



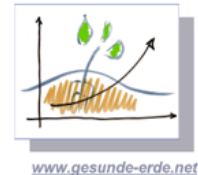
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Bundesverband



Boden



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Protecting the foundations of life

Statement on ongoing negotiations on the Soil Monitoring Law

Amidst vital negotiations, 15 organisations highlight the urgent issue of soil degradation in Europe and set out key recommendations to support continuous negotiations for an effective Soil Monitoring Law. As EU institutions progress with shaping this law, we collectively urge them to strive towards the most ambitious law possible and set the course towards achieving healthy soils across Europe by 2050.

Healthy soils are essential for life, providing the foundation for 95% of the food we eat. They filter and store water, help plants grow and are critical to the long-term resilience and stability of farmers' livelihoods, especially in the face of increasing extreme weather events. Healthy soils are also a key component of the "One Health" approach, with soil health directly linked to human health. Soil degradation in Europe costs at least 97 billion euros per year, with the **costs of inaction outweighing the cost of action by a factor of six**. These costs are, and will be, primarily borne by farmers and society at large.

Currently, **between 60 and 70% of European soils are in bad condition**, and without significant intervention, 90% of global soils could be in bad health by 2050. The lack of a dedicated EU legislative framework is one of the major contributors to this, as the failure to protect soils from the pressures of intensive agriculture, urban expansion, climate change and pollution have led to compaction, erosion and loss of biodiversity and organic matter. **This needs to change**. Protecting soils is essential to meet the EU's environmental and climate goals, and to honour international commitments like the Kunming-Montreal Global Biodiversity Framework and the UN's 2030 Agenda for sustainable development.

In July 2023, the European Commission published a **proposal for a Soil Monitoring Law**, aiming to ensure healthy soils across the EU by 2050. While the Commission proposal marked an important step forward, it contained significant gaps, including the absence of legally-binding targets, mandatory soil health plans, and robust soil biodiversity descriptors. Over the past year, both the European Parliament and the Council have adopted their respective positions. Although some improvements have been proposed, for example in monitoring soil biodiversity, the **institutions did not sufficiently strengthen the proposal**. In fact, certain areas, like sustainable soil management, were weakened further. As the

co-legislators entered trilogue negotiations in October, it is crucial that these discussions result in the most robust version of the law, on the basis of the most ambitious elements of the agreed mandates.

To that end, we urge EU lawmakers to secure an ambitious deal on the Soil Monitoring Law by...

1. **Providing the necessary tools to achieve the overarching objective of healthy soils by 2050:** While the law should ideally include legally-binding targets and soil health plans, a non-binding overarching objective plays an important role in setting the pace for the entire Directive and ensuring that obligations and the timeline are aimed towards a common goal.
2. **Ensuring an evidence-based and holistic framework for soil health monitoring and assessment:** The monitoring and assessment framework should leverage the latest scientific knowledge, with a science-based and comprehensive set of soil health descriptors, EU-wide thresholds wherever scientifically possible and a common soil health assessment approach.
3. **Placing soil biodiversity at the core of the law:** Soil biodiversity plays a vital role for overall soil health and maintaining ecosystem integrity. The Soil Monitoring Law should include clear definitions of soil biodiversity and soil functions and a comprehensive and robust list of soil biodiversity descriptors for monitoring and assessment.
4. **Addressing soil pollution comprehensively:** Diffuse soil pollution severely undermines soil health and the benefits it provides. In addition to heavy metals already included in the list of descriptors, the Soil Monitoring Law should also mandate the monitoring and assessment of other harmful substances, such as a comprehensive, science-based list of pesticides, PFAS, micro- and nanoplastics as well as pharmaceutical and veterinary products (etc.), in order to meet the soil pollution objectives of the EU Soil Strategy.
5. **Guaranteeing safe and holistic management of contaminated sites:** The law should follow the One Health approach, addressing public, environmental and animal health. It should empower the Commission to provide further clarifications on key terms (e.g. “unacceptable risk”) and establish maximum tolerable values for substances through delegated acts, as proposed by the Parliament.
6. **Mandating sustainable soil management:** The article on sustainable soil management is a cornerstone of the law, offering a crucial driver for the actual improvement of the state of EU soils. This article should not only be preserved but ideally strengthened. Without driving actual change in harmful practices that lead to soil degradation, it remains unclear how the Directive intends to achieve its objective of healthy soils by 2050.
7. **Including strong provisions that effectively minimise land take:** The Soil Monitoring Law should be in line with the ambition of the EU Soil Strategy for 2030 of achieving zero net land take by 2050. While it should ideally include a legally-binding target for zero net land take, it must at the very least ensure that the land take mitigation principles are mandatory and not further weakened.
8. **Establishing mechanisms for comprehensive public participation:** To varying degrees, all three institutional positions show a general concern for public engagement and recognise its importance for effective environmental decision-making. This should be upheld and strengthened further, for example in the public participation processes linked to the assessment and management of contaminated sites.
9. **Ensuring transparent and accessible information to the public:** Both co-legislators have suggested concerning elements that would limit the scope of the public’s right to access information. Full disclosure of all relevant information to the public increases transparency and public engagement and ensures the proper implementation of the law.

10. **Guaranteeing access to justice and enforcing penalties for better compliance and accountability:** It is key that the law includes the strongest possible version of the article on access to justice. Additionally, the institutions should uphold the article on penalties to ensure greater compliance with the Directive and consistency across EU legislation.

For more information, see our more detailed [NGO recommendations for trilogue negotiations](#).

Bringing soils back to health is not optional – it is a prerequisite to securing agricultural production, availability of food and water, human health, a circular economy and climate stability in the coming decades. Lawmakers must work in collaboration to ensure that the Soil Monitoring Law meets these essential needs.

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