18 December 2023

Chair: **Teresa Ribera Rodríguez**, Spanish deputy prime-minister and minister for the ecological transition and the demographic challenge

European Commission representatives: commissioner for climate action **Wopke Hoekstra** and commissioner for the environment, oceans and fisheries **Virginijus Sinkevičius**.

At the Environment Council meeting, EU environment ministers will try to agree on a general approach on the **packaging and packaging waste regulation**.

They will also hold a policy debate on a proposed directive on **soil monitoring and resilience**. The Commission will present its recently adopted proposal for a regulation on a **monitoring framework for resilient European forests**, and a policy debate among ministers will follow.

Under 'other business', the presidency will inform ministers on two current legislative proposals:

- the regulation establishing an EU certification framework for carbon removals
- the revision of the air quality directive

The presidency, along with the Commission, will also report on the main recent international meetings, including COP28 and the fifth meeting of the Minamata convention on mercury (COP5). The Commission will present its assessment of the national energy and climate plans and Horizon Europe EU missions as a tool for local climate action.

The Belgian delegation will also inform ministers on the work programme of the incoming presidency of the Council of the EU.

Indicative schedule (local time)

Monday, 18 December 2023

09:00: Arrivals and doorsteps

10:00: Start of the meeting

13:30: Ministerial lunch and informal discussion on the EU 2040 climate target with Prof. Ottmar Edenhofer, chair of the European scientific advisory board on climate change

15:00: Plenary session (resume)

+/- 17:35: Press conference (TTBC)

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¹ This note has been drawn up under the responsibility of the press office.

[Environment Council meeting page](#)

[Press conferences and public events by video streaming](#)

[Video coverage in broadcast quality \(MPEG4\) and photo gallery](#)

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Packaging and packaging waste regulation

EU environment ministers will seek a general approach on a proposal to revise the EU legislation on packaging and packaging waste, one of the key initiatives under the EU circular economy action plan adopted in March 2020.

Current packaging and packaging waste rules

The EU packaging and packaging waste directive was first adopted in 1994 and has been revised several times. The current directive lays down rules for EU member states to ensure that the packaging placed on the EU market meets certain requirements and to adopt measures to prevent and manage packaging waste, in order to reach recycling targets for different types of packaging waste.

According to the current rules, by 31 December 2025 at least 65% and by 31 December 2030 at least 70% by weight of all packaging waste must be recycled. There are differentiated recycling targets per material: plastic, wood, metal, glass, paper, etc.

EU countries must ensure that the packaging placed on the market fulfils minimum requirements for safety and hygiene. They must ensure packaging contains as little as possible of hazardous substances such as lead, cadmium, mercury and chromium, and is designed to be reusable and recoverable.

EU countries must furthermore ensure that there are systems in place to return or collect used packaging as well as to reuse, recover and recycle it.

By the end of 2024, EU countries should ensure that producer responsibility schemes are in place for all packaging.

Ever-increasing packaging waste

Despite measures and efforts to reduce packaging, the amount of packaging waste is still increasing. On average, each European generates almost 180 kg of packaging waste per year. Packaging waste has increased by more than 20% over the last 10 years in the EU and is forecast to increase by another 19% until 2030. The growth trend has been accentuated by new consumption habits, including on-the-go consumption, increased online sales and home deliveries.

New proposal to prevent, reuse, recycle packaging and packaging waste

Against this backdrop, on 30 November 2022 the European Commission presented a proposal to revise EU legislation on packaging and packaging waste. The proposal aims to tighten existing rules on the prevention, reduction and recycling of packaging and packaging waste and sets out rules for placing packaging on the EU market.

It proposes overall headline targets for reducing packaging waste, relative to 2018 quantities, of 5% by 2030, 10% by 2035 and 15% by 2040, per member state per capita. The proposal would ban certain kinds of single-use packaging, e.g. for items directly consumed inside restaurants and cafés, such as sachets for condiments, cups and disposable plates; single-use miniature packaging for hotel toiletries; and single-use packaging for fresh fruits and vegetables.

The proposal also aims to prevent packaging waste by ensuring operators use the minimum amount of material necessary for packaging, for example avoiding double walls and false bottoms, and disproportionately large packages to transport small items.

Making it possible for consumers to re-use, refill and return packaging and packaging waste is an important feature of the proposal. The proposal sets targets for various sectors and packaging formats to increase the possibility of re-use and refilling, whereby end-consumers fill their own containers, including for take-away items. It also aims to set up a binding deposit and return system (DRS) for certain single-use plastic beverage bottles and metal and aluminium beverage containers.

While the proposal keeps the existing recycling targets for various types of packaging waste, it proposes to make all packaging on the EU market recyclable in an economically viable way by 2030. It also requires that from 1 January 2030, plastic packaging should contain a certain minimum amount of recycled content recovered from plastic waste.

New labelling rules would make it easier for consumers to know how to sort packaging waste of different types, to identify compostable waste, and see the amount of recycled content in packaging waste. The proposal also contains provisions on extended producer responsibility and green public procurement.

A negotiating mandate to start trilogues

EU environment ministers held a policy debate on the proposal on 16 March 2023, where they shared their views on the overall ambition of the proposal and what they saw as the most important measures to drive packaging waste prevention and foster innovative solutions in the EU.

Ministers will now seek to reach agreement on amendments to the Commission proposal.

This general approach will serve as a **negotiating mandate** for the Council presidency in negotiations (trilogues) with the European Parliament. The Council and the Parliament need to find agreement on the final shape of the text before its formal adoption.

[Proposal on packaging and packaging waste \(European Commission\)](#)

[Environment Council, 16 March 2023 \(background information\)](#)

[European Green Deal \(background information\)](#)

[Circular economy \(background information\)](#)

Soil monitoring law

EU environment ministers will hold a policy debate on a proposed directive on soil monitoring and resilience under the EU soil strategy for 2030. The proposal aims to contribute to the strategy's long-term goal of bringing all EU soil ecosystems to a healthy condition by 2050.

Lack of a dedicated legislative framework for soil

To reach the EU's climate neutrality goals, healthy soils are crucial. They also contribute to stopping desertification and land degradation, as well as preserving biodiversity and human health.

However, according to available data, over 60% of European soils are in unhealthy condition, and research shows that they are further degrading. Soil degradation is being exacerbated by unsustainable management of the land, contamination and overexploitation, along with the effects of climate change and extreme weather events.

While many pieces of EU legislation and policy instruments are relevant to soil protection, soil lacks the kind of dedicated legislative framework at EU level that other key ecosystems (water, marine, air) have. In November 2021, as part of the EU biodiversity strategy for 2030, the Commission adopted a new EU soil strategy, with the overarching goal that all soils across the EU should be in good condition by 2050.

New proposal for a soil monitoring law

Under the new soil strategy, in July 2023 the Commission put forward a proposal for a directive on soil monitoring and resilience. The proposal aims to address the most serious threats to soil in the EU: erosion, floods and landslides, contamination, loss of soil organic matter and soil biodiversity. It provides a common definition of healthy soil and a list of indicators and criteria for healthy soil condition.

The proposal also calls on member states to monitor soil health and perform soil health assessment regularly, at least every five years for each of the 'soil districts' established within their territories. Member states will also have to identify contaminated or potentially contaminated sites, which should be publicly accessible online in national registers, and address the risks for human health and the environment generated from these sites.

Policy debate among environment ministers

In order to structure the debate and give guidance to the work of the Council on the proposal, the presidency will invite ministers to provide their reactions to two questions:

1. Having in mind the current gaps in knowledge on soils at EU level, how do you consider that the proposed soil monitoring framework will help improve the health of the EU soils within the planned timeline?
2. Regarding soil contamination, do you consider the ambition of the proposal and the proposed risk-based approach adequate to help to create a non-toxic environment by 2050? How would you like to see it improved?

[Presidency background paper](#)

[Proposal for a directive on soil monitoring and resilience \(European Commission\)](#)

[Biodiversity: how the EU protects nature \(background information\)](#)

[EU Biodiversity strategy for 2030 \(European Commission\)](#)

Forests monitoring framework regulation

The European Commission will present a recently adopted proposal for the establishment of a monitoring framework for forests in the EU. A policy debate among the ministers will follow. The proposal is part of the new EU forest strategy for 2030, which is one of the flagship initiatives of the European Green Deal.

Forests as a key ally in fighting climate change

Forests provide invaluable environmental and socio-economic benefits and are a key element in the fight against climate change and biodiversity loss. Among other things, they represent precious habitats for biodiversity, a source of air filtering, and an important natural carbon sink due to their capacity to absorb CO₂. Moreover, forests provide key raw materials such as wood, cork and medical plants, and currently support up to 4.5 million jobs in the EU in the extended forest-based value chains.

However, the state of forest ecosystems in Europe is degrading due to biodiversity loss, unsustainable human activity, and climate-change-induced pressures such as pests, droughts and wildfires. Last year, a record number of wildfires burnt over 900 000 hectares

of land in the EU, with unprecedented environmental and economic consequences. These threats undermine forests' resilience and capacity to deliver on their multiple benefits.

Updated and complete knowledge on the state of forests in the EU is critical to provide competent authorities with key information enabling them to develop preventive measures and reduce the impact of those extreme events. Current available data on EU forests is often based on outdated information and divergent definitions, which results in significant knowledge gaps.

A new EU forest monitoring framework

To address these gaps, in November 2023 the Commission adopted a proposal to establish a comprehensive EU forest monitoring system. The aim is to provide member states, forest owners and managers with improved and integrated information to enable them to better respond to threats to forest integrity and resilience.

The new framework will facilitate the collection and sharing of accurate and comparable forest data based on ground measurements and EU earth observation technologies. The monitoring system will create a geographically explicit identification system to map forest units and a forest data sharing framework that will foster cooperation among member states.

Under the new rules, member states will be encouraged to set up long-term forest plans or adapt their existing ones, with a medium- to long-term perspective, including 2040 and 2050.

Policy debate in the Environment Council

To guide further work on the file, the presidency has prepared a background note and three questions, around which it invites ministers to focus their interventions:

1. Do you consider that the proposal covers all the necessary aspects for the establishment of an effective forest monitoring system to ensure the resilience of forests against current and future risks?
2. In your opinion, which aspects of the proposed forest monitoring framework will be more beneficial to address current forest data gaps?
3. How can we enhance the cost-effectiveness of this proposal, in order to facilitate its implementation at national level?

[Presidency background paper](#)

[Proposal for a forest monitoring law \(European Commission\)](#)

[Deforestation \(background information\)](#)

[New EU forest strategy for 2030 \(European Commission\)](#)

Any other business

Under 'other business', the presidency will inform ministers on two current legislative proposals:

- the regulation establishing an **EU certification framework for carbon removals**
[Council negotiating mandate on a carbon removal certification framework](#)
- the revision of the **air quality directive**
[Council negotiating mandate on the revised air quality directive](#)

The presidency, along with the Commission, will also report on the main recent international meetings:

- fourth meeting of the intersessional process considering the Strategic Approach and sound management of chemicals and waste beyond 2020 (IP4.3) and the fifth session of the international conference on chemicals management (ICCM5) (Bonn, Germany, 23 – 29 September 2023)
- COP 5 – fifth Minamata convention on mercury (Geneva, Switzerland, 30 October – 3 November 2023)
- third session of the Intergovernmental Negotiating Committee (INC-3) to develop an international legally binding instrument on plastic pollution (Nairobi, Kenya, 13 – 19 November 2023)
- **COP28** (Dubai, United Arab Emirates, 30 November – 12 December 2023)

The Commission will present:

- its assessment of the national energy and climate plans
- Horizon Europe EU missions as a tool for local climate action

[Assessment of the draft updated national energy and climate plans \(information note\)](#)

[National energy and climate plans \(infographic\)](#)

[Horizon Europe EU Missions as a tool for local climate action \(information note\)](#)

The Netherlands and France will inform ministers on the Greater North Sea Basin initiative, which was established in November 2023.

[The Greater North Sea Basin initiative \(GNSBI\) \(information note\)](#)

The Belgian delegation will also inform ministers on the work programme of its incoming presidency.

Over lunch, ministers will have an informal discussion on the **EU 2040 climate target** with Prof. Ottmar Edenhofer, chair of the European scientific advisory board on climate change.
