



To:

Jessika Roswall, Commissioner for Environment, Water Resilience and a Competitive Circular Economy
MEP Antonio Decaro, Chair of the Committee on the Environment, Climate and Food Safety in the European Parliament
Arkadiusz Pluciński, Deputy Permanent Representative of Poland to the EU

CC:

Ion Codescu, Head of Land use and Management Unit at DG Environment
MEP Martin Hojsík, Rapporteur for the Soil Monitoring Law in the Environment Committee
Marta Gaworska, Permanent Representation of Poland to the EU, Chair of the Working Party on Environment

Brussels, 7 April 2025

Re: On the urgent need to reach a strong agreement on the Soil Monitoring Law during the political trilogue negotiations on 9 April 2025

Dear Commissioner Roswall, Dear MEP Decaro, Dear Deputy Permanent Representative Pluciński,

On behalf of the undersigned organisations, I am writing regarding what should be the final political trilogue meeting on the Soil Monitoring and Resilience Directive (Soil Monitoring Law, SML) on 9 April 2025. Based on media reports, we understand that a deal on the SML is within reach. With this letter, we wish to emphasise once again the **urgency of reaching an ambitious agreement on this first ever EU law on soils**, ensuring it sets the course for achieving healthy soils across Europe by 2050.

Science is clear: EU soils are deteriorating at an alarming rate, compromising essential ecosystem services and hindering the achievement of critical EU and international commitments, such as reaching climate neutrality, halting and reversing biodiversity loss, and achieving zero pollution. In addition, healthy soils are critical to the long-term resilience and stability of farmers' livelihoods, especially as extreme weather events become ever [more frequent](#).

The first EU Soil Monitoring Law is a timid but vital step towards addressing this crisis. Despite recognition of the importance of soil ecosystems, Europe lacks a comprehensive legal framework that protects soils. Moreover, policymaking is currently forced to rely on incomplete data which reveals only a fraction of the dire situation. A better understanding of the state of soils in Europe will allow for the problem to be tackled in the most efficient manner possible. Despite the clear need for a law on soils, some isolated voices are questioning the need for this legislation, but these claims lack a solid foundation for the reasons stated above. In addition, the European Commission's impact assessment has thoroughly examined the issue of soil health and clearly concluded that EU action is both necessary and provides added value.

Without decisive, coordinated and fast action, soil degradation will only worsen. This has been recognised by a wide range of stakeholders who have collectively called for an ambitious EU law for soils (see [open letter](#) signed by 250+ farmers, scientists, civil society organisations, foundations and private sector actors; see [business statement](#)).

We urge the negotiators to agree on an ambitious and scientifically robust Soil Monitoring Law at the upcoming meeting and rapidly seal the deal between EU institutions. More specifically, we call on you to:

1. Increase the overall level of ambition:

The SML as it currently stands represents the bare minimum of action. Regretfully, the Commission's proposal lacked the required ambition and key governance tools, and both the Parliament and Council missed the opportunity to strengthen it. It is therefore vital that negotiators secure the most ambitious elements of the agreed mandates. This law holds significant potential, but without strengthened ambition, it will fail to deliver what's needed to bring our soils back to health - with dire consequences for people, nature and climate.

2. Ensure strong requirements for sustainable soil management and the reduction of land take

The law must go beyond measuring the poor state of our soils and establish concrete measures to improve it. For this purpose, the SML should clearly acknowledge the role of management methods in improving soil health. We strongly recommend requiring Member States to define and implement sustainable soil management practices, based on a common set of principles. To address existing misconceptions, we want to highlight that the proposed law neither mandates nor prohibits specific farming practices. Obligations are placed solely on Member States and their public authorities, not on landowners and managers. Even in its most ambitious form, as proposed by the Commission, it merely outlines a potential direction of travel towards more sustainable soil management practices.

In addition, the SML should also establish concrete measures to reduce land take, which is a significant driver of soil degradation. The law should retain a broad scope on this issue and negotiators should firmly oppose any efforts to limit it to voluntary practices only, restrict it to specific types of land take like soil sealing, or arbitrarily exclude certain sectors or activities.

3. Include robust descriptors on soil biodiversity loss and soil pollution

Soil is estimated to host about [59%](#) of global species, making it the single most biodiverse habitat on Earth. This diversity of life is intrinsically connected to the provision of essential soil ecosystem services. However, soils are being polluted by a variety of substances which affect soil biodiversity and overall soil ecosystem services. For this reason, the SML should require Member States to monitor a robust list of soil biodiversity descriptors - including taxonomic and functional ones – and a comprehensive range of soil pollutants, including pesticides, PFAS, plastics, and veterinary as well as pharmaceutical products.

For more information, please refer to our [joint policy recommendations](#), published by a coalition of 15 European and national NGOs in December 2024 (also in Annex to this letter).

Bringing Europe's soils back to health is not optional – it is a prerequisite for overall ecosystem integrity, societal well-being, and a sustainable and resilient economy. For these reasons, we urge you to reach an ambitious agreement on the Soil Monitoring Law at the upcoming meeting and take a crucial step toward making this first-ever EU law on soils a reality.

We remain at your disposal should you require further details or discussion on any of the points above.

Kind regards,



Faustine Bas-Defossez, Director for Nature, Health and Environment, European Environmental Bureau

Annex: NGO recommendations for trilogue negotiations on the Soil Monitoring Law, published in December 2024



December 2024

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 a set of key recommendations, as negotiations continue for an effective Soil Monitoring Law to tackle the issue. As interinstitutional negotiations progress, we collectively urge the EU institutions 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.

Contact: Caroline Heinzl, European Environmental Bureau, Associate Policy Officer for Soil, caroline.heinzl@eeb.org, Tel: +32 2 883 70 84