



Law

Feedback from: Bioenergia ry - the Bioenergy Association of Finland

Feedback reference

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Submitted by

The Bioenergy Association of Finland

User type

Business association

Organisation

Bioenergia ry - the Bioenergy Association of Finland

Organisation size

Micro (1 to 9 employees)

Transparency register number174042620514-51 (<http://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=174042620514-51&locale=en>)**Country of origin**

Finland

Initiative

[Polluter Pays Principle – fitness check of its application to the environment \(/info/law/better-regulation/have-your-say/initiatives/13546-Polluter-Pays-Principle-fitness-check-of-its-application-to-the-environment_en\)](#)

The PPP requires polluters to pay for the pollution they cause. The Bioenergy Association of Finland believes that in the context of climate change mitigation more attention should be paid to the definition of "Pollution" in the PPP. For example, even the most recent provisional agreement on the LULUCF regulation suggests that a declining carbon sink is - in the context of the PPP - fully comparable to a GHG emission. This leads to a current situation, where some Member States are forced to maintain a high level of carbon sinks and even increase them regardless of their industrial structure or economic forecasts, whereas others are allowed to even generate emissions from the LULUCF sector. We do not consider this interpretation of the PPP sound nor fair. We strongly believe that true application of the PPP in climate change mitigation would focus more on "stick" for GHG emissions from fossil fuels and elsewhere, whereas the simultaneous need for higher carbon dioxide removals in the EU should be addressed more with different kinds of "carrots", such as those enabled by the recently proposed Carbon Removal Certification Framework from the Commission. It is useful that the fitness check is based on a set of criteria. Criteria, such as effectiveness, coherence and efficiency, are justified. However, "relevance" and "EU added value" are questionable criteria, since the PPP is a key principle underlying EU environment legislation and policies, as set out in Article 191(2) of the Consolidated Version of the Treaty on the Functioning of the European Union. The PPP as such is based on an interpretation about what is fair. Therefore it seems illogical that fairness would be a subcriterion (under "efficiency") to evaluate PPP. It is also very unclear what the meaning of "Whether the PPP is able to respond to new or emerging environmental issues and changes in technology." is.

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